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H.B. 106*
135th General Assembly

Final Analysis

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Primary Sponsors: Reps. Jarrells and Lipps

Effective date:*

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SUMMARY

- Requires an employer, on the employer's regular paydays, to provide each of the employer's employees with a statement or access to a statement of the employee's earnings and deductions for the pay period.
- Requires an employer who does not provide the statement or access to the statement at the required time to provide the statement not later than ten days after receiving an employee's request for the statement.
- Permits an employee who does not receive the requested statement within ten days of requesting it to report the violation to the Director of Commerce, who must notify the employer in writing of the violation.
- Requires, if an employer receives a notice from the Director, the employer to post the notice or a copy of it in a conspicuous place on the employer's premises for ten days.

DETAILED ANALYSIS

Statement of earnings and deductions

The act enacts the "Pay Stub Protection Act."¹ Under the act, an employer must provide each of the employer's employees with a written or electronic statement or access to a statement of the employee's earnings and deductions for each pay period on the employer's regular paydays. An employer must include all of the following information in the statement:

* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.

¹ Section 2.

1. The employee's name and address;
2. The employer's name;
3. The total gross wages earned by the employee during the pay period;
4. The total net wages paid to the employee for the pay period;
5. A listing of the amount and purpose of each addition to or deduction from the wages paid to the employee during the pay period;
6. The date the employee was paid and the pay period covered by that payment;
7. For an employee who is paid on an hourly basis, all of the following information:
 - a. The total number of hours the employee worked in the pay period;
 - b. The hourly rate at which the employee was paid;
 - c. The number of hours the employee worked in excess of 40 in one workweek.²

Request for statement and notice of violation

An employee who does not receive the statement or access to the statement at the time required under the act must make a written request to the employee's employer to receive the statement. The employer must provide the employee with the statement not later than ten days after receiving the request. If an employee does not receive the requested statement within the ten-day period, the employee may submit a report of the violation to the Director of Commerce. If, on receiving the report, the Director determines that there are reasonable grounds to believe that an employer violated the act, the Director must issue a written notice to the employer. On receiving the notice, the employer must immediately post the notice or a copy in a conspicuous place on the employer's premises. The employer must keep the notice posted for ten days.³

HISTORY

Action	Date
Introduced	03-14-23
Reported, H. Commerce & Labor	05-24-23
Passed House (96-0)	06-30-23
Reported, S. Small Business and Economic Opportunity	12-10-2024
Passed Senate (30-0)	12-18-2024

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² R.C. 4113.14(B).

³ R.C. 4113.14(C).