

HR 4763

Wage Theft Prevention and Wage Recovery Act

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Mar 16, 2016

Current Status: Referred to the Subcommittee on Workforce Protections.

Latest Action: Referred to the Subcommittee on Workforce Protections. (Sep 19, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/4763>

Sponsor

Name: Rep. DeLauro, Rosa L. [D-CT-3]

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

Cosponsors (37 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Mar 16, 2016
Rep. Boyle, Brendan F. [D-PA-13]	D · PA		Mar 16, 2016
Rep. Cicilline, David N. [D-RI-1]	D · RI		Mar 16, 2016
Rep. Clarke, Yvette D. [D-NY-9]	D · NY		Mar 16, 2016
Rep. Conyers, John, Jr. [D-MI-13]	D · MI		Mar 16, 2016
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Mar 16, 2016
Rep. Edwards, Donna F. [D-MD-4]	D · MD		Mar 16, 2016
Rep. Ellison, Keith [D-MN-5]	D · MN		Mar 16, 2016
Rep. Engel, Eliot L. [D-NY-16]	D · NY		Mar 16, 2016
Rep. Grayson, Alan [D-FL-9]	D · FL		Mar 16, 2016
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Mar 16, 2016
Rep. Hahn, Janice [D-CA-44]	D · CA		Mar 16, 2016
Rep. Honda, Michael M. [D-CA-17]	D · CA		Mar 16, 2016
Rep. Jeffries, Hakeem S. [D-NY-8]	D · NY		Mar 16, 2016
Rep. Keating, William R. [D-MA-9]	D · MA		Mar 16, 2016
Rep. Langevin, James R. [D-RI-2]	D · RI		Mar 16, 2016
Rep. Lewis, John [D-GA-5]	D · GA		Mar 16, 2016
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Mar 16, 2016
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Mar 16, 2016
Rep. McCollum, Betty [D-MN-4]	D · MN		Mar 16, 2016
Rep. McDermott, Jim [D-WA-7]	D · WA		Mar 16, 2016
Rep. Nadler, Jerrold [D-NY-10]	D · NY		Mar 16, 2016
Rep. Pocan, Mark [D-WI-2]	D · WI		Mar 16, 2016
Rep. Rangel, Charles B. [D-NY-13]	D · NY		Mar 16, 2016
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Mar 16, 2016
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Mar 16, 2016
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Mar 16, 2016
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Mar 16, 2016
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Mar 16, 2016
Rep. Clark, Katherine M. [D-MA-5]	D · MA		Mar 22, 2016
Rep. Slaughter, Louise McIntosh [D-NY-25]	D · NY		Mar 22, 2016
Rep. Velazquez, Nydia M. [D-NY-7]	D · NY		Mar 22, 2016
Rep. Chu, Judy [D-CA-27]	D · CA		Apr 11, 2016
Rep. Pascrell, Bill, Jr. [D-NJ-9]	D · NJ		Apr 11, 2016
Rep. Roybal-Allard, Lucille [D-CA-40]	D · CA		Apr 11, 2016
Rep. Green, Gene [D-TX-29]	D · TX		May 6, 2016
Rep. Moore, Gwen [D-WI-4]	D · WI		Jun 21, 2016

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Sep 19, 2016

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
114 S 2697	Identical bill	Mar 16, 2016: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Summary (as of Mar 16, 2016)

Wage Theft Prevention and Wage Recovery Act

This bill amends the Fair Labor Standards Act of 1938 to require employers engaged in commerce, or in the production of goods for commerce, to make certain disclosures to employees about their employment, including a paystub corresponding to work the employee performed during the applicable pay period, and make final payments to a terminating employee for uncompensated hours the employee has worked.

An employer shall compensate an employee at the rate specified in an employment contract or other employment agreement, including a collective bargaining agreement, that specifies a rate of pay higher than the minimum wage rate.

The bill revises penalty requirements to:

- increase to double the amount of unpaid wages or unpaid overtime compensation the damages an employer must pay for violating minimum wage or maximum hour rules, plus interest;
- increase to treble damages the penalty for retaliatory discrimination against or discharge of a whistleblowing employee;
- repeal the requirement that an employee consent in writing to become a party plaintiff in an action to recover damages from an employer for all such violations;
- prohibit waiver of the right to bring an action, including a collective action, by an employee as a condition of employment or in a pre-dispute arbitration agreement; and
- direct the Department of Labor to refer any case involving a covered offender to the Department of Justice for prosecution.

In the event that an employee requests an inspection of his or her records for accuracy of wage payments, the employer shall give the employee a copy of the records covering a period of up to five years prior to the request.

The Portal-to-Portal Act of 1947 is amended to:

- increase the statute of limitations for causes of action under that Act, the Walsh-Healy Act, or the Bacon-Davis Act with respect to unpaid wages, unpaid overtime compensation, or damages; and
- deem the statute of limitations tolled for such an action between notification of an employer that an investigation or enforcement action has begun to notification to the employer that the matter has been officially resolved.

Acting through the Wage and Hour Division, Labor shall award grants to assist eligible entities in enhancing the enforcement of wage and hour laws.

The Government Accountability Office shall identify successful programs carried out by such grants, especially elements, policies, or procedures that can be replicated by other grant-receiving programs.

Actions Timeline

- **Sep 19, 2016:** Referred to the Subcommittee on Workforce Protections.
- **Mar 16, 2016:** Introduced in House
- **Mar 16, 2016:** Referred to the House Committee on Education and the Workforce.