

U.S.

■ **MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT (*PAYMENT OF WAGES*)**

TERMS:

Paydays — Every farm labor contractor, agricultural employer and agricultural association that employs a migrant or seasonal worker must pay the wages owed to the worker when due, but in no case less often than every 2 weeks or twice a month.

Pay Statements — For each pay period, a contractor, employer or association that employs any such worker must provide the worker with an itemized written statement showing (1) the basis on which wages are paid, (2) the number of piecework units earned, if paid on a piecework basis, (3) the number of hours worked, (4) total earnings for the pay period, (5) the amount and purpose of each deduction from earnings, and (6) the net amount paid.

ENFORCEMENT: *Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210 (202-693-0072)*. Local offices of the Wage and Hour Division may be located on the agency's website, at www.dol.gov/whd/america2.htm.

Apart from any enforcement action by the Department, a worker who has been harmed as a result of a violation of this law may take legal action against the contractor, employer or other person responsible for the violation directly, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer or farm labor contractor may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law. Any such act of retaliation should be reported to the Wage and Hour Division within 180 days after it occurs.

■ **IMMIGRATION AND NATIONALITY ACT (*TEMPORARY AGRICULTURAL WORKERS*)**

TERMS:

Frequency of Wage Payments — Employers who use temporary foreign agricultural workers under the H-2A program must pay their foreign workers, as well as U.S. workers performing substantially similar work, at least twice a month, or more often if it is common practice in the local area of employment to do so. The wage payment schedule must appear in the H-2A contract.

Wage Deductions — H-2A employers are permitted to withhold from a worker's pay only those deductions that are required by law or are otherwise reasonable, as long as the non-required deductions are explained in the contract. An employer may deduct the cost of providing the worker's transportation and meals between the worker's previous location and the place of employment, but the full amount of the deduction must be refunded to the worker when the worker completes half of the contract period.

Hours and Earnings Statements — On or before each payday, the employer must provide each worker with written documentation showing (1) the worker's total earnings for the pay period, (2) the hourly wage or piece rate, (3) the hours of employment offered to the worker and the hours actually worked, (4) each deduction from the worker's pay and its purpose, and (5) the worker's daily piecework production if paid on a piecework basis.

ENFORCEMENT: *Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210 (202-693-0072)*. This agency is responsible for enforcing the required work contracts between certified H-2A employers and their foreign and U.S. workers performing services under those agreements. Local offices of the Wage and Hour Division may be located on the agency's website, at www.dol.gov/whd/america2.htm.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any way against a worker because the worker has consulted with an attorney or legal services program, filed a complaint, participated in an investigation or other enforcement action, or made use of any other right under this law. Reports of unlawful retaliation should be filed with the Wage and Hour Division.

Alaska

■ STATE WAGE CLAIM LAW

TERMS:

Pay Periods and Paydays — Unless an employer and a worker agree to monthly pay periods under an annual contract, the worker may choose between monthly or semi-monthly pay periods. In either case, at the time of hiring, an employer must give employees a written notice showing the day and place of payment and the rate of pay. Any change in these terms must be announced no later than on the payday before the change goes into effect.

Final Wages — When a worker is terminated by the employer, the worker's pay is due immediately and must be paid within 3 working days after termination, at the place where the worker is usually paid or at a location agreed on by the employee and the employer. When a worker resigns, payment is due on the next regularly scheduled payday that occurs at least 3 days after the employer received notice of the resignation.

Penalty for Late Payment — If an employer fails to pay wages due within the 3-day timeframe, the employer may be required to pay the worker a penalty, in the amount of the worker's regular compensation from the time of demand to the time of payment, or for 90 days, whichever is less.

ENFORCEMENT: *Wage and Hour Administration, Division of Labor Standards and Safety, Department of Labor and Workforce Development, Juneau, Alaska 99811 (907-465-4842)*. A worker who has not received wages when due may submit a claim to the Wage and Hour Administration.

■ STATE WAGE PAYMENT LAWS

TERMS: Workers performing labor in Alaska must be paid in lawful U.S. currency or by check. No wages or advances may be deposited in a bank without the voluntary authorization of the worker.

If an employer agrees with a worker (or a group of workers) to make payments to a health, medical, pension or other such fund for the benefit of the worker, it is generally unlawful for the employer to fail to make such payments.

ENFORCEMENT: The rights provided under this law may be enforced only by legal action in civil court, through a private attorney or a public legal services program.

Arizona

■ WAGE PAYMENT LAWS

TERMS:

Paydays — Every employer must designate at least two days per month, not more than 16 days apart, as fixed paydays.

Wage Payments — All wages due an employee on each regular payday must be paid on that day, in lawful U.S. currency or by negotiable check. Wages may be paid by direct deposit to an insured banking institution, but only with the worker's voluntary prior written consent, and in such cases the worker must receive a statement of earnings and withholding.

Withholding — No employer may withhold any portion of a worker's wages unless the employer is authorized to do so by federal or state law, the employer has the worker's written authorization to do so, or there is a genuine dispute as to the amount of wages due.

Termination — When an worker is discharged from employment, final wages due must be paid within 7 working days or the end of the next regular pay period, whichever is sooner. When a worker quits the job, final wages due must be paid no later than the next regular payday for the pay period during which the worker quits. If requested by the worker, final wages may be paid by mail.

ENFORCEMENT: *State Labor Department, Industrial Commission of Arizona, Phoenix, Arizona 85007 (602-542-4515)*. The Department is authorized to accept any wage claim involving up to \$2,500, but only if the claim is filed within one year after the wages were originally due. The wage claim form may be downloaded from the agency's website, at <http://test-az-ica.pantheonsite.io/forms/labor3303>.

As an alternative to filing a claim with the state agency, or if the claim amounts to more than \$2,500, the law gives the worker the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

Arkansas

■ WAGE PAYMENT LAWS

TERMS: All corporations which do business in the state and employ laborers must pay their workers' wages twice a month. Wages may be paid only in lawful U.S. money, by check payable in lawful money, or by direct deposit into the worker's account.

