

# Oklahoma Department of Labor

Oklahoma Administrative Code  
Title 380 – Department of Labor  
Chapter 1 – Administrative Operations



**Mark Costello**  
Commissioner of Labor

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## **SUBCHAPTER 1. GENERAL PROVISIONS**

### **380:1-1-1. Purpose**

The purpose of the rules of the Department of Labor found in Chapter 1 are to provide the scope of the powers and duties delegated to the Commissioner of Labor and to provide guidelines to the administrative procedures and remedies available to the public.

### **380:1-1-2. Origin and personnel**

The Oklahoma Department of Labor is an administrative body and the Labor Commissioner is a constitutionally elected official.

### **380:1-1-3. Powers and duties**

The Commissioner has the following powers and duties, which shall include, but not necessarily be limited to:

- (1) Conducting examinations required by law to determine the qualifications of persons seeking a license to remove asbestos from public facilities, to license private employment agencies, to license welding testing laboratories, and to license qualified welders;
- (2) Promulgating rules and regulations to control applications for examinations and the taking of examinations, and the preparation and grading of examination papers;
- (3) Issuing, or refusing to issue, a license for any cause specified by law;
- (4) Revoking or suspending for cause, any license issued, after an opportunity for a hearing has been granted;
- (5) Prescribing the forms of applications for licenses and the information to be shown thereon, and of all reports which is deemed necessary in administering the law;
- (6) Hiring personnel deemed necessary to advise and assist in the performance of duties;
- (7) Collecting and assessing all fees in the General Revenue Fund;
- (8) Maintaining personal data records on each applicant or licensee;
- (9) Maintaining proceedings to enjoin persons-unlicensed and/or such criminal sanctions for law violators;
- (10) Inspecting boilers and issuing licenses to installers and manufacturers;
- (11) Insuring a proper and safe workplace for the citizens of Oklahoma in the administration of the Oklahoma Occupational Health and Safety Standards Act;

- (12) Insuring a proper and safe workplace for the citizens of Oklahoma relative to wages, conditions of labor, and hours worked;
- (13) Assisting in the collection of wages and insuring that the minimum wages as set forth by the Legislature, is paid to all employees in the State of Oklahoma;
- (14) Insuring that all contracting authorities abide by the Prevailing Wages Act when building public facilities, and;
- (15) Performing any other duties or functions specified by law or deemed necessary for the proper administration and enforcement of the laws and rules and regulations governing the said requirements.

**380:1-1-4. Purpose of Department**

The general purpose and method of the Department of Labor's operation is prescribed by the Legislature, and the Labor Commissioner exercises the police powers of the State of Oklahoma for the protection of the health, safety, and welfare of the people of the State, for the purpose of licensing and regulating the various licenses in the State by administrative and disciplinary procedures whereby licenses are issued, denied, suspended, or revoked, in accordance with the Oklahoma Administrative Procedures Act and these rules and regulations, and to maintain personal data records on each licensee in this State.

**380:1-1-5. Access to Department of Labor records**

- (a) The Oklahoma Department of Labor complies with all applicable provisions of the Oklahoma Open Records Act, 51 O.S. §§ 24A.1. et seq., in providing the public access to department records.
- (b) Any persons desiring any information concerning the Department of Labor, its policies or procedures, or any information concerning said organization, or licenses or certificate holders may make submissions or request to the Labor Commissioner, either in person or by mail, by directing such submissions or requests to the Labor Commissioner, 4001 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105 or 440 S. Houston, Suite 300, Tulsa, Oklahoma 74127.
- (c) The Department's established written fee schedule for recovery of the reasonable, direct costs of document copying, mechanical reproduction, document search, and certified copies is posted at the Department's Oklahoma City and Tulsa offices and is filed with the county clerks of Oklahoma and Tulsa counties. Fees will be charged only as authorized by 51 O.S. § 24A.5 and shall not exceed the maximum amounts stated therein.

