

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

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