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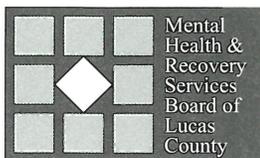
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## **Written Testimony in Support of HB 137 before the House Commerce and Labor Committee**

Chairperson Manning, Vice Chair Dean, Ranking Member Lepore-Hagan, and members of the committee: My name is Eugenio Mollo, Jr., and I am a Managing Attorney at Advocates for Basic Legal Equality, Inc. (ABLE), headquartered in Toledo. ABLE is a non-profit law firm that represents low-income individuals in civil cases, including eligible agricultural workers and immigrants in employment, employment discrimination, civil rights, and immigration cases. Thank you for the opportunity to provide written testimony.

HB 137 would help workers to make sure their paychecks comprise the full wages that they earn in each pay period, and account for all the hours they work. Keeping an accurate record of hours and pay, shared with employees, ensures that any errors can be identified and corrected.

Such a requirement has been the federal law for more than thirty years for covered workers under the Migrant and Seasonal Agricultural Worker Protection Act (AWPA), 29 U.S.C. §§ 1801 *et seq.*, which Congress passed in 1983. The AWPA requires employers to provide each worker with an itemized pay statement maintained in the payroll records. 29 U.S.C. §§ 1821(d)(2) and 1831(c)(2); 29 C.F.R. § 500.80(d) (stating employers shall “provide to each such worker for each pay period, an itemized written statement of [required hours, wage, withholding, and pay information]”).

The courts support these protections and recognize their importance: “These wage statements permit workers to verify the correctness of their pay and to raise any concerns with the employer regarding the wages and how these wages were calculated. In addition, these wage statements provide workers with a permanent record of their employment for purposes such as filing tax returns.” *Fanette v. Steven Davis Farms, LLC*, 28 F. Supp. 3d 1243, 1261-62 (N.D. Fla. 2014). See also *Frenel v. Freezeland Orchard Co.*, No. 87-278-A, 1987 U.S. Dist. LEXIS 16946, at \*9 (E.D. Va. Dec. 24, 1987): “The absence of wage statements has serious consequences for a worker.” Without a paycheck, workers face uncertainty in verifying whether they have been paid all they are due, and already overextended investigators face more difficulty in investigating claims. Requiring a pay stub is a simple, common-sense way to help prevent wage theft.

On behalf of ABLE, I urge you to advance HB 137 out of committee and to pass it in a full vote of the legislature. Thank you.

Eugenio Mollo, Jr.