**380:1-1-6. Emergency actions**

Pursuant to the Commissioner's statutory authority, and 75 O.S. § 314.1, if the Agency finds that the public health, safety, or welfare imperatively requires emergency action, such may be ordered by the Commissioner or the Commissioner's designee, pending the final outcome of individual proceedings instituted pursuant to the Administrative Procedures Act, 75 O.S. § 309 et seq., and Department of Labor Rules, OAC 380. Such Emergency Orders may require affirmative action on the part of either or both parties, or may require either or both parties to refrain from some particular act or acts, at the Commissioner's discretion.

**SUBCHAPTER 3. RULE MAKING PROCEDURES**

**380:1-3-1. Opportunity for hearing**

- (a) Prior to the adoption, amendment, or repeal of any rule, the Department of Labor affords any interested person a reasonable opportunity to submit data, views, or arguments, orally or in writing to the Department of Labor concerning the proposed action on a rule. Should the proposed action on a rule affect one's substantive rights, the opportunity for an oral hearing will be granted if requested in writing by at least twenty-five (25) persons, by a governmental subdivision or agency, or by an association having not less than twenty-five (25) members, if no substantive rights are involved, the opportunity for oral argument or views is within the discretion of the Labor Commissioner.
- (b) Any interested person may petition the Labor Commissioner requesting promulgation, amendment, or repeal of a rule. The petition shall be filed with the Labor Commissioner and shall set forth in writing, clearly and concisely, all matters pertaining to the requested action and the reasons for the request. The request should, also, state whether there is someone, known to the petitioner, who is concerned with the subject and should be notified of the hearing.
- (c) The Labor Commissioner, after the completion of the notice or at a special meeting specified in the notice, will hear the petition and notify the petitioner of the ruling within twenty (20) days after the decision. In either event, a hearing on said petition shall be held within sixty (60) days after received in proper form by the Labor Commissioner. For just cause, the Labor Commissioner may postpone the discussion and ruling on the petition until a subsequent meeting and all parties shall be notified of the postponement, if necessary.

**380:1-3-2. Notice**

- (a) In any rule making action, whether initiated by the Labor Commissioner or by petition, at least twenty (20) days notice shall be

given and the notice shall state the issues involved, the time and place, and the manner in which interested persons may present their views.

- (b) The notice shall be mailed to all interested persons who have made a request of the Labor Commissioner for advance notice of its rule making proceedings, or who were specified in the petition for the rules, and shall be published in the Oklahoma Gazette or its successor publication. The twenty (20) days time shall be calculated from the date of mailing of notice or of the publication, whichever is later.
- (c) The Labor Commissioner shall set, at his discretion, the place and time where all hearings are to be conducted.

**380:1-3-3. Rule making hearing**

- (a) The hearing before the Labor Commissioner shall be informal, but in an orderly manner. The attendance of witnesses and production of records may be required in accordance with 380:1-7-18.
- (b) Minutes shall be kept of the official meetings of the Labor Commissioner. Transcripts of all matters pertaining to rule making shall be open for public inspections at the Office of the Labor Commissioner.

**380:1-3-4. Effective date**

Each rule adopted shall be effective twenty (20) days after filing, unless a later date is required by statute or specified in the rule, or unless the rule is adopted as an emergency rule.

**380:1-3-5. Emergency rules**

- (a) Emergency rules may be adopted by the Labor Commissioner without the prescribed notice and hearing if the Labor Commissioner, stating in writing his reasons, finds that imminent peril to the public health, safety, or welfare requires this shortened procedure. However, the sufficiency of the reasons is subject to judicial review.
- (b) Emergency rules become effective immediately upon filing with the State officials, as required by law, or at any stated date thereafter.
- (c) The Labor Commissioner shall distribute a copy of the emergency rules to those persons who have requested to be notified of the rule making activities, and shall take other appropriate measures, where reasonable and practical, to notify other persons who may be affected by the rule.

## **SUBCHAPTER 5. PROCEDURE FOR DECLARATORY RULING**

### **380:1-5-1. Request for ruling**

Any person affected by any rule or order promulgated or issued by the Labor Commissioner or one of his authorized agents, may request in writing to the Labor Commissioner an interpretation or ruling regarding the application of such a rule or order to the facts furnished with the request.