Whenever an employer fires or lays off a worker, with or without cause, the unpaid balance of the worker's earnings is due immediately. If the worker has not received final pay within 7 days, as a penalty for non-payment the worker is entitled to continued pay at the same rate from the date of termination until paid, generally up to a maximum penalty of 60 days' wages.

It is illegal for an employer to force or attempt to force a worker to purchase goods or supplies as payment of wages.

ENFORCEMENT: *Labor Standards Division, Arkansas Department of Labor, Little Rock, Arkansas 72205 (501-682-4500).* The Department is authorized to investigate any wage claim amounting to \$2,000 or less. If a worker's claim is found valid and the worker lacks financial resources to recover wages from an employer who refuses to accept the Department's findings, the agency is authorized to take legal action against the employer on the worker's behalf.

California

■ WAGE PAYMENT LAWS

TERMS:

Paydays and Pay Periods — Wages earned by an agricultural employee must be paid twice each calendar month, on paydays designated in advance by the employer. Work performed from the 1st through the 15th day of the month must be paid between the 16th and the 22nd of that month; work performed from the 16th through the last day of the month must be paid between the 1st and the 7th of the following month.

When agricultural workers are furnished room and board by the employer, wages are payable once each calendar month, on a designated regular payday. No two paydays may be more than 31 days apart, and payment must include all wages earned up to the regular payday.

Agricultural workers employed by a farm labor contractor or crew leader must receive their pay at least once a week, on a business day designated in advance by the contractor. Payment must include all wages earned up to and including the 4th day before such payday.

Final Wages — Whenever an employer fires or lays off a worker, final wages must generally be paid immediately, but workers who are seasonally employed in the curing, canning or drying of perishable fruits and vegetables and who are laid off must receive final pay within 72 hours. If an employee with no written contract for a definite period quits the job, the worker's wages are payable no later than 72 hours after resignation; workers who give at least 72 hours' prior notice of their intention to quit are entitled to final pay at the time of quitting.

Method of Payment — Farm employers must pay all wages in legal U.S. currency, or by check payable on demand in cash at full face value. Employers may not pay workers in scrip, coupons or any other medium redeemable in goods.

Pay Statements — Every farm employer must, at the time of each payment of wages or at least twice a month, provide each worker with an itemized written statement showing (1) total earnings, (2) total hours worked, if pay is by the hour, (3) all deductions from earnings, (4) net wages earned, (5) the dates of the period for which the worker is being paid, (6) the worker's name and Social Security number, and (7) the name and address of the employer.

ENFORCEMENT: *Division of Labor Standards Enforcement, California Department of Industrial Relations, Oakland, California 94612.* A worker who has not received regular or final pay in accordance with these provisions may file a claim — available online at www.dir.ca.gov/dlse/HowToFileWageClaim.htm — or may email the Division at DLSE2@dir.ca.gov.

The law also gives workers the right to sue the employer in civil court to collect unpaid wages, using a private attorney or a public legal services program.

Colorado

■ WAGE PAYMENT LAWS

TERMS:

Method of Payment — Employers are prohibited from paying wages in any medium other than cash or direct deposit, although checks or similar forms of pay may be used as long as they can be exchanged for cash immediately for the full amount for which they are written.

Paydays and Pay Periods — Unless the employer and the worker agree to some other schedule, all earnings (other than final wages) generally must be paid no later than 10 days after the end of the regular pay period, which may not exceed one month or 30 days' duration, whichever is longer. When employment is terminated by the employer, the worker's final wages are due immediately; if the worker quits or resigns, final wages are payable on the next regular payday.

Pay Statements — At least once a month, or at the time of each payment of wages, every employer must provide each worker with an itemized written pay statement showing gross wages earned, all deductions from the worker's wages, the net wages earned, the beginning and ending dates of the pay period, the worker's name and Social Security number, and the name and address of the employer.

ENFORCEMENT: *Division of Labor Standards and Statistics, Colorado Department of Labor and Employment, Denver, Colorado 80202 (303-318-8441).*

As an alternative to filing a wage claim with the state agency, the law gives workers the right to sue the employer in civil court to collect unpaid wages, using a private attorney or a public legal services program.

Connecticut

■ STATE WAGE PAYMENT LAW

TERMS:

Paydays and Pay Periods — Employers must generally pay their workers weekly or bi-weekly, on a regular payday designated in advance. The payday may not be more than 8 days after the end of the period for which the payment is being made; if the regular payday falls on a non-workday, wages must be paid on the preceding workday.

Final Wages — When a worker quits, the employer must pay the worker's wages in full not later than the next regular payday. When an employer terminates a worker, the employer must pay final wages not later than the next business day after termination.

Deductions from Wages — Employers are prohibited from withholding or diverting any part of a worker's wages unless (1) the employer is authorized to do so under federal or state law, (2) the employer has written authorization to do so from the worker, or (3) the deductions are for automatic contributions to a federally recognized retirement plan.

ENFORCEMENT: *Division of Wage and Workplace Standards, Connecticut Department of Labor, Wethersfield, Connecticut 06109 (860-263-6791).* This agency has authority to receive complaints regarding unpaid wages, and to take legal action to collect unpaid wages and impose fines on employers who violate these provisions.

As an alternative to filing a wage claim with the state labor department, workers may recover unpaid wages through action in civil court, using a private attorney or a public legal service provider.

■ STATE LABOR LAWS (*WAGE STATEMENTS*)

TERMS: In most cases, employers in Connecticut must furnish each of their workers with a written statement at the time of each wage payment showing hours worked, gross regular and overtime earnings, itemized deductions, and net earnings.

ENFORCEMENT: *Division of Wage and Workplace Standards, Connecticut Department of Labor, Wethersfield, Connecticut 06109 (860-263-6791).* Workers who do not receive a wage statement at the time of payment in accordance with this provision may file a complaint with the Department.

Delaware

■ WAGE PAYMENT AND COLLECTION ACT OF THE STATE

TERMS:

Paydays and Pay Periods — Employers in Delaware must pay their workers on regular paydays designated in advance. In no case may paydays be less often than once a month, and a regular payday must occur not more than 7 days after the end of each pay period. If the regular payday falls on a non-workday, payment must be made on the preceding workday.

