

By: González of El Paso

H.B. No. 2401

A BILL TO BE ENTITLED

AN ACT

relating to supplemental pay for certain employees of the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 40, Human Resources Code, is amended by adding Section 40.0331 to read as follows:

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

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

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

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

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

(1) the executive commissioner determines that:

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

(B) there is not an efficient alternative

1 available to meet the department's needs; and

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

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

7 (d) The executive commissioner shall develop a procedure to
8 determine an employee's foreign language proficiency for purposes
9 of Subsection (b), including establishing or adopting a foreign
10 language proficiency exam.

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

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

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

26 (h) Supplemental pay given to employees under this section
27 must comply with human resources policies of the commission and

1 salary guidelines for the department.

2 (i) The department shall include information about the
3 supplemental pay available to a qualified employee under this
4 section in employment application forms and new employee
5 orientation presentations.

6 SECTION 2. Not later than September 1, 2019, the executive
7 commissioner of the Health and Human Services Commission shall
8 adopt rules to implement Section 40.0331, Human Resources Code, as
9 added by this Act.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2017.