### **380:1-5-2. Filing and contents of petition**

The petition shall be styled similarly to an ex parte petition filed in a court of law in this State, and shall be filed with the Labor Commissioner in triplicate. It shall state fully, clearly and concisely the rule or order involved or affected, and state the facts giving rise to the need for such ruling, giving all pertinent data necessary for consideration.

### **380:1-5-3. Consideration of the petition refusal to issue ruling**

- (a) The petition will be considered by the Labor Commissioner at his earliest convenience, but in any event, a hearing shall be held on said petition within ninety (90) days after received by the Labor Commissioner, and the petitioner shall be notified promptly of the date by the Labor Commissioner, and shall be entitled to be present in person or represented by counsel. At this meeting the Labor Commissioner shall determine whether or not to issue a ruling or to continue the matter for hearing upon the petition. The Labor Commissioner may refuse to entertain a petition for a declaratory ruling if:
- (1) He determines that the facts stated in the petition do not afford an adequate basis therefor; or
  - (2) The experience under the rule or order is not adequate to enable him to make an effective or proper ruling; or
  - (3) The request is premature; or
  - (4) The request is one that should be handled through rule making procedure; or
  - (5) There exists other conditions rendering a declaratory ruling inopportune.
- (b) If the Labor Commissioner determines to entertain the petition for the declaratory ruling, he may issue the ruling immediately or he may continue the matter to a day certain for further consideration and for hearing of evidence and argument if necessary.
- (c) If the applicant is not represented at the preliminary consideration, he shall be notified of the ruling if one is issued, in accordance with the rules respecting notice of orders; or, if the matter is continued, he shall be notified of the continuance in accordance with the rules respecting notice of hearings in individual proceedings. If the applicant is present or is represented at the preliminary consideration, no

further notice of the subsequent hearing than announcement in open meeting is necessary; but the applicant shall receive a written copy of any ruling that is issued, as in the case of orders.

**380:1-5-4. Request for formal hearing**

A petitioner for a declaratory ruling, in his petition or by written motion prior to or at the preliminary consideration may request a formal hearing at which to present evidence in support of his petition, setting forth the substance of the facts to be proved, if they do not appear in his petition. The Labor Commissioner thereupon will set the matters for formal hearing within sixty (60) days from the date of the preliminary consideration, and notice shall be given as prescribed in 380:1-3-2.

**380:1-5-5. Joining of other parties affected by rule**

If, at any time, it appears from the papers filed or from evidence adduced that the interests of persons other than the petitioner are so affected by the requested ruling that it is improper to entertain the proceedings without hearing them, the Labor Commissioner may refuse to issue a declaratory ruling, or, in his discretion, he may require them to be made parties, and if the matter can be so handled consistently with the public interest and the efficiency of the Labor Department's procedures, then in that event, notice shall be served upon them, as in individual proceedings, and the matter will be governed thereafter by the procedure applicable to individual proceedings.

**380:1-5-6. Issuance of the ruling**

If the Labor Commissioner conducts a hearing upon a petition for a declaratory ruling, at the conclusion of the hearing, he may issue the ruling or he may decline to do so upon any of the grounds specified in 380:1-5-3 or upon any other legal grounds.

**SUBCHAPTER 7. INDIVIDUAL PROCEEDINGS, PUBLIC HEARINGS AND FORMAL PROCEDURES**

**380:1-7-1. Definitions**

All words which are defined in 75 O.S. Section 250.3 are used in accordance with such meanings, or any other appropriate definition.

**380:1-7-2. Filing of papers**

All papers required by this Chapter are to be filed with the Labor Commissioner.

**380:1-7-3. Contents of petition**

An individual proceeding may be initiated by the Labor Commissioner or his representative or by an individual filing a verified petition containing a

brief statement, setting forth the relief requested, and the facts alleged to give rise to the right of relief, and naming the person against whom relief is sought.

