

Subject Wage theft
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Summary

Section	Description
1	Submission of records; penalty [sec. 177.27, subd. 2] Provides that the commissioner of labor and industry may require submission of employment records in a specific format. Increases the maximum fine allowed for failure to supply employment records from \$1,000 to \$10,000 per occurrence.
2	Subpoenas [sec. 177.27, subd. 11] Allows the commissioner of labor and industry to issue subpoenas, seeking testimony or production of documents or other things, in order to carry out enforcement responsibilities.
3	Keeping records; penalties [sec. 177.30] Requires employers to keep additional employment records, including basis of pay (hourly, salary, piece rate, etc.), personnel policies given to employees, and the notice required to be provided to employees under section 10 of this bill. The section also requires that all records be available for inspection during business hours and increases the maximum fine for failing to maintain records from \$1,000 to \$10,000.
4	Misdemeanors [sec. 177.32, subd. 1] Creates a gross misdemeanor for failing to pay wages required under minimum wage, overtime, and prevailing wage statutes, if the total amount owed to all affected employees is \$10,000 or more.
5	Prohibited practices [181.03, subd. 1] Expands prohibited practices by employers with regard to wage payment. Specifically, the section prohibits failure to pay all wages to which an employee was entitled and retaliation against an employee for asserting rights under the section.
6	Enforcement [181.03, subd. 4] Gives enforcement authority over section 181.03 to the commissioner of labor and industry.

Section	Description
7	Citations [181.03, subd. 5] Allows the commissioner of labor and industry to issue citations, requiring employers that have failed to pay wages of up to \$1,000 to pay the employee the wages, along with any other damages owed, within 15 days. If the employer fails to remedy the failure within the 15 days, the commissioner can assess a penalty of up to \$1,000.
8	Administrative review [181.03, subd. 6] Creates a hearing process, using the office of administrative hearings, for citations under section 181.03, subd. 5 (section 7 of the bill).
9	Effect on other laws [sec. 181.03, subd. 7] Provides that section 181.03 should not be construed to limit application of federal or other state laws.
10	Required statement of earnings by employer; notice to employee [sec. 181.032] Adds to information required on an employee earnings statement. The new information required includes the basis of pay (hourly, salary, piece rate, etc.), any allowances for meals or lodging, and the address and phone number of the employer. The section also requires an employer to give a written notice to an employee at the start of employment. That notice must include a variety of information about employee pay and the employer, and must be signed by the employee and kept by the employer. Finally, the section requires an employer to provide written notice to an employee whenever anything in the original written notice changes.
11	Wages; how often paid [sec. 181.101] Changes the requirement in current law that an employee be paid at least once every 31 days, to a requirement that employees be paid at least every 16 days. The section also reduces the minimum time after a missed paycheck that the commissioner of labor and industry may intercede from ten days to five days.
12	Appropriation Appropriates unspecified amounts in fiscal years 2020 and 2021 to the commissioner of labor and industry to address wage theft. The section also requires an unspecified percentage of money appropriated to be used for grants to community-based groups for outreach, education, and technical assistance for employees and employers.



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