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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Mary Gandy

1 Amend H.B. 5 by adding the following appropriately
2 numbered SECTIONS to the bill and renumbering subsequent SECTIONS
3 of the bill accordingly:

4 SECTION _____. Subchapter B, Chapter 40, Human Resources
5 Code, is amended by adding Section 40.0331 to read as follows:

6 Sec. 40.0331. SUPPLEMENTAL PAY FOR PROFICIENCY IN A FOREIGN
7 LANGUAGE. (a) In this section, "employee" means a person who is
8 employed by the department as:

9 (1) a direct delivery caseworker in the adult
10 protective services, child protective services, child care
11 licensing, or statewide intake division of the department;

12 (2) a human services technician in the child
13 protective services division of the department; or

14 (3) an administrative assistant in the adult
15 protective services, child protective services, child care
16 licensing, or statewide intake division of the department.

17 (b) The department shall pay a supplement not to exceed 6.8
18 percent of the employee's base salary to an employee who is
19 proficient in both English and a second language if:

20 (1) the executive commissioner determines that:

21 (A) proficiency in the second language is
22 beneficial to serving the department's clients; and

23 (B) there is not an efficient alternative
24 available to meet the department's needs; and

25 (2) the employee is able to demonstrate proficiency in
26 the second language by demonstrating reading, writing, and
27 conversation skills as determined by the department.

28 (c) Supplemental pay to an employee under this section is in
29 addition to the employee's regular compensation.

1 (d) The executive commissioner shall develop a procedure to
2 determine an employee's foreign language proficiency for purposes
3 of Subsection (b), including establishing or adopting a foreign
4 language proficiency exam.

5 (e) The department shall assume the costs associated with
6 administering the foreign language proficiency exam established or
7 adopted under Subsection (d) to employees.

8 (f) The division, district, or regional director of the
9 department where an employee is located shall determine whether the
10 employee in the division, district, or region is eligible under
11 Subsection (b) to receive supplemental pay. The manager or
12 supervisor of the employee shall verify that an employee who
13 applies to receive supplemental payments under this section meets
14 the eligibility requirements under Subsection (b) before approving
15 supplemental pay and that qualified employees receive supplemental
16 payments.

17 (g) An employee may apply to receive supplemental pay under
18 this section at any time during the employee's active employment
19 with the department.

20 (h) Supplemental pay given to employees under this section
21 must comply with human resources policies of the commission and
22 salary guidelines for the department.

23 (i) The department shall include information about the
24 supplemental pay available to a qualified employee under this
25 section in employment application forms and new employee
26 orientation presentations.

27 SECTION _____. Not later than September 1, 2019, the
28 executive commissioner of the Health and Human Services Commission
29 shall adopt rules to implement Section 40.0331, Human Resources
30 Code, as added by this Act.