**380:1-7-4. Contents of petition for cease and desist orders**

- (a) The Labor Commissioner in order to insure the public safety and/or uphold the legislative mandate may issue cease and desist orders. These orders will be issued to prevent the performance of acts violative of, or prohibited by, the labor laws; or it may require such affirmative action as will effectuate the policies of the labor statutes. A violation of any order issued subjects the party to contempt proceedings. The Labor Commissioner will evoke the power of cease and desist upon verified application.
- (b) The Labor Commissioner will upon verified application, issue an ex parte order to the party offending the law or any rule adopted to implement the law. The order will recite the factual allegations and the relief sought or demanded, the rules or legal foundations for the order, and it will set forth a date for a hearing. The hearing will be in the form of a **show-cause** hearing, as example:

The Labor Commissioner being well and fully advised in the premises, and pursuant to a complaint filed by John Doe, finds the respondent to be in violation of the laws of this State. Therefore, until further order of the Labor Commissioner, respondent is ordered to cease and desist, etc. You are further notified to appear before the Labor Commissioner at 4001 North Lincoln Blvd., Oklahoma City, Oklahoma at 9:00 AM on the \_\_\_\_ day of \_\_\_\_\_ 19\_\_, and show cause why this order should not remain in full force and affect. Any violation of this order prior to a determination on the merits will subject you to contempt proceedings and any other remedy provided by law.

**380:1-7-5. Notice of parties**

As soon as possible after the filing of the petition, the Labor Commissioner shall notify the persons named therein of the filing and of the date set for hearing. The notice shall contain:

- (1) A statement of the time, place, and nature of the hearing, and of the relief demanded;
- (2) A brief statement which may be in the words of the petition or in adequate condensation of the matters asserted as grounds for relief;
- (3) A citation of the statutes, rules, or other legal jurisdiction, giving specific citation and statement of the provisions basic to the proceedings;

- (4) A statement that the persons notified may appear at the hearing and be heard, in person or other counsel, and that they may file such answer or other pleading as they may deem appropriate including a request for more detailed statements of the matters asserted, if this is necessary to define the issues;
- (5) A statement that, in the default of appearance, the relief demanded may be granted.

**380:1-7-6. Methods of serving notice**

All notices or other papers, service of which is required in individual proceedings shall be served in one of the following manners:

- (1) Personally upon the noticee, by any person appointed to make service by the Labor Commissioner, and in any manner authorized by the law of this State for the personal service of summons in proceedings in the state courts, or;
- (2) By regular first class mail, addressed to the noticee at such post office address as he may have filed with the Labor Commissioner, or if no such address has been filed, at the noticee's last known post office address, or;
- (3) If no known post office address can be discovered in the exercise of due diligence, by publication in such newspapers and for such time, or by posting in such places and for such time, as the Labor Commissioner may direct as most likely to give opportunity for information to noticee.
- (4) Any notice or other document, the method of service of which is specified by statute, shall be served in the manner indicated in that statute.

**380:1-7-7. Time notice is completed**

Service of notice shall be complete upon personal service, or upon the deposit of notice in the United States mail, or upon the posting of notice, or first publication thereof, as the case may be.

**380:1-7-8. Time of hearing: request for extension**

The time set for a hearing shall be specified in the notice thereof. If the noticee deems that the date specified gives inadequate time for preparation for the hearing, the noticee may apply in writing for an extension, stating the item desired and the reasons for the request. The application shall be acted upon promptly by the Labor Commissioner, and if the extension is denied, the party may renew the request and make proper showing for a continuance at the hearing.

**380:1-7-9. Hearing procedures: presiding officer**

The hearing shall be conducted in an orderly manner by the Labor Commissioner or his designee. The order of procedure will follow generally

that which obtains in civil proceedings at law. However, strictness of procedures shall not be required, the objective being that fairness and orderliness prevail to afford a full hearing which protects the rights of all concerned. The rules of evidence shall be those specified by the Oklahoma Administrative Procedures Act. The Labor Commissioner shall be the presiding officer at the hearing or proceeding. However, in his absence, the Labor Commissioner's designee shall serve as presiding officer.