Method of Pay — Wages must generally be paid in lawful U.S. money, by check, or with a payroll debit card. Use of checks is allowable only if the employer makes suitable arrangements for cashing checks, without discount, at a bank or other business establishment convenient to the workplace, and payment using debit cards is subject to state restrictions.

Final Wages — Whenever a worker quits or is laid off or fired, final wages are due on the next regular payday.

Withholding of Wages — An employer may not withhold any portion of a worker's wages unless (1) the employer is required or authorized to do so by state or federal law, (2) the deductions are for documented health care or medical services, without financial benefit to the employer, or (3) the employer has a signed authorization from the worker for deductions for a lawful purpose benefiting the worker.

Wage Statements and Recordkeeping — Every employer with more than 3 employees is required (1) to notify each worker in writing, at the time of hiring, of the wage rate to be paid and the day, hour and place of payment, and (2) to furnish each worker with a written statement at the time of payment showing the wages earned, the pay period, itemized deductions from earnings, and, for employees paid at an hourly rate, the total number of hours worked. In addition, such employers must safeguard all wage and hour records at their place of business for a period of at least 3 years.

ENFORCEMENT: *Office of Labor Law Enforcement, Division of Industrial Affairs, Delaware Department of Labor, Wilmington, Delaware 19802 (302-761-8200).*

As an alternative to filing a wage claim with the state agency, the law gives workers the right to sue the employer in civil court to collect unpaid wages, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

Hawaii

■ WAGE PAYMENT LAWS

TERMS:

Paydays — Employers must pay their workers' earnings at least twice each month, on regular paydays designated in advance, unless a different arrangement is approved by the state or adopted by majority vote of the workers in a state-approved secret-ballot election. A worker's wages are payable within 7 days after the end of each pay period.

Final Pay — Whenever an employer lays off or fires a worker, the worker must receive final pay no later than the next regular business day following layoff or termination. A worker who quits the job is entitled to final pay no later than the next regular payday after termination, unless the worker gives at least one pay period's notice of intention to quit, in which case the employer must pay final wages at the time of termination.

Method of Payment — Employers are required to pay wages (1) in lawful U.S. money, (2) with checks exchangeable for cash on demand and at full face value, (3) by direct deposit to the worker's bank account, or (4) with a prepaid debit card; use of a debit card is subject to strict limitations. In the event a worker's paycheck bounces, the employer is responsible for paying any overdraft charges or special handling fee which the worker may be charged as a result of cashing the check.

Withholding of Wages — Employers may not deduct or withhold any part of a worker's earnings, except where required by federal or state law or a court order, or unless authorized in writing by the worker. Certain deductions, however, are not lawful even with the worker's approval, including, among others, (1) fines, penalties, or replacement costs for breakage, (2) losses due to damage to property, and (3) expenses for medical or physical examination, if the examination is requested or required by the employer.

Notices and Pay Statements — Employers must notify their employees at the time of hiring as to the rate of pay and the day, hour and place of payment, and must furnish each worker, on every payday, with a written statement showing the worker's total gross earnings, the amount and purpose of each deduction, total net pay, the date of payment, and the pay period covered.

ENFORCEMENT: *Wage Standards Division, Department of Labor and Industrial Relations, Honolulu, Hawaii 96813 (808-586-8777).*

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

■ WAGE AND HOUR LAW (PAY STATEMENTS)

TERMS: In any week in which the employer has at least 20 employees, every worker who performs agricultural labor (other than coffee harvesting) must receive from the employer for every pay period a written notice showing total hours worked, overtime hours (if any), regular pay, overtime pay (if any), other compensation, total gross pay, the amount and purpose of each deduction, total net pay, the date of payment, and the pay period covered.

ENFORCEMENT: *Wage Standards Division, Department of Labor and Industrial Relations, Honolulu, Hawaii 96813 (808-586-8777).* As an alternative to administrative enforcement by the Department, a worker has the right to take direct civil action against the employer to enforce these provisions, utilizing a private attorney or public legal service provider.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Idaho

■ STATE LIEN LAWS (*CLAIMS FOR WAGES*)

TERMS:

Pay Periods — Employers in Idaho must pay their workers' wages at least once each calendar month, on regular paydays designated in advance. In general, a designated payday may not be more than 15 days after the end of the pay period for which payment on that day is to be made. If the regular payday falls on a non-workday, payment must occur on the preceding workday.

Method of Pay — Wages must be paid in lawful U.S. currency, by check drawn on banks where suitable arrangements are made for cashing at no charge to the worker, or by direct deposit to an account voluntarily selected by the worker.

Withholding of Wages — No employer may withhold or divert any portion of an worker's wages, unless the employer is required or authorized to do so by state or federal law, or the employer has written authorization from the worker to make such a deduction for a lawful purpose. For each pay period for which deductions from the worker's pay are made, the employer must provide the worker with an itemized statement of each such deduction.

Wage Claims — A worker with a claim for unpaid wages in an amount up to \$1,000 may request the state enforcement agency to take legal action on his or her behalf to collect the unpaid wages in court. A judgment in favor of the worker may include, in addition to the unpaid wages, reasonable attorney's fees and court costs, plus damages of up to *three times* the amount of the unpaid wages.

ENFORCEMENT: *Wage and Hour Bureau, Idaho Department of Labor, Boise, Idaho 83735 (208-332-3570).*

If the claim involves more than \$1,000 in unpaid wages, the worker has the right to file a civil lawsuit against the employer directly, using a private attorney or public legal service provider.

SPECIAL NOTE: It is illegal for an employer to fire or discriminate in any other way against a worker because the worker made a claim, testified in a proceeding, or discussed or consulted with anyone concerning the worker's rights under this law.

Illinois

■ ILLINOIS WAGE PAYMENT AND COLLECTION ACT

TERMS:

Paydays and Pay Periods — Farm operators and most other employers in Illinois are required to pay their workers' wages at least twice a month. All wages earned by an employee during a half-monthly or 2-week pay period must be paid no later than 13 days after the end of the pay period in which the wages are earned. Wages earned during a weekly pay period must be paid within 7 days of the close of the period. Workers paid daily should receive their wages on the same day they are earned, but in no case more than 24 hours later.

