

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1814 Session of 2013

INTRODUCED BY NEILSON, SIMMONS, HARKINS, SANKEY, MILLARD, ROZZI, KOTIK, HAGGERTY, KAVULICH, PARKER, DAVIDSON, YOUNGBLOOD, SAMUELSON, MAHONEY, V. BROWN, PASHINSKI, O'BRIEN, W. KELLER, THOMAS, WHITE, BROWNLEE, CALTAGIRONE, JAMES, DeLUCA, COHEN, MURT, CARROLL AND MCCARTER, OCTOBER 30, 2013

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, OCTOBER 30, 2013

AN ACT

1 Amending the act of July 14, 1961 (P.L.637, No.329), entitled
 2 "An act relating to the payment of wages or compensation for
 3 labor or services; providing for regular pay days; conferring
 4 powers and duties upon the Department of Labor and Industry,
 5 including powers and duties with respect to the civil
 6 collection of wages; providing civil and criminal penalties
 7 for violations of the act; providing for their collection and
 8 disposition and providing for additional civil damages,"
 9 further providing for definitions and for regular payday.

10 The General Assembly of the Commonwealth of Pennsylvania
 11 hereby enacts as follows:

12 Section 1. Section 2.1 of the act of July 14, 1961 (P.L.637,
 13 No.329), known as the Wage Payment and Collection Law, is
 14 amended by adding a definition to read:

15 Section 2.1. Definitions.--The following words and phrases
 16 when used in this act shall have, unless the context clearly
 17 indicates otherwise, the meanings given to them in this section:

18 * * *

19 "Payroll debit card." A prepaid card, code or other device
 20 issued and distributed to an employe by an employer, or by

1 another entity by arrangement with the employer, through which
2 the employer provides the employe access to the employe's wages.

3 * * *

4 Section 2. Section 3 of the act, amended July 14, 1977
5 (P.L.82, No.30), is amended to read:

6 Section 3. Regular Payday.--(a) Wages other than fringe
7 benefits and wage supplements. Every employer shall pay all
8 wages, other than fringe benefits and wage supplements, due to
9 his employes on regular paydays designated in advance by the
10 employer. Overtime wages may be considered as wages earned and
11 payable in the next succeeding pay period. All wages, other than
12 fringe benefits and wage supplements, earned in any pay period
13 shall be due and payable within the number of days after the
14 expiration of said pay period as provided in a written contract
15 of employment or, if not so specified, within the standard time
16 lapse customary in the trade or within 15 days from the end of
17 such pay period. The wages shall be paid in lawful money of the
18 United States or check, except that deductions provided by law,
19 or as authorized by regulation of the Department of Labor and
20 Industry for the convenience of the employe, may be made
21 including deductions of contributions to employe benefit plans
22 which are subject to the Employee Retirement Income Security Act
23 of 1974, 29 U.S.C. § 1001 et seq. The wages may not be paid via
24 payroll debit card.

25 (b) Fringe benefits and wage supplements. Every employer who
26 by agreement deducts union dues from employes' pay or agrees to
27 pay or provide fringe benefits or wage supplements, must remit
28 the deductions or pay or provide the fringe benefits or wage
29 supplements, as required, within 10 days after such payments are
30 required to be made to the union in case of dues or to a trust

1 or pooled fund, or within 10 days after such payments are
2 required to be made directly to the employe, or within 60 days
3 of the date when proper claim was filed by the employe in
4 situations where no required time for payment is specified.

5 Section 3. This act shall take effect in 60 days.