

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 542**

**Representative Kelly**

**Cosponsors: Representatives Howse, Henne, Riedel, Ramos, Antonio, Ashford, Seitz, Ingram, Boggs, Arndt, Smith, K., Lepore-Hagan, Bocchieri, Strahorn, Sykes, West, Brown**

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**A BILL**

To enact section 4113.14 of the Revised Code to 1  
require an employer to provide earnings and 2  
deductions statements to each of the employer's 3  
employees. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4113.14 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 4113.14.** (A) As used in this section: 7

(1) "Employee" and "employer" have the same meanings as in 8  
section 4113.51 of the Revised Code. 9

(2) "Regular hourly wage rate" means the following: 10

(a) For an employee who is paid on an hourly basis, the 11  
hourly wage rate at which the employee is customarily paid when 12  
working for an employer; 13

(b) For an employee who is not paid on an hourly basis, 14  
one-fortieth of the weekly wage rate at which the employee is 15

customarily paid when working for an employer. 16

(3) "Workweek" means a fixed, regularly recurring period 17  
of one hundred sixty-eight hours that an employer expressly 18  
adopts for purposes of complying with the "Fair Labor Standards 19  
Act of 1938," 29 U.S.C. 207, as amended. 20

(B) Every employer shall provide each of the employer's 21  
employees with a written or electronic statement or access to a 22  
statement of the employee's earnings and deductions for each pay 23  
period on the employer's regular paydays. An employer shall 24  
include all of the following information in the statement: 25

(1) The employee's name; 26

(2) The employee's address; 27

(3) The employer's name; 28

(4) The total number of hours the employee worked each 29  
workweek covered in that pay period; 30

(5) The employee's regular hourly wage rate; 31

(6) The employee's hourly wage rate for any hours worked 32  
in excess of forty hours in one workweek; 33

(7) The total gross wages earned by the employee during 34  
the pay period; 35

(8) The total net wages paid to the employee for the pay 36  
period; 37

(9) A listing of the amount and purpose of each addition 38  
to or deduction from the wages paid to the employee during the 39  
pay period; 40

(10) The date the employee was paid and the pay period 41  
covered by that payment. 42

(C) An employer is not required to include the information 43  
described in division (B) (6) of this section on a statement 44  
required under division (B) of this section if either of the 45  
following apply to an employee: 46

(1) The employee is exempt from the requirements of 47  
section 7 of the "Fair Labor Standards Act of 1938," 29 U.S.C. 48  
207, as amended, or section 4111.03 of the Revised Code; 49

(2) The employee is granted compensatory time off for any 50  
hours worked in excess of forty hours in one workweek. 51

(D) An employee who does not receive a statement as 52  
required by division (B) of this section shall make a written 53  
request to the employee's employer to receive the statement. The 54  
employer shall provide the employee with the statement not later 55  
than ten days after receiving the request. If the employee does 56  
not receive the requested statement within the ten-day period, 57  
the employee may submit a report of the violation to the 58  
director of commerce. If, on receipt of a report, the director 59  
determines that there are reasonable grounds to believe that a 60  
violation exists, the director shall issue a written notice to 61  
the employee's employer. On receipt of a notice, the employer 62  
shall immediately post the notice, or a copy of the notice, in a 63  
conspicuous place on the employer's premises. The employer shall 64  
keep the notice posted for ten days. 65