Final Pay — Workers who quit, or who are dismissed or laid off, should receive their final pay at the time the job ends, but in no case may an employer fail to pay final wages by the next regularly scheduled payday.

Method of Pay — Workers' wages must be paid (1) in lawful U.S. currency, (2) by check, which can be cashed on demand and at full face value at a readily accessible bank or similar institution, (3) by direct deposit to a bank account of the worker's choosing, or (4) with a payroll card that meets strict state-prescribed requirements.

Deductions — Employers normally may not make any deduction from a worker's pay unless the deduction is required by law, is intended for the worker's benefit, or is made with the worker's written consent.

Pay Statements — Employers are required to furnish each worker with an itemized statement of deductions made from the worker's pay for each pay period.

Recordkeeping — Employers must keep a record of the names and addresses of all employees and of the wages paid each payday.

Disclosures and Posting — At the time of hiring, employers must notify each worker as to the rate of pay and the time and place of payment. Whenever any of these conditions changes, the worker must be advised in advance. Employers must also keep posted at each regular place of business, at a location easily accessible to the workforce, a notice identifying the regular paydays and the place and time of payment.

ENFORCEMENT: *Fair Labor Standards Division, Illinois Department of Labor, Chicago, Illinois 60601 (312-793-2810).* A worker who has not been paid all or any part of wages earned may file a claim with the Department.

As an alternative to filing a wage claim or complaint with the Department, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

■ ILLINOIS WAGE ASSIGNMENT ACT

TERMS: With few exceptions, it is illegal for any person or business to collect a loan or other debt by deducting payments from a worker's wages — commonly known as a "wage assignment" — unless the agreement to do so is made in writing. The wage assignment agreement must be signed by the worker and must show the name of the employer, the amount of money loaned or the price of the goods sold, the interest rate to be paid, and the dates payments are due.

A person or business is not allowed to demand payment of a worker's debt through a wage assignment unless (1) the worker has failed to make a payment for more than 40 days, and (2) the person or business has notified the worker and the employer at least 20 days beforehand of its intention to demand payment.

Among other restrictions on such arrangements, the amount of wages that may be collected under a lawful wage assignment for any workweek may not exceed 15 percent of the worker's gross earnings that week, and in no event may a wage assignment in any week leave a worker with less than 45 times the state or federal minimum wage, whichever is higher (\$371, at the current state minimum wage of \$8.25).

ENFORCEMENT: The rights provided under this law may be enforced only by legal action in civil court, through a private attorney or a public legal services program.

SPECIAL NOTE: It is illegal for an employer to fire or suspend a worker because the worker's wages have been subjected to a wage assignment.

Indiana

■ WAGE AND HOUR LAWS (*WAGE PAYMENTS*)

TERMS:

Wage Deductions — Employers are not permitted to make any deduction from a worker's pay at the worker's request, unless the deduction is for insurance premiums, repayment of a loan made by the employer, or similar authorized purposes, and unless a written agreement to make the deduction has been signed by the worker. The employer has to agree to the arrangement, and the worker may cancel the agreement at any time.

Deductions to Repay Loans — Any arrangement under which wages are withheld to repay a loan made by someone other than the employer is not valid unless the deduction is for a fixed percentage of the worker's earnings and the arrangement covers a period not longer than 30 days. Any interest charged by the person or establishment making the loan may not exceed an annual rate of 8 percent. An agreement to assign wages is generally not valid without the signature of the worker's spouse, if any.

Illegal Sales and Fines — It is unlawful for employers to knowingly sell to any of their employees any merchandise or supplies at a higher price than the price at which the merchandise or supplies are sold to others for cash. It is also illegal for an employer to fine a worker for any reason and then collect the fine from the worker's wages.

Penalty for Failure to Pay Wages — An employer who fails to pay a worker his or her wages within 10 days after demand for payment not only is responsible for the unpaid wages, but is subject to a penalty of \$1 for each day the wages remain unpaid after the 10-day period. The penalty, up to *double* the amount of the wages due, is payable to the worker.

ENFORCEMENT: *Wage and Hour Division, Indiana Department of Labor, Indianapolis, Indiana 46204 (317-232-2655)*. A worker who has had an employer-imposed fine deducted from pay may report the violation to the Department.

The other protections outlined above may be enforced only through court action by the worker, represented by a private attorney or a public legal services program.

■ WAGE CLAIM LAW

TERMS: Whenever an employer dismisses or lays off a worker, for whatever reason, final wages and other compensation are payable on the next regular payday for the pay period in which the job ends. A worker who, at any time, does not receive full pay for his or her labor may file a claim for unpaid wages with the state labor department, provided the claim amounts to more than \$35 and less than \$6,000.

ENFORCEMENT: *Wage and Hour Division, Indiana Department of Labor, Indianapolis, Indiana 46204 (317-232-2655)*.

A worker who wishes to take legal action on a wage claim directly, or whose claim involves \$6,000 or more in unpaid wages, may file suit against the employer in civil court, using a private attorney or public legal services program.

Iowa

■ IOWA WAGE PAYMENT COLLECTION LAW

TERMS:

Pay Periods and Paydays — With few exceptions, employers must pay their workers' wages no less often than monthly, semi-monthly or every 2 weeks, on regular paydays designated in advance. A payday may not be more than 12 days (excluding Sundays and legal holidays) after the end of the pay period for which wages are to be paid.

Method of Pay — Wages must normally be paid in U.S. currency, or by check or comparable draft that can be exchanged for cash on demand at full face value.

Final Pay — Whenever a worker is fired or laid off, the employer must pay the net amount of all wages earned by the worker up to the time of termination, no later than the next regular payday.

Wage Deductions — An employer may not withhold or deduct any portion of a worker's wages unless the deduction is required or permitted under state or federal law or by court order, or the deduction is authorized in writing by the worker for a lawful purpose and for the worker's own benefit. With few exceptions, employers are not permitted to make any deduction for losses due to breakage or damage to property.

Wage Statements — On each regular payday, employers must provide the worker with a statement showing the hours worked, the wages earned, and any deductions made from the worker's earnings.

