

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1790

By: Williams

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5  
6 AS INTRODUCED

7 An Act relating to state government; establishing  
8 volunteer administrative leave for state employees;  
9 defining term; establishing eligibility requirements;  
10 requiring agencies to provide formal request process;  
11 establishing that certain organizations shall be  
12 ineligible; establishing process by which leave may  
13 be taken; establishing accountability provisions;  
14 establishing disciplinary procedures; establishing  
15 criteria for denial of requests for leave; stating  
16 that the Legislature may discontinue program;  
17 providing for codification; and providing an  
18 effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 840-8.2 of Title 74, unless  
22 there is created a duplication in numbering, reads as follows:

23 1. As used in this section, "volunteer administrative leave"  
24 shall mean hours of labor state employees may donate toward a  
501(c)(3) charitable organization or public school.

2. Full-time and part-time exempt or non-exempt state employees  
shall be able to donate up to twelve (12) hours of labor, per  
calendar year, toward a 501(c)(3) charitable organization or public

1 school located within this state. The provisions of this subsection  
2 shall not apply to seasonal and temporary employees.

3 3. Requests for volunteer administrative leave shall be subject  
4 to the approval of an employee's department manager or agency  
5 director. All state agencies shall make available to state  
6 employees a form by which requests for volunteer administrative  
7 leave may be submitted. All state agencies shall require employees  
8 to submit formal requests for volunteer administrative leave at  
9 least one (1) week prior to the requested leave date. All forms for  
10 request of volunteer administrative leave shall include a space for  
11 the signature of a representative of the charitable organization  
12 attesting to the time volunteered, and employees shall be required  
13 to return the signed form after volunteering.

14 4. Volunteer administrative leave may not be used for  
15 organizations that discriminate on the basis of race, color,  
16 national origin, religion, sexual orientation, ancestry, age,  
17 disability or any other federal, state or local protected  
18 characteristic.

19 5. Volunteer administrative leave may be taken in two (2) hour  
20 increments up to four (4) hours in a day. All time spent traveling  
21 to and from a volunteering location shall be considered time spent  
22 on volunteer administrative leave. Volunteer administrative leave  
23 shall not be taken for volunteer time completed outside normally  
24 scheduled work hours. Volunteer administrative leave shall be

1 awarded on the first day of the first pay period of each calendar  
2 year. New employees hired during the calendar year will be awarded  
3 a pro-rated amount of volunteer administrative leave equal to two  
4 (2) hours per remaining full month of the calendar year.

5 6. Volunteer administrative leave shall expire on the final day  
6 of the final pay period of the calendar year. Unused volunteer  
7 administrative leave will not carry over year to year and will not  
8 be paid out upon separation of employment, voluntary or involuntary.

9 7. Volunteer administrative leave shall not be used to  
10 supplement any other type of leave including paid time off.  
11 Volunteer administrative leave shall not be transferable between  
12 employees. Volunteer administrative leave shall not be considered  
13 as time worked when determining overtime eligibility. Employees  
14 shall record the time as volunteer administrative leave on their  
15 timesheets and/or electronic timekeeper.

16 8. Employees wishing to volunteer to assist with programs which  
17 are operated by this state must seek approval from the human  
18 resources director to ensure Fair Labor Standards Act guidelines are  
19 not violated.

20 9. Employees may not provide or use State of Oklahoma tools,  
21 equipment, supplies or resources while performing community service  
22 unless previously approved by their manager. In some cases, this  
23 state may already provide assistance to these organizations if the  
24

1 organization made a separate request for support that was approved  
2 by this state.

3 10. Employees may not accept any compensation, remuneration,  
4 money, gifts, privileges or other valuable consideration. No state  
5 employee may personally profit or advantage from volunteer  
6 activities performed while on volunteer administrative leave.  
7 Participation in volunteer activities must not influence the  
8 employees in the performance of his or her official duties.

9 11. Employees found falsifying performance of volunteer  
10 activities or abuse of the volunteer administrative leave program in  
11 any way will be subject to revocation of eligibility as well as  
12 disciplinary procedures up to and including separation of  
13 employment.

14 12. Requests for volunteer administrative leave may be denied  
15 for reasons including, but not limited to, staffing shortages or  
16 organizations deemed ineligible according to the criteria  
17 established in paragraph 4 of this section and shall not be the  
18 basis for a grievance filed by the employee.

19 13. The Legislature shall reserve the right to amend or  
20 discontinue this program at any time.

21 SECTION 2. This act shall become effective November 1, 2023.

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23 59-1-5102 LRB 01/03/23

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