

Session 108 - (1989-1990)

H 3980 General Bill, By R.B. Brown

A Bill to amend Section 41-10-10, Code of Laws of South Carolina, 1976, relating to definitions for purposes of payment of wages, so as to delete holiday and sick leave from the definition of wages, and to delete the specific reference to severance payments in amounts due an employee by contract or policy in the definition of wages; to amend Section 41-10-30, relating to notice and recordkeeping for wages and deductions, so as to delete wage increases from the requirements and to limit to three years the time during which employers shall retain the name, address, wage, and deduction information of employees; to amend Section 41-10-70, relating to investigations of payment of wage complaints by the Commissioner of Labor, so as to delete the Commissioner's authority to decide disputes; and to amend Section 41-10-80, relating to violations and penalties with respect to payment of wages, so as to make permissive the assessment of civil penalties for first violations of the Payment of Wages Law, to limit civil penalties for multiple offenses arising from one transaction, to provide that an employee may recover in a civil action the full amount of unpaid wages and the court may award an amount equal to twice the unpaid wages if the unpaid wages are less than five thousand dollars, to delete the court's authority to award three times the amount of unpaid wages, to provide that a civil action to recover unpaid wages must be brought within two years after the wages became due, to make a claimant employee liable for his employer's reasonable attorneys' fees if the court determines the action ill-founded or brought for purposes of harassment, to require the Commissioner of Labor's review of civil penalties to conform to the Administrative Procedures Act, and to delete the criminal penalty against certain employers failing to pay wages within ten days after written demand.

04/27/89 House Introduced and read first time HJ-5

04/27/89 House Referred to Committee on Labor, Commerce and Industry HJ-6

02/27/90 House Tabled in committee