Liability for Unpaid Wages — If a farm labor contractor contracts with a seed or feed grain producer to rogue, detassel or hand-pollinate plants and fails to pay all his or her workers' wages, the seed or feed grain producer is also liable to the workers for the unpaid wages.

ENFORCEMENT: *Division of Labor, Iowa Workforce Development, Des Moines, Iowa 50319 (515-281-3606; toll free 800-562-4692).*

As an alternative to filing a wage claim with the Division of Labor, a worker has the right to take legal action to collect unpaid wages directly, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer or labor contractor may not fire, discipline or discriminate in any manner against worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

■ MIGRATORY LABOR CAMP LAW (*RENTAL CHARGES*)

TERMS: No migrant labor camp operator or any other person may deduct rent or withhold any other charges from a worker's wages for providing migrant labor housing or related facilities unless the worker was informed of the charges before accepting employment.

ENFORCEMENT: *Migrant Labor Camp Program, Bureau of Environmental Health Services, Iowa Department of Public Health, Des Moines, Iowa 50319 (515-281-8561).* A worker who has had rent or other housing-related charges deducted from his or her pay without having been advised of the charges before hiring should notify the Department, or seek legal recourse through a private attorney or public legal service provider.

Kansas

■ WAGE PAYMENT LAWS

TERMS:

Pay Periods — Employers must pay their workers' wages at least once each calendar month, on regular paydays designated in advance by the employer. The end of the pay period for which payment is made may not be more than 15 days before the payday.

Final Pay — Whenever an employer dismisses a worker or the worker quits, the employer must pay final wages no later than the next regular payday.

Method of Pay — Wages must generally be paid in lawful U.S. money, by checks which can be cashed in the local community, by direct deposit to a bank chosen by the worker, or by a debit-type payroll card.

Deductions from Pay — In general, it is unlawful for an employer to withhold any part of a worker's wages unless (1) the employer is required or authorized to do so by state or federal law, (2) the deductions are for documented health care or services, with no financial benefit to the employer, (3) the deductions are authorized in writing by the worker and are for a lawful purpose for the worker's own benefit, or (4) the deductions are for contributions to an approved employee retirement plan.

Exception — An employer may withhold a portion of a worker's wages to allow repayment of a loan made by the employer, to recover a payroll overpayment, or to recover the cost of employer-provided items such as uniforms, as long as (1) there is a signed agreement between the employer and the worker consenting to it, and (2) amounts withheld under these circumstances do not end up reducing the worker's wages to below the applicable federal or state minimum wage.

Notifications — At the request of a worker, the employer must (1) notify the worker in writing as to the rate of pay and the date and place of wage payments, (2) give the worker prior written notice of any change in these terms or conditions, (3) provide written notice of the employee benefits to which the worker is entitled, and (4) furnish the worker with an itemized statement of deductions made from the worker's wages for each pay period such deductions are made.

ENFORCEMENT: *Employment Standards Division, Kansas Department of Labor, Topeka, Kansas 66603 (785-296-5000, extension 1068).*

■ EMPLOYEE PROTECTION LAWS (*WAGE PAYMENTS TO MIGRANT WORKERS*)

TERMS: Farm operators and other agricultural establishments that employ migrant workers, and the agents of such establishments who are responsible for the payment of workers' wages, must make wage payments directly to the individual worker. Payments for the worker's labor may not be made or entrusted to a crew leader under any circumstances.

ENFORCEMENT: *Workforce Services Division, Kansas Department of Commerce, Topeka, Kansas 66612 (785-296-3481).*

As an alternative to filing a complaint with the Department, the law gives workers the right to take legal action in civil court to enforce these provisions, using a private attorney or a public legal services program.

Kentucky

■ WAGE PAYMENT LAWS

TERMS:

Paydays — Every employer must pay each worker at least twice a month, and no payday may occur more than 18 days after the end of the pay period. A worker who is absent or for any other reason is not paid on the designated payday must receive his or her earnings within 6 days after demand for payment.

Final Pay — A worker who quits or is laid off or fired must be paid all earnings in full no later than the next regular payday, or within 14 days after termination, whichever is later.

Deductions from Pay — No employer may make any deduction from a worker's wages unless the deduction is authorized by local, state or federal law or is authorized in writing by the worker for some lawful benefit. In general, it is illegal for an employer to make a deduction to cover fines, breakage, losses due to lost or stolen property, or losses due to property damage.

Pay Statements — Like most other employers in the state, farm operators who employ 10 or more workers and make any deductions from their pay are required to furnish each such worker, at the time of payment, a statement showing the amount of each deduction and the general purpose for which the deduction is made.

ENFORCEMENT: *Division of Employment Standards, Apprenticeship, and Mediation, Department of Workplace Standards, Frankfort, Kentucky 40601 (502-564-1524).*

As an alternative to filing a claim or complaint with the Department, the law gives workers who have not been paid their wages in accordance with these provisions the right to sue the employer in civil court, using a private attorney or a public legal services program.

Louisiana

■ WAGE PAYMENT LAWS

TERMS: Whenever a worker quits or is fired or laid off, the employer must pay the worker's final wages on or before the next regular payday, or no later than 15 days after the date of termination, whichever occurs first.

Except where the worker carelessly or intentionally damages goods or the employer's property, it is illegal for an employer to charge a worker any fine or deduct any amount as a fine from the worker's wages.

ENFORCEMENT: A worker who has not received final wages within the required timeframe, or who has had a fine unlawfully deducted from his or her pay, may file a lawsuit against the employer to collect the unpaid wages, using a private attorney or a public legal services program.

Maine

■ WAGE PAYMENT LAWS

TERMS:

Paydays and Pay Periods — At least as often as every 16 days, an employer must pay in full all wages earned by each employee. Each payment must include all wages earned to within 8 days of the payment date.

Payroll Records — Every employer must keep a true record of the date and amount of each wage payment to each employee, as well as a daily record of the time worked by each hourly employee.

Pay at Termination — A worker leaving his or her employment must be paid in full by the next regular payday, or within 2 weeks after the the worker requests it, whichever is earlier. The employer may deduct any loan or advance against future wages only if the loan or advance is covered by a written statement signed by the worker.