**380:1-7-10. Assistance of counsel to the Labor Commissioner**

The Labor Commissioner may seek the assistance of the Attorney General or an Assistant Attorney General, if requested and available at the time of hearing, to sit with the Labor Commissioner.

**380:1-7-11. Record of hearing**

The report of a hearing shall be set forth in such forms and detail as the Labor Commissioner may direct, unless the hearing is fully transcribed, and shall be placed on file in the Labor Department. The record shall include:

- (1) All pleadings, motions, intermediate rulings;
- (2) Evidence received or considered;
- (3) A statement of matters officially noticed;
- (4) Questions and offers of proof, objections, and rulings thereon, and;
- (5) Decision opinion, or report by the officer presiding at the hearing; all staff memoranda or data submitted to the hearing officer or members of the agency in connection with their consideration of the case.

**380:1-7-12. Reporter and transcripts**

The full proceedings of any hearing shall be transcribed on the request of any party. The fee for the reporter shall be paid by the party requesting the services of a reporter, but may be taxed as costs to another party at the direction of the Labor Commissioner in appropriate circumstances.

**380:1-7-13. Findings of fact**

All findings of fact made by the Labor Commissioner shall be based exclusively on the evidence, on matters officially noticed during the hearing, and upon the information received by the Labor Commissioner through investigation and examination made by its agents prior to or during the hearings, which shall be reduced to writing, sworn to, and filed and made a part of the record, or the testimony of such agents shall be taken under oath, in the discretion of the Labor Commissioner.

**380:1-7-14. Testimony of witnesses**

The testimony of witnesses and documentary evidence may be admitted on behalf of any party at the hearing, subject to objections as to

relevancy by the opposing party. A party may conduct cross-examination required for a full and true disclosure of the facts.

**380:1-7-15. Notice of facts**

The Labor Commissioner shall give notice to all parties, prior to or at the hearing, of any facts of which it proposes to take official notice. Any party or his attorney may request that official notice may be taken of any fact qualified for such notice by the statutes of this State. If such official notice is taken, it shall be stated in the record, and all parties shall have opportunity to contest and give evidence in rebuttal or derogation of the official notice.

**380:1-7-16. Right to counsel**

Any party shall at all times have the right to be represented by counsel duly licensed to practice law in the State of Oklahoma.

**380:1-7-17. Final orders, proposed finding of facts, and conclusions of law**

All final orders in any individual proceeding shall be in writing or stated in the record. A final order shall include findings of fact and conclusions of law, separately stated. Any party to a proceeding before the Labor Commissioner may file proposed findings of fact and conclusions of law; and if proposed findings of fact are filed, the final order of the Labor Commissioner shall include a ruling upon each proposed finding. All parties shall be notified either in person or by mail of any order. Upon request, a copy of the order shall be delivered or shall be mailed forthwith to each party and to his attorney at the address specified in the request.

**380:1-7-18. Subpoenas**

Subpoenas for the attendance of witnesses, or for the furnishings of information required by the Labor Commissioner, or for the production of evidence or records of any kind shall be issued by the Labor Commissioner or his representative. In like manner, and for like purpose, subpoenas shall be issued by the Labor Commissioner at the request of any party to a proceeding before the Labor Commissioner for the attendance of witnesses or for the production of evidential materials at a hearing in such proceeding. The signature of the Labor Commissioner or his representative shall be sufficient authentication for a subpoena. Subpoenas shall be served in any manner prescribed by this Chapter for the service of notices.

**380:1-7-19. Refusal to obey subpoena or to testify**

Upon the failure of any person to obey a subpoena, or upon the refusal of any witness to be sworn or make an affirmation or to answer a question put to him in the course of a hearing in any rule making proceeding, proceeding for a declaratory ruling, or in an individual proceeding, or in any other authorized action of the Labor Commissioner, the Labor Commissioner

as soon as convenient shall consider the matter. The Labor Commissioner may direct the institution of appropriate judicial proceedings under the law of the State for an order to compel compliance with the subpoena or the giving of testimony, as the case may be. Meanwhile, the hearing or other matters shall proceed, so far as possible, but the Labor Commissioner at his discretion at any time may continue the proceedings for such time as may be necessary to secure a final ruling in the compliance proceedings.

