

## HR 3427

Payroll Fraud Prevention Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Labor and Employment

**Introduced:** Jul 29, 2015

**Current Status:** Referred to the Subcommittee on Workforce Protections.

**Latest Action:** Referred to the Subcommittee on Workforce Protections. (Nov 16, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/3427>

### Sponsor

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**Name:** Rep. Wilson, Frederica S. [D-FL-24]

**Party:** Democratic • **State:** FL • **Chamber:** House

**Cosponsors** (44 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Conyers, John, Jr. [D-MI-13]	D · MI		Jul 29, 2015
Rep. Payne, Donald M., Jr. [D-NJ-10]	D · NJ		Jul 29, 2015
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Jul 29, 2015
Rep. Adams, Alma S. [D-NC-12]	D · NC		Sep 17, 2015
Rep. Courtney, Joe [D-CT-2]	D · CT		Sep 17, 2015
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Oct 16, 2015
Rep. Ashford, Brad [D-NE-2]	D · NE		Oct 16, 2015
Rep. Farr, Sam [D-CA-20]	D · CA		Oct 16, 2015
Rep. Pocan, Mark [D-WI-2]	D · WI		Oct 16, 2015
Rep. Polis, Jared [D-CO-2]	D · CO		Oct 16, 2015
Rep. Chu, Judy [D-CA-27]	D · CA		Oct 21, 2015
Rep. Cicilline, David N. [D-RI-1]	D · RI		Oct 21, 2015
Rep. Clark, Katherine M. [D-MA-5]	D · MA		Oct 21, 2015
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Oct 21, 2015
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Oct 21, 2015
Rep. Grijalva, Raúl M. [D-AZ-3]	D · AZ		Oct 21, 2015
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Oct 21, 2015
Rep. Lee, Barbara [D-CA-13]	D · CA		Oct 21, 2015
Rep. Sherman, Brad [D-CA-30]	D · CA		Oct 21, 2015
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Oct 27, 2015
Rep. Jeffries, Hakeem S. [D-NY-8]	D · NY		Oct 27, 2015
Rep. McGovern, James P. [D-MA-2]	D · MA		Oct 27, 2015
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Oct 27, 2015
Rep. Takano, Mark [D-CA-41]	D · CA		Oct 27, 2015
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Oct 27, 2015
Rep. Carson, Andre [D-IN-7]	D · IN		Nov 2, 2015
Rep. Grayson, Alan [D-FL-9]	D · FL		Nov 2, 2015
Rep. Green, Al [D-TX-9]	D · TX		Nov 2, 2015
Rep. Pingree, Chellie [D-ME-1]	D · ME		Nov 2, 2015
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Nov 2, 2015
Rep. Brown, Corrine [D-FL-5]	D · FL		Nov 4, 2015
Rep. Edwards, Donna F. [D-MD-4]	D · MD		Nov 4, 2015
Rep. Engel, Eliot L. [D-NY-16]	D · NY		Nov 4, 2015
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Nov 4, 2015
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Nov 4, 2015
Rep. Nadler, Jerrold [D-NY-10]	D · NY		Nov 4, 2015
Rep. Sewell, Terri A. [D-AL-7]	D · AL		Nov 4, 2015
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Nov 5, 2015
Rep. Beyer, Donald S., Jr. [D-VA-8]	D · VA		Nov 16, 2015
Rep. Garamendi, John [D-CA-3]	D · CA		Nov 16, 2015
Rep. Meeks, Gregory W. [D-NY-5]	D · NY		Nov 16, 2015

Cosponsor	Party / State	Role	Date Joined
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Nov 16, 2015
Rep. Sánchez, Linda T. [D-CA-38]	D · CA		Nov 16, 2015
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Apr 13, 2016

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Nov 16, 2015
Ways and Means Committee	House	Referred To	Jul 29, 2015

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
114 S 1896	Related bill	<b>Jul 29, 2015:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

## **Payroll Fraud Prevention Act of 2015**

Amends the Fair Labor Standards Act of 1938 (FLSA) to require every person (including every employer and enterprise) that employs an employee or non-employee who performs labor or services, including through an entity such as a trust, estate, partnership, association, company, or corporation, to: (1) classify such individuals accurately as employees or non-employees; and (2) notify each new employee and new non-employee of his or her classification as an employee or non-employee, together with information concerning their legal rights.

Makes it unlawful for any person to: (1) discharge or otherwise discriminate against an individual (including an employee) who has opposed any practice, or filed a complaint or instituted any proceeding related to this Act, including with respect to an individual's status as an employee or non-employee; and (2) wrongly classify an employee as a non-employee.

Doubles the amount of liquidated damages for maximum hours, minimum wage, and notice of classification violations by an employer. Subjects a person who: (1) violates such requirements (including recordkeeping requirements) to a civil penalty of up to \$1,100; or (2) repeatedly or willfully violates such requirements to a civil penalty of up to \$5,000 for each violation.

Directs the Department of Labor (DOL) to establish a single webpage on its website that summarizes the rights of employees and non-employees under the FLSA and this Act.

Amends the Social Security Act to require, as a condition for a federal grant for the administration of state unemployment compensation, for the state's unemployment compensation law to include requirements for: (1) auditing programs that identify employers that have not registered under the state law or that are paying unreported compensation where the effect is to exclude employees from unemployment compensation coverage, and (2) establishing administrative penalties for misclassifying employees or paying unreported unemployment compensation to employees.

Requires any office, administration, or division of DOL to report any misclassification of an employee by a person subject to the FLSA that it discovers to the DOL Wage and Hour Division (WHD). Authorizes the WHD to report such information to the Internal Revenue Service.

## **Actions Timeline**

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- **Nov 16, 2015:** Referred to the Subcommittee on Workforce Protections.
- **Jul 29, 2015:** Introduced in House
- **Jul 29, 2015:** Referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.