ENFORCEMENT: *Bureau of Labor Standards, Maine Department of Labor, Augusta, Maine 04333.*

As an alternative to filing a claim or complaint with the Department, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

Maryland

■ MARYLAND WAGE PAYMENT AND COLLECTION LAW

TERMS:

Pay Periods and Paydays — In general, every employer must establish regular pay periods and pay all employees at least once every 2 weeks or semi-monthly. If the regular payday falls on a non-workday, employees must be paid on the preceding workday. Employers must notify employees at the time of hiring as to their respective rates of pay and the regular designated payday.

Method of Payment — Wages must be paid in lawful U.S. currency, by check payable at face value on demand in lawful U.S. currency, by direct deposit to a bank account specified by the worker, or with a debit card. Any fees that apply to use of a debit card must be disclosed to the worker in writing, in at least 12-point font.

Pay Statements — Employers must furnish each worker with a statement of gross earnings and deductions for each pay period.

Wage Deductions — Under most circumstances, no employer may make any deduction from a worker's wages unless the deduction is authorized by law, formally ordered by a court, or expressly authorized in writing by the worker.

Final Pay — Whenever the job ends, a worker must receive all wages due, for all services performed, on or before the date the worker would have been paid for the services had the employment not ended.

ENFORCEMENT: *Employment Standards Service Unit, Division of Labor and Industry, Maryland Department of Labor, Licensing and Regulation, Baltimore, Maryland 21201 (410-767-2357).* A worker who has not received wages, or has not been paid in accordance with these provisions, may file a claim or complaint with the Department.

As an alternative to enforcement action by the Department, after 2 weeks have passed from the date on which an employer is required to have paid the wages, a worker who has not received pay in accordance with these provisions may take legal action against the employer to collect unpaid wages directly, using a private attorney or a public legal service provider.

Massachusetts

■ WAGE PAYMENT LAWS

TERMS:

Paydays and Pay Periods — Workers generally must be paid at least once a month, but regardless of the length of the pay period, employers must pay wages earned by each worker to within 6 days of the date of payment (or within 7 days in the case of a worker employed 7 days a week).

Final Pay — A worker who leaves his or her job must receive final pay in full on the next regular payday, or on the following Saturday if there is no regular payday. Whenever a worker is laid off or fired by the employer, final wages must be paid in full on the day of termination.

Pay Statements — Each time wages are paid, employers are required to furnish their employees with a written statement showing the name of the employer, the name of the employee, the date, the number of hours worked, the hourly pay rate, and the amount of any deductions from pay.

Method of Payment — An employer who pays wages by check or draft must make arrangements for the cashing of payroll checks at a bank or elsewhere, without charge or discount.

Deductions from Pay — Each time an employer makes a deduction from the wages of any worker for Social Security, health insurance, or any other benefit, the employer must give the worker a written statement showing the amount and nature of each such deduction at the time of payment. Employers are forbidden from penalizing a worker for being late to work by deducting from wages any amount other than the wages the worker would have earned during the time actually lost.

ENFORCEMENT: *Massachusetts Department of Labor Standards, Boston, Massachusetts 02114 (617-626-6952).*

As an alternative to filing a complaint with the Department, a worker affected by a violation of the wage payment laws may take action in civil court against the employer directly, using a private attorney or public legal service provider.

SPECIAL NOTE: A person may not fire, punish or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by these provisions.

Michigan

■ WAGE PAYMENT LAW

TERMS:

Pay Periods —

Farm and Non-Farm Employment in General — As a rule, employers must pay their employees twice a month, with wages earned during the first half of the calendar month paid on or before the first day of the next calendar month, and wages earned during the second half of the month paid by the 15th of the month following. Regularly scheduled weekly pay periods are allowable, as long as each wage payment occurs within 14 days of the end of the week in which the wages were earned. Likewise, an employer may establish a monthly pay period, as long as wages earned during the month are paid on or before the first day of the following month.

Harvest Employment — For workers involved in the hand-harvesting of crops, all wages earned in a particular week must be paid no later than the second day after the end of the workweek.

Final Pay — Except for hand-harvest crop workers, employees who quit must receive final pay on the regularly scheduled payday for the period in which the termination occurs; workers who hand-harvest crops must be paid within one working day after they quit. An employer who fires or lays off a worker must pay final wages as soon as the amount can be determined.

Method of Payment — Wages must be paid (1) in U.S. currency, (2) by check payable without discount in U.S. currency, (3) by direct deposit to a financial institution selected by the worker, or (4) with a debit card that meets state standards. Employers may not require a worker to pay any fees or costs incurred by the employer in connection with wage payments.

Deductions from Wages — Except for deductions that are required or permitted by law, an employer may not make any deduction from wages without the worker's written consent, obtained without intimidation. The total amount of voluntary deductions may not reduce wages paid to a rate less than the state or federal minimum wage, even in the case of a worker not covered by the minimum wage laws.

Bonuses — It is illegal for an employer to withhold any portion of a worker's pay as a fringe benefit or "bonus" to be paid at the end of the employment period, unless the arrangement is agreed to in a written agreement signed by the worker without intimidation.

Employment Fees — An employer, or an agent of the employer (including a crew leader or labor contractor) having authority to hire or direct the services of the employer's workers, may not demand or receive a fee or other compensation from a worker, directly or indirectly, as a condition of employment or continued employment, unless the person charging the fee is licensed in Michigan as a personnel agency.

Payroll Records — In general, every employer must keep a record of the worker's name, address, birth date, occupation or job classification, pay rate, total hours worked in each pay period, total wages paid each pay period, deductions from pay, and fringe benefits provided. Such records must be kept for at least 3 years.

Pay Statements — Employers must generally furnish each employee, at the time of payment, with a statement showing the hours worked, the gross wages paid, the pay period for which wages are being paid, itemized deductions, and, for hand-harvest pieceworkers, the total number of units harvested.

ENFORCEMENT: *Wage and Hour Division, Michigan Department of Licensing and Regulatory Affairs, Lansing, Michigan 48909 (517-284-7800; toll-free 855-464-9243).* An employee who has not received his or her pay as required by this law may file a written complaint with the Department within 12 months after the alleged violation.

