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Committees:

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BRIGID KELLY

State Representative

Chair McColley, Vice Chair Johnson, Ranking Member Antonio, and members of the Senate Transportation, Commerce and Workforce Committee, thank you for the opportunity for Representative Vitale and I to provide sponsor testimony on House Bill 137. This bill will allow Ohio to join 41 other states that require employers to provide their employees with access to their pay statements.

A constituent initially brought this issue to our attention after her employer went through a change in ownership and she and her coworkers stopped receiving their regular pay statements; they were also denied access to view them. Upon receiving their W-2's at the beginning of the year, they noticed that their total earnings of the previous year were significantly lower than they had been in the past and that their hourly wage was different than it was under the previous ownership. While the employees were able to recover lost wages through the legal process, their employer was not – and still is not - required to provide them with pay statements.

Ohio is currently one of only nine states where an employer can legally choose to not provide their employees with a statement detailing their pay information. This bipartisan legislation would make Ohio an access state – employers can comply with the pay statement requirement by providing either a written, printed, or electronic pay stub (or access to the electronic pay stub). Such a statement shall include the following information:

- (1) The employee's name;
- (2) The employee's address;
- (3) The employer's name;
- (4) The total gross wages earned by the employee during the pay period;
- (5) The total net wages paid to the employee for the pay period;
- (6) A listing of the amount and purpose of each addition to or deduction from the wages paid to the employee during the pay period;
- (7) The date the employee was paid and the pay period covered by that payment;
- (8) For an employee who is paid on an hourly basis, all of the following information: (a) The total number of hours the employee worked in that pay period; (b) The hourly wage rate at which the employee was paid; (c) The employee's hours worked in excess of forty hours in one workweek

The Fair Labor Standards Act (FLSA) does not require an employer to provide employees with pay stubs, but does require that employers keep accurate records of hours worked and wages paid to employees. While we are aware that the case in my district is a rare one, we would like to assure that all hard working Ohioans are able to see their wages and deductions as needed without taking their cases to court – especially since their employer is already required to keep track of this information.

I believe this bill is a matter of transparency in the workplace and will help to combat wage theft. Again, my joint sponsor and I appreciate the chance to offer testimony on House Bill 137 and would be happy to answer any questions.

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