

## HR 6189

### Payroll Fraud Prevention Act of 2018

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Labor and Employment

**Introduced:** Jun 21, 2018

**Current Status:** Referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means

**Latest Action:** 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. (Jun 21, 2018)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/6189>

### Sponsor

**Name:** Rep. Takano, Mark [D-CA-41]

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

### Cosponsors

No cosponsors are listed for this bill.

### Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Jun 21, 2018
Ways and Means Committee	House	Referred To	Jun 21, 2018

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

Bill	Relationship	Last Action
115 HR 3629	Related bill	Jul 28, 2017: 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.

## **Payroll Fraud Prevention Act of 2018**

This bill amends the Fair Labor Standards Act of 1938 to require employers to accurately classify their employees or non-employees as employees or independent contractors and to notify such employees or non-employees of their classification.

The bill makes it unlawful for any person to: (1) discharge or otherwise discriminate against an employee or non-employee who has filed a complaint with respect to their employment classification, and (2) wrongly classify an employee as a non-employee. The bill doubles the amount of liquidated damages for unpaid wages and misclassifications of employees.

The bill amends the Social Security Act to: (1) require, as a condition for the federal grant program for unemployment compensation administration, auditing and investigative procedures to identify employers who are not registered under state law or who are paying unreported wages; and (2) impose administrative penalties for misclassification of employees or payment of unreported wages without proper recordkeeping.

The bill requires the Department of Labor to report any misclassification of an employee to its Wage and Hour Division. The Wage and Hour Division is then authorized to report a misclassification to the Internal Revenue Service.

### **Actions Timeline**

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- **Jun 21, 2018:** Introduced in House
- **Jun 21, 2018:** 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.