Subject to the same 12-month time limitation, a worker may file suit directly against an employer to recover unpaid wages, utilizing a private attorney or public legal service provider.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Minnesota

■ STATE LABOR LAWS (*WAGE PAYMENTS*)

TERMS:

Pay Periods and Paydays — In general, every worker performing labor or services which require changes in residence must be paid no less often than every 15 days. Otherwise, employers must pay at least once every 31 days, on a regular payday designated in advance by the employer.

Wage Deductions for Loss or Damage — As a rule, no employer may make any deduction for damage to property or to collect on a loan, unless the worker voluntarily and in writing authorizes the employer to do so and the authorization is given after the damage occurred or the loan was made.

Pay Statements — At the end of each pay period, an employer must give each worker a written earnings statement that includes the worker's name, the hourly pay rate (if wages are paid by the hour), the total number of hours worked (unless the state minimum wage does not apply), the gross pay earned, a list of any deductions made from the worker's gross earnings, the worker's net pay, and the ending date of the pay period.

Final Pay — When a worker performing labor which requires the worker to change residences leaves the job or is fired or laid off, the employer must pay the worker's final wages within 24 hours; if not, the employer is responsible for the worker's living expenses while the worker waits for his or her earnings. In the case of migrant workers, wages earned but unpaid at the time the worker quits are due within 5 days thereafter. For all other workers, earnings that are unpaid at the time the employee quits are payable no later than the next regularly scheduled payday.

ENFORCEMENT: *Labor Standards Division, Minnesota Department of Labor and Industry, St. Paul, Minnesota 55155 (651-284-5070).*

As an alternative to filing a wage claim or complaint with the state agency, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

■ STATE LABOR LAWS (*MIGRANT LABOR WAGE PAYMENTS*)

TERMS: Every processor of fruits and vegetables that directly or indirectly recruits and employs more than 30 migrant workers per day for more than 7 days in a calendar year must follow the special wage payment provisions outlined below. A migrant worker is defined as an individual at least 17 years of age who travels more than 100 miles to Minnesota from some other state to perform seasonal agricultural labor in Minnesota.

Paydays — Employers covered by this law must pay wages due to each migrant worker at least once every 2 weeks. Final wages are due within 3 days of termination.

Statement of Deductions — The employer must provide a written statement with every payment of wages clearly itemizing each deduction from the worker's wages.

Recordkeeping — With respect to each migrant worker recruited, the employer must maintain complete and accurate payroll records for each pay period, including the worker's name, daily hours worked, rate of pay, and the amount of wages paid. Records must be preserved for a period of at least 3 years.

ENFORCEMENT: Using a private attorney or a public legal services program, a migrant farmworker affected by a violation of these provisions may file a lawsuit against the processor involved for damages and other corrective action.

Mississippi

■ WAGE PAYMENT LAWS

TERMS: In general, no employer may make any deduction from a worker's wages to pay for goods or services provided to the worker by a merchant or other third party, unless (1) the employer has received a copy of the sales contract or collection agreement between the worker and the merchant, and (2) the employer agrees to the wage deduction arrangement in writing before the goods or services are provided.

ENFORCEMENT: These provisions may be enforced only by legal action in civil court, through a private attorney or a public legal services program.

Missouri

■ WAGE AND HOUR LAWS (*WAGE PAYMENT*)

TERMS:

Pay Periods and Paydays — Incorporated farming operations and other corporate employers in Missouri must generally pay the wages of their workers no less often than semi-monthly, within 16 days of the close of each payroll period.

Pay Statements — At least once a month, corporate employers must furnish each worker with a written statement showing the total amount of deductions for the period covered.

Notice of Wage Reduction — Any corporation that intends to reduce the wages of its workers, or of any individual worker, must provide the affected worker or workers 30 days' notice of the planned change in pay.

Final Wages — Whenever an employer, whether a corporate entity or otherwise, lays off or fires a worker with or without cause, all wages earned and still unpaid are due on the worker's last day.

ENFORCEMENT: A worker may enforce these protections only through action in civil court, using a private attorney or a public legal services program.

Montana

■ WAGE PAYMENT LAWS

TERMS:

Method of Payment — Employers in Montana must pay wages (1) in lawful U.S. money, (2) by check exchangeable for cash on demand at full face value, or (3) by direct deposit, if the worker agrees in writing to this mode of payment.

Statement of Deductions — At the time of each payment of wages or salaries, employers must give each worker an itemized statement showing the amount and purpose of every deduction from the worker's pay. Where no deduction is made, the employer must provide the worker with a written statement to that effect.

Final Wages — When a worker is laid off or fired by an employer for cause, all unpaid wages are due immediately upon termination. In any other case, the employer generally must pay final wages within 3 days of termination.

ENFORCEMENT: *Wage and Hour Unit, Labor Standards Bureau, Employment Relations Division, Montana Department of Labor and Industry, Helena, Montana 59604.* In general, a wage claim must be filed no later than 180 days after the unpaid wages were due.

As an alternative to filing a claim with the Department, the law gives workers the right to sue the employer in civil court to collect unpaid wages, using a private attorney or a public legal services program.

Nebraska

■ NEBRASKA WAGE PAYMENT AND COLLECTION ACT

TERMS:

Paydays — Each employer must pay all wages due on regular paydays designated by the employer, or agreed upon by the employer and the worker. An employer must give 30 days' written notice of any change in regular paydays.

Pay Statements — On each regular payday, the employer generally must provide each worker with a statement showing, among other things, the number of hours worked, the wages earned, and any deductions made from the worker's gross pay.

Wage Deductions — An employer is prohibited from deducting or withholding any portion of a worker's wages unless required by state or federal law or court order, or unless authorized in writing by the worker.

Final Pay — Whenever an employer fires or lays off a worker, or when the job ends, the worker's unpaid wages are due on the next regular payday, or within 2 weeks of the date of termination, whichever is sooner.

Payment by Debit Card — Employers who choose to pay wages with a payroll debit card must follow federal rules against compulsory use of electronic fund transfers as a condition of employment. Additionally, the employer must allow a worker at least one withdrawal per pay period at no cost to the worker.

