

MEMORANDUM

TO: All Senators

FROM: Senator Christine Tartaglione

DATE: 12/14/2018

SUBJECT: Strengthening the Wage Payment and Collection Law

In the near future, I intend to re-introduce legislation that would amend Pennsylvania's Wage Payment and Collection Law to help enforce the law and improve employer adherence to the it with regard to payment of employee wages. Further, my bill would establish a self-funding means of increasing enforcement of and reporting on this law by the Department of Labor and Industry. This bill was introduced as SB 161 in the 2017-18 session.

Under the Current Wage Payment and Collection Law, employees who are underpaid do not always have the opportunity to collect the wages they are owed by their employers. Reporting violators without risking retaliation, pursuing back-owed wages and receiving payment for damages are fruitless endeavors for most employees in Pennsylvania. Simultaneously, employers have little incentive to pay the correct amount of wages to their workers because the penalties for violating this law are outdated and fail to deter initial or repeat offenses. Finally, the Department of Labor and Industry does not always proactively investigate employers, especially within high-violation industries, nor does it collect and report data on violations of the Wage Payment and Collection Law.

My legislation would update the Wage Payment and Collection Law and bring it into alignment with wage payment laws in other states, by raising penalties for violators and repeat offenders of this law. Retaliation against employees reporting violations by their employers would be punishable through substantial fines and employees would have the ability to collect damages for back-wages owed them. To ensure sufficient funding for the increased enforcement and reporting duties that would become mandatory for the Department under this bill, I plan to establish a Wage Enforcement Fund, which would be subsidized through the penalties collected under this act and the Minimum Wage Act.

It is imperative that we protect our workers and employers who do pay fair wages. Strengthening Pennsylvania's wage payment law will help end the practice of underpaying employees in this state.

I invite you to co-sponsor this legislation by contacting Geoffrey Mock at geoffrey.mock@pasenate.com or call 717-787-1141.