**380:1-7-20. Costs**

The costs covering the issuance and service of subpoenas and all witness fees incurred on behalf of a party to the proceedings, other than the Labor Commissioner, shall be borne by the party on whose behalf they are incurred, but the Labor Commissioner in his final order may tax such costs to some other party if justice so requires.

**380:1-7-21. Proof of service**

Proof of service of all notices, subpoenas, or other documents requiring service may be made by affidavit of the party making service, specifying dates and manner of service. Such proof shall be prima facie evidence of the fact of service as stated, and the burden of proof shall be upon any person or party contesting the same to establish its invalidity.

**380:1-7-22. Administration of oaths, ruling upon offers of evidence**

The Labor Commissioner or his designee presiding at a hearing shall administer oaths or require affirmations for the proposes of the hearing. He or the Hearing Officer shall rule upon the motions, objections, offers of proof, or other incidents of the hearing.

**380:1-7-23. Rehearing, reopening, or reconsideration**

A petition for rehearing, reopening, or reconsideration of a final order must be filed with the Labor Commissioner within ten (10) days from the entry of the order. It must be signed by the party or his attorney, and must set forth with particularity the statutory grounds upon which it is based. However, a petition based upon fraud practiced by the prevailing party or upon procurement or the orders by perjured testimony or fictitious evidence may be filed at any time. All petitions for rehearing, reopening, or reconsideration will be considered and ruled upon as soon as the convenient conduct of the Labor Commissioner's business will permit.

**380:1-7-24. Informal hearing of a matter**

The parties to any individual proceeding may present the matter to the Labor Commissioner or to any authorized representative in informal conference and upon mutual consent of all parties and of the Labor Commissioner, and the matters may be submitted and determined and an order may be issued without resort to formal procedures. The order shall be

in writing and shall be furnished to the parties as prescribed for orders issued after formal hearing in individual proceedings.

**380:1-7-25. Stipulation of an order**

Any time in an individual proceeding the parties thereto may enter into stipulation for the issuance of an order, specifying its terms, or may enter into an agreement for settlement upon specified terms, or may consent to the issuance of an order upon specified terms. In either event the stipulation, the settlement agreement or the consent shall be reduced to writing duly executed by the parties, or shall be entered upon the record in open hearing. Orders made under this rule shall be in writing and shall be served as other orders are served.

## **SUBCHAPTER 9. LICENSING PROCEDURES**

**380:1-9-1. Applications for licenses**

- (a) References to license application requirements are as follows:
  - (1) **Asbestos removal.** For asbestos removal licenses, see Chapter 50, Subchapter 5 of this Title.
  - (2) **Welders, testing labs.** For licenses for welders and testing labs, see Chapter 20 of this Title.
  - (3) **Amusement rides.** For amusement ride licenses, see Chapter 55 of this Title.
  - (4) **Private employment agencies.** For private employment agency licenses, see 40 O.S. Section 53.
- (b) Forms for application for license are furnished by the Labor Commissioner upon request.

**380:1-9-2. Granting of license [REVOKED]**

**380:1-9-3. Notification of action on license**

In accordance with statute, no license will be revoked, suspended, annulled, withdrawn, or its renewal refused until the licensee is notified by certified mail or by other means of notification as specified in individual proceedings of the facts which warrant the intended action by the Labor Commissioner, and the licensee is given an opportunity to show compliance with all lawful requirements for the retention of the license.

