



HB0132

Unpaid wage claim amendments.

Sponsored By: Select Committee on Coal/Mineral Bankruptcies

AN ACT relating to labor and employment; specifying authority of the department of workforce services to investigate unpaid wage claims; specifying employees who can file suit for payment of wages due; amending when interest is authorized for unpaid wage claims; implementing an anti-retaliation provision for issues related to unpaid wages; clarifying the jurisdiction for legal proceedings for the collection of unpaid wages; providing penalties; and providing for an effective date.

2/7/2020 Bill Number Assigned
2/7/2020 H Received for Introduction
2/10/2020 H Introduced and Referred to H09 - Minerals 59-0-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative Greear

Ayes 59 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/18/2020 H09 - Minerals:Recommend Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhart, Crank, Duncan, Eyre, Furphy, Greear, Henderson, Loucks, Macguire

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/18/2020 H Placed on General File
2/24/2020 H COW:Passed

HB0132H2001/ADOPTED

Page 2-lines 4 and 5 Delete entirely and insert:

"(b) Whenever an employee who has quit, ~~or~~ has been discharged from service, or because of action taken by the employer is prevented from working has cause to bring suit for wages".

Page 3-line 2 Delete "other" and insert "any"; after "claims" insert "not arising out of bankruptcy". GREEAR

2/25/2020 H 2nd Reading:Passed
2/26/2020 H 3rd Reading:Laid Back

HB0132H3001/FAILED

Page 2-lines 4 through 14 Delete entirely including the Greear second reading amendment (HB0132H2001/A) to these lines and insert:

"(b) ~~Whenever an employee who has quit or has been discharged from service has cause to bring suit for wages earned and due, and shall establish in court the amount which is justly due, the~~ A court shall allow to ~~the~~ a plaintiff who has cause to bring suit for wages earned and due interest on the past due wages at the rate of eighteen percent (18%) per annum from the date of discharge or termination or from the date when unpaid wages are required to be paid as specified in this act, together with a reasonable attorney fee and all costs of suit. To qualify under this subsection, an employee shall establish:

(i) The amount which is justly due to the employee but was not paid; and

(ii) That the wages earned and due were not paid within seven (7) days of the date upon which the employee was most recently entitled to wage payment.

(c) Prosecution of a civil action to recover unpaid wages does not preclude prosecution under W.S. 27-4-105." CLEM

2/27/2020 H 3rd Reading:Passed 57-0-3-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blake, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative(s) Blackburn, Brown, Henderson

Ayes 57 Nays 0 Excused 3 Absent 0 Conflicts 0

2/28/2020 S Received for Introduction
3/2/2020 S Introduced and Referred to S10 - Labor
3/4/2020 S10 - Labor:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Baldwin, Bouchard, Pappas, Schuler, Scott

Ayes 5 Nays 0 Excused 0 Absent 0 Conflicts 0

3/4/2020 S Placed on General File
3/5/2020 S COW:Passed
3/6/2020 S 2nd Reading:Passed
3/9/2020 S 3rd Reading:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinsky, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Ayes 30 Nays 0 Excused 0 Absent 0 Conflicts 0

3/9/2020 Assigned Number HEA No. 0053
3/10/2020 H Speaker Signed HEA No. 0053
3/10/2020 S President Signed HEA No. 0053
3/24/2020 Governor Signed HEA No. 0053

3/24/2020 Assigned Chapter Number 140

Chapter No. 140 Session Laws of Wyoming 2020