

An Act

ENROLLED HOUSE
BILL NO. 3085

By: Cockroft of the House

and

Standridge of the Senate

An Act relating to counties and county officers; authorizing counties to adopt a performance-based adjustment program for county employees; providing written performance-based adjustment plan content requirements; limiting performance-based adjustment to any county employee for every twelve-month cycle; requiring certain evaluation be less than one year old; providing for codification; and providing an effective date.

SUBJECT: Performance-based adjustment programs for county employees

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 169 of Title 19, unless there is created a duplication in numbering, reads as follows:

A. Counties may adopt a performance-based adjustment program for county employees pursuant to this section.

B. In order to adopt a performance-based adjustment program, a county shall adopt a written performance-based adjustment plan. The plan must:

1. Indicate the manner in which the county intends to award performance-based adjustments, including a determination that performance-based adjustments will be awarded for overall ratings of "meets standards" or "exceeds standards". Performance-based adjustments shall not exceed five percent (5%) of a county

employee's annual salary for "meets standards" or ten percent (10%) of a county employee's annual salary for "exceeds standards". The plan shall include:

- a. the amount or percentage that the county will award to qualifying employees, or
- b. total dollar figure the county intends to set aside for performance-based adjustments to be divided among qualifying county employees;

2. Identify and define the twelve-month evaluation cycle to be used within the county, such as a calendar year or fiscal year. The plan shall not be amended within the evaluation cycle but may be discontinued according to paragraph 5 of this subsection;

3. Indicate whether the county will award performance-based adjustments as an increase to the county employee's salary, a lump-sum payment, or a combination thereof;

4. Include a written confirmation that the county can fund the performance-based adjustment program for the current and subsequent fiscal year without the need for additional funding; and

5. Include a statement that the county may discontinue performance-based adjustments at any time should it be necessary to prevent a budget shortfall. The county shall notify employees of the discontinuation of the plan and the reason therefor.

C. A county may grant only one performance-based adjustment to any county employee for any twelve-month evaluation cycle. A county shall not award a performance-based adjustment to any employee based upon a performance evaluation which is more than one (1) year old.

SECTION 2. This act shall become effective November 1, 2018.

Passed the House of Representatives the 12th day of March, 2018.

Presiding Officer of the House
of Representatives

Passed the Senate the 17th day of April, 2018.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____