

**TITLE 380. DEPARTMENT OF LABOR
CHAPTER 30. PROTECTION OF LABOR**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Wage Claim Procedures

380:30-3-4 [AMENDED]

380:30-3-8 [AMENDED]

SUMMARY:

The purpose of the proposed amendments to Subchapter 3 is to clarify inconsistencies between the two sections. Currently, OAC 380:30-3-4 requires all motions and briefs to be filed thirty (30) days before the hearing and allows discovery to be conducted until ten (10) days before the hearing. However, OAC 380:30-3-8 requires the parties to complete all discovery and file all motions and briefs no later than the date of the pre-hearing conference. The past practice of the Oklahoma Department of Labor is to require all discovery to be completed by the pre-hearing conference because all exhibits must be filed by that date. These amendments will require all discovery to be completed by the pre-hearing conference date and eliminate the requirement that all motions and briefs be filed by the pre-hearing conference date.

AUTHORITY:

Department of Labor; 40 O.S. §165.7, Protection of Labor

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 5:00 p.m., March 11, 2010, at the Oklahoma Department of Labor, Office of the General Counsel, 3017 N. Stiles, Suite 100, Oklahoma City, OK 73105.

PUBLIC HEARING:

A public hearing will be held to provide a means by which persons may offer suggested input on the content of the proposed rules: 10:00 a.m., March 11, 2010, at the Oklahoma Department of Labor, 3017 N. Stiles, Suite 100, Oklahoma City, OK 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by 5:00 p.m., March 11, 2010, at the Oklahoma Department of Labor, Office of the General Counsel, 3017 N. Stiles, Suite 100, Oklahoma City, OK 73105.

COPIES OF PROPOSED RULES:

Copies of proposed rules are available at the Oklahoma Department of Labor, Office of the General Counsel, 3017 N. Stiles, Suite 100, Oklahoma City, OK 73105 or online at www.ok.gov/odol.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and will be available beginning February 15, 2010 at the same locations listed above for reviewing and obtaining copies

of the proposed rules.

CONTACT PERSON:

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