

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2066** Session of  
2014

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INTRODUCED BY BENNINGHOFF, BARRAR, EVERETT, FLECK, GINGRICH,  
GROVE, C. HARRIS, HELM, KORTZ, MIRABITO, MURT, MUSTIO AND  
WATSON, MARCH 10, 2014

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AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 29, 2014

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## 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 expanding the scope of the act.

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, added  
14 July 14, 1977 (P.L.82, No.30), is amended 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 "Authorized representative." An employe of the Department of  
19 Labor and Industry who is empowered to perform duties assigned  
20 in conformity with all existing laws, rules and regulations

1 administered by the department.

2 "Check." A draft drawn on a bank and payable on demand.

3 "Department." The Department of Labor and Industry.

4 "Employer." Includes ~~the Commonwealth; any of its political~~ <--  
5 ~~subdivisions; any authority created by the General Assembly and~~  
6 ~~any instrumentality or agency of the Commonwealth;~~ every person,  
7 firm, partnership, association, corporation, receiver or other  
8 officer of a court of this Commonwealth and any agent or officer  
9 of any of the above-mentioned classes employing any person in  
10 this Commonwealth AND INCLUDES A PUBLIC BODY. <--

11 "Fringe benefits or wage supplements." Includes all monetary  
12 employer payments to provide benefits under any employe benefit  
13 plan, as defined in section 3(3) of the Employee Retirement  
14 Income Security Act of 1974, 29 U.S.C. § 1001 et seq.; as well  
15 as separation, vacation, holiday, or guaranteed pay;  
16 reimbursement for expenses; union dues withheld from the  
17 employes' pay by the employer; and any other amount to be paid  
18 pursuant to an agreement to the employe, a third party or fund  
19 for the benefit of employes.

20 "PUBLIC BODY." THE COMMONWEALTH AND A POLITICAL SUBDIVISION. <--  
21 THE TERM INCLUDES ANY OFFICER, BOARD, COMMISSION, AGENCY,  
22 AUTHORITY OR OTHER INSTRUMENTALITY OF THE COMMONWEALTH OR A  
23 POLITICAL SUBDIVISION.

24 "Secretary." The Secretary of Labor and Industry.

25 "Wages." Includes all earnings of an employe, regardless of  
26 whether determined on time, task, piece, commission or other  
27 method of calculation. The term "wages" also includes fringe  
28 benefits or wage supplements whether payable by the employer  
29 from his funds or from amounts withheld from the employes' pay  
30 by the employer.

1 Section 2. This act shall take effect in 60 days.