

Senate Study Bill 3156 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON LABOR AND BUSINESS
RELATIONS BILL BY
CHAIRPERSON SCHULTZ)

A BILL FOR

1 An Act permitting employers to provide employees with wage
2 statements by electronic means.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 91A.6, subsection 4, Code 2018, is
2 amended to read as follows:

3 4. a. On each regular payday, the employer shall ~~send~~
4 provide to each employee ~~by mail or shall provide at the~~
5 ~~employee's normal place of employment during normal employment~~
6 ~~hours~~ a statement showing the hours the employee worked, the
7 wages earned by the employee, and deductions made for the
8 employee.

9 b. The employer shall provide the statement using one of the
10 following methods:

11 (1) Sending the statement to an employee by mail.

12 (2) Providing the statement to an employee by secure
13 electronic transmission or by other secure electronic means.
14 If an employee is unable to receive the statement by this
15 method, the employee shall notify the employer in writing at
16 least one pay period in advance, and the employer shall provide
17 the statement by one of the other methods listed in this
18 paragraph "b".

19 (3) Providing the statement to the employee at the
20 employee's normal place of employment during normal employment
21 hours.

22 (4) Providing each employee access to view a statement
23 of the employee's earnings electronically and providing the
24 employee free and unrestricted access to a printer to print the
25 statement.

26 c. However, the employer need not provide information
27 on hours worked for employees who are exempt from overtime
28 under the federal Fair Labor Standards Act, as defined in 29
29 C.F.R. pt. 541, unless the employer has established a policy
30 or practice of paying to or on behalf of exempt employees
31 overtime, a bonus, or a payment based on hours worked,
32 whereupon the employer shall send or otherwise provide a
33 statement to the exempt employees showing the hours the
34 employee worked or the payments made to the employee by the
35 employer, as applicable.

1 ~~An employer who provides each employee access to view an~~
2 ~~electronic statement of the employee's earnings and provides~~
3 ~~the employee free and unrestricted access to a printer to print~~
4 ~~the employee's statement of earnings, if the employee chooses,~~
5 ~~is in compliance with this subsection.~~

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 Current law requires employers to provide certain employees
10 on each regular payday with statements showing hours worked,
11 wages earned, and pay deductions made. The employer may send
12 the statement by mail or provide it at the employee's normal
13 place of employment during normal employment hours. This bill
14 permits an employer to also provide the statement by secure
15 electronic transmission or by other secure electronic means.
16 The bill authorizes an employee who is unable to receive the
17 statement by this method to notify the employer in writing at
18 least one pay period in advance, and the employer shall provide
19 the statement by one of the other permitted methods.