**380:1-9-4. Revocation of licenses for failure to pay child support**

- (a) As used in these rules:
  - (1) "Department" means the Department of Labor;
  - (2) "License" means a license, certificate, registration, permit, approval or other similar document issued by the Department of Labor granting an individual a right or privilege to engage in

amusement rides, asbestos removal, boxing, welding, operating welding test labs, private employment agencies, installation of boilers and pressure vessels;

- (3) "Obligor" means the person who is required to make child support payments and whose license is suspended, revoked or put on probation;
  - (4) "Suspension, Suspending, Suspended" means to bar for a period of time from a privilege of using a license issued by the Department;
  - (5) "Revocation, Revoke, Revoked" means to void, recall, or withdraw a power or authority conferred, as with a license issued by the Department;
  - (6) "Probation" means a trial period in which a person is given time to try to redeem his/her bad conduct and comply with the court's order.
- (b) Upon receipt of a court order to suspend or revoke a license for failure to pay child support, in accordance with Title 43 O.S. § 139.1, the Department shall determine if a license has been issued to the obligor whose name is on the court order for support. All appropriate divisions, specifically Statistical Research Analysis and Licensing Division (SRALD) shall check the computer database and all paper files where all licensing information is held. The search shall be by both the obligor's name and social security number. If any division determines that a license of any kind has been issued to the individual whose name appears on the court order, SRALD shall notify that individual.
  - (c) The Department shall notify the obligor of the suspension, revocation, or probation of the license that is on file with the Department, by certified mail, return receipt requested. If the Department can not obtain proper service by mail, then a person designated by the Department shall be sent out to the obligor's address to serve the papers personally. In addition, if the Department has a current employer address and phone number, the Department may contact the employer to inform the employer of the suspension, revocation or probation of the employee's license.
  - (d) After notification from the court, the Department shall so note in the obligor's file the probation status of the obligor's license. Additionally, the Department shall be prepared to automatically suspend or revoke the obligor's license if later notified by the court or an officer thereof of the obligor's noncompliance with the court's order.
  - (e) After notification from the court, the Department shall so note in the obligor's file the suspension status of the obligor's license. The Department shall then suspend such license and notify the obligor. The Department shall require the obligor to mail the license or personally appear within ten (10) days at the Department's offices and physically

surrender the license. If the obligor refuses to deliver the license to the Department, the Department may designate a person to locate the obligor and retrieve the license. Once the obligor has complied with the court's order, the Department may allow the obligor to renew the license if all requirements for renewal are met. If the requirements for renewal are not met, the obligor must apply as a new applicant. The Commissioner may apply to the District Court to have a contempt citation issued if the license is not delivered to the Department in a timely manner.

- (f) If the District Court orders the revocation of the license issued by the Department, the Department shall require the obligor to either mail the license to the department or personally appear within ten (10) days from the date of notification at the Department's offices and physically surrender the license. If the obligor refuses to deliver the license to the Department, the Department may designate a person to locate the obligor and retrieve the license. The Commissioner may apply to the District Court to have a contempt citation issued if the license is not delivered to the Department in a timely manner.
- (g) Whenever the Department receives notice of a suspension, revocation or probation of an obligor's license, the Department shall notify the appropriate divisions. Each affected division shall note the suspension, revocation or probation in the obligor's files whether located in a computer database or in a written file.
- (h) The Department shall not afford the obligor any additional review or hearing. The District Court determination shall be final. Only the District Court can modify its own order. Whenever a District Court modifies its own order and notifies the Department of the modification, the Department shall so note in the records of the Department.
- (i) Any fees paid by the obligor for the license shall not be refunded in any part to the obligor. If a license has been revoked, upon reinstatement, the Department shall demand the obligor pay all applicable fees and meet all requirements as if the license had never been issued.
- (j) The Department may charge the obligor a fee of \$100.00 for the administrative costs incurred for enforcing the District Court order. If an obligor's license is suspended or revoked, this fee may be added to the fees that the obligor must pay to reinstate a license or apply for a new license. Refusal to pay this fee may be cause for the Department to continue a suspension of a license or refuse to grant the obligor a new license.
- (k) The Department is exempt from any liability for enforcement of the District Court Order. The obligor must apply to the issuing District Court to obtain relief from said order.