

HB 1053 - AS INTRODUCED

2022 SESSION

22-2138

04/05

HOUSE BILL ***1053***

AN ACT relative to the hourly rate paid to an employee for hours worked but not previously scheduled.

SPONSORS: Rep. Adjutant, Graf. 17; Rep. Cloutier, Sull. 10; Rep. Labranche, Hills. 22

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill requires an employer to pay an hourly rate of time and a half for hours worked by an employee who is called in to work hours not previously scheduled.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the hourly rate paid to an employee for hours worked but not previously scheduled.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 Payment of Wages; Required Pay. Amend RSA 275:43-a to read as follows:
- 2 275:43-a Required Pay. On any day an employee reports to work at an employer's request, he or
- 3 she shall be paid not less than 2 hours' pay at his or her regular rate of pay; provided, however, that
- 4 this section shall not apply to employees of counties or municipalities. This section shall also not
- 5 apply to ski and snowboard instructional employees at ski resorts, provided that these employees
- 6 receive other compensation that is at least equal to their rate of pay. No employer who makes a good
- 7 faith effort to notify an employee not to report to work shall be liable to pay wages under this
- 8 section. However, if the employee reports to work after the employer's attempt to notify him or her
- 9 has been unsuccessful or if the employer is prevented from making notification for any reason, the
- 10 employee shall perform whatever duties are assigned by the employer at the time the employee
- 11 reports to work. ***An employer shall pay wages at an hourly rate equal to time and a half to***
- 12 ***any employee who the employer has called in to work hours not previously scheduled***
- 13 ***pursuant to the employer's normal scheduling procedure.***
- 14 2 Effective Date. This act shall take effect 60 days after its passage.