

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1820

PRINTER'S NO. 3687

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

August 22, 2011

PRIME SPONSOR

Representative Delozier

HISTORY OF BILL

Referred to LABOR AND INDUSTRY, Aug. 22, 2011

Reported as amended, Dec. 12, 2011

First consideration, Dec. 12, 2011

Laid on the table, Dec. 12, 2011

Removed from table, Jan. 18, 2012

Laid on the table, Feb. 9, 2012

Removed from table, June 4, 2012

Second consideration, with amendments, June 6, 2012

Re-committed to APPROPRIATIONS, June 6, 2012

(Remarks see House Journal Page), June 6, 2012

Re-reported as committed, June 11, 2012

Third consideration and final passage, June 11, 2012 (195-2)

(Remarks see House Journal Page), June 11, 2012

In the Senate

Referred to LABOR AND INDUSTRY, June 12, 2012

Reported as committed, June 13, 2012

First consideration, June 13, 2012

Second consideration, June 18, 2012

Re-referred to APPROPRIATIONS, June 20, 2012

Re-reported as committed, June 25, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 1820 amends the Minimum Wage Act. The bill states that for hospital employees, an employer will not be in violation of overtime pay requirements if the employer is entitled to use and consistently uses overtime arrangements allowed by Section 207(j) of the federal Fair Labor Standards Act (FLSA). This section of the FLSA allows hospital employers to enter into agreements or understandings with their employees to pay overtime based on the hours worked in excess of 8 hours per day or 80 hours per fixed 14-day period, instead of after the standard 40 hours per 7-day week.

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The bill also amends the Minimum Wage Act to exempt employees of an air carrier from receiving overtime pay when: 1) the hours are worked pursuant to a shift-trading practice under which the employee has the opportunity to reduce hours worked in any work week by voluntarily offering a shift for trade or reassignment; or 2) the required hours of work, wages, and overtime compensation have been agreed to, either in a collective bargaining agreement between the employer and employee representatives, or pursuant to a voluntary agreement reached between an employer and employee.

The language regarding air carrier employees takes effect in 90 days. The remainder of the act takes effect immediately.

FISCAL IMPACT:

This legislation will have no fiscal impact on the Commonwealth.