By: Dunnington, Young, Griffith, Virgin, Lockhart, Wood, Sherrer, Scott, Shelton and Hoskin of the House

and

Loveless of the Senate

[ labor - discriminatory wages - Commissioner of Labor - effective date ]

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

SECTION 1. AMENDATORY 40 O.S. 2011, Section 198.1, is amended to read as follows:

Section 198.1 A. It shall be unlawful for any employer within the State of Oklahoma to willfully pay wages to women employees at a rate less than the rate at which he pays any employee of the opposite sex for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility, except where such payment is made pursuant to a seniority system; a merit system; a system which measures earnings by quantity or quality of production; or a differential based on any factor other than sex.
B. It shall be unlawful for an employer to discharge or in any
other manner discriminate against an employee because the employee
has inquired about, discussed or disclosed the wages of the employee
or another employee with someone employed by the company.

SECTION 2. AMENDATORY 40 O.S. 2011, Section 198.2, is
amended to read as follows:

Section 198.2 A. It shall be the duty of the Commissioner of
Labor to enforce the provisions of this act. Whenever the
Commissioner is informed of any violations thereof, it shall be his
or her duty to investigate same and, in his discretion, said the
Commissioner is hereby authorized to institute proceedings for the
enforcement of penalties herein provided before any court of
competent jurisdiction and civil fines. Any employer who violates
the provisions of this act shall be deemed guilty of a misdemeanor
and shall upon conviction thereof, be punished by The Commissioner
is authorized to issue a civil fine of not less than Twenty-five
Dollars ($25.00) Fifty Dollars ($50.00) nor more than One Hundred
Dollars ($100.00) Two Hundred Dollars ($200.00) for each separate
violation per pay period. In addition, the employer shall pay any
back pay found to be owed to the employee.

B. Upon final determination of a violation of this act, the
Commissioner may, to recover the cost of investigation and
proceedings, keep an amount equal to twenty-five percent (25%) of
the back pay owed to the employee to be deposited in the Department
of Labor Revolving Fund. All civil fines recovered pursuant to the provisions of this section shall be deposited in the General Revenue Fund of this state.

SECTION 3. This act shall become effective November 1, 2016.

Passed the House of Representatives the 8th day of March, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the ___ day of __________, 2016.

Presiding Officer of the Senate