ENFORCEMENT: *Office of Labor Standards, Nebraska Department of Labor, Lincoln, Nebraska 68508 (402-471-2239).* This agency may assist workers in trying to resolve unpaid wage claims, and a form for that purpose is available on the Department's website, at dol.nebraska.gov/LaborStandards/WageComplaint/WageComplaintForm.

When informal attempts to collect unpaid wages fail, the Wage Payment and Collection Act can be enforced in civil court. A worker who has not received full pay within 30 days of the regular designated or agreed-on payday may file suit against the employer, using a private attorney or public legal service provider.

Nevada

■ WAGE, HOUR, AND WAGE PAYMENT LAWS (*PAYMENT AND COLLECTION OF WAGES*)

TERMS:

Paydays — Every employer must establish and maintain regular paydays and must post notices, in at least 2 conspicuous places where they can be seen by the workers, indicating the regular paydays and place of payment.

Frequency of Payment — All wages of workers in private employment must be paid no less often than twice a month. Wages earned before the 1st day of any month are payable no later than 8:00 a.m. on the 15th day of that month, while wages earned before the 16th are payable no later than 8:00 a.m. on the last day of the month.

Payment at Termination — Whenever an employer fires or lays off a worker, or whenever the job ends, the worker's final wages must be paid immediately. The unpaid compensation of a worker who quits must be paid no later than the next regular payday, or 7 days after the resignation, whichever is earlier.

Method of Payment — In general, wages must be paid (1) in lawful U.S. money, (2) by check, payable in lawful U.S. money, or (3) by electronic payment such as direct deposit or debit card.

Electronic payment may be used only if (1) the worker can obtain immediate payment in full, (2) the worker receives at least one free transaction per pay period, (3) the ATM or other location where wages may be accessed in cash is conveniently located, (4) there are no other unreasonable or inconvenient requirements or restrictions, and (5) the use of electronic payment is optional for the worker.

Recordkeeping — Every employer must maintain payroll records on each worker for each payroll period, including (1) gross cash wages, (2) deductions, (3) net cash wages, (4) hours employed per day and total hours for the pay period, and (5) the date of payment. Required payroll data must be furnished to the worker within 10 days of any such request.

ENFORCEMENT: *Office of the Labor Commissioner, Nevada Department of Business and Industry, Carson City, Nevada 89706 (775-684-1890).* A claim for unpaid wages, or a complaint charging any other violation of the wage payment and collection provisions, may be submitted to the Commissioner, who must assist in resolving the claim or complaint.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

New Hampshire

■ WAGE PAYMENT LAWS

TERMS: New Hampshire's wage payment laws, summarized below, apply only to those farm operators and other agricultural establishments that employ 5 or more workers in farm labor.

Pay Periods and Paydays — Every covered employer generally must pay wages no less often than once a week, within 8 days after the end of the week in which the work is performed, and on regular paydays designated in advance by the employer.

Method of Payment — Wages normally must be paid (1) in lawful U.S. currency, (2) by electronic fund transfer, (3) by direct deposit to a bank chosen by the worker, (4) with a payroll or debit-type card, or (5) by check, drawn on a bank convenient to the place of employment and where arrangements have been made to allow workers to cash their paychecks at full value.

If wages are paid using a payroll card, the employer must provide the worker at least one free withdrawal of any portion or all of the balance on the card per pay period. None of the costs of the payroll card account may be passed on to the worker.

Final Wages — Whenever an employer lays off or fires a worker, the employer must pay the worker's final wages in full within 72 hours of termination. A worker who quits, on the other hand, is entitled to receive final pay no later than the next regular payday, or within 72 hours if the worker gave at least one pay period's notice of intention to quit.

Wage Withholding — No employer may withhold or divert any portion of a worker's wages unless required or authorized to do so by state or federal law, or the employer has written authorization from the worker to make the deduction for a lawful purpose and for the worker's own benefit. Employers are obligated to furnish each worker with a statement of deductions from pay for each pay period in which such deductions are made.

Disclosure — At the time of hiring, each worker must be notified by the employer as to the rate of pay and the day and place of payment. The employer must also notify each worker before making any changes in these terms.

ENFORCEMENT: *Inspection Division, New Hampshire Department of Labor, Concord, New Hampshire 03301 (603-271-3176).*

As an alternative to enforcement by the Department, a worker may collect unpaid wages by taking legal action against the employer in civil court, using a private attorney or public legal service provider.

New Jersey

■ WAGE PAYMENT LAWS

TERMS:

Pay Periods and Paydays — As a rule, farm operators and all other employers must pay workers' wages at least twice each month, on regular paydays designated in advance by the employer. The end of the pay period for which payment is made on a regular payday may not be more than 10 working days before the payday.

Method of Payment — Wages must be paid (1) in lawful U.S. money, (2) by check, provided suitable arrangements are made for workers to cash their checks conveniently and for the full amount for which the checks are drawn, or (3) by direct deposit to a federally- or state-regulated financial institution.

Final Pay — Whenever an employer fires or lays off a worker, or when a worker quits or leaves the job for any reason, the employer must pay final wages no later than the next regular payday.

Wage Withholding — It is illegal for an employer to withhold any part of a worker's wages unless the employer is required or authorized to do so by state or federal law, or the amounts withheld are for contributions authorized in writing for an employee benefit or savings plan or for other lawful purposes.

Disclosures — At the time of hiring, employers must notify their workers concerning the rate of pay and the schedule of paydays, and must notify the workers in advance of any change in pay rates or paydays. Employers are required to furnish each worker with a statement of any deductions made from the worker's pay for each pay period in which such deductions are made.

ENFORCEMENT: *Division of Wage and Hour Compliance, New Jersey Department of Labor and Workforce Development, Trenton, New Jersey 08625 (609-292-2305).*

New York

■ LABOR LAW (*PAYMENT OF WAGES*)

TERMS:

Frequency of Payments — In general, laborers must be paid weekly, no later than 7 calendar days after the end of the week in which the wages are earned. When a worker is terminated, the employer must pay final wages on or before the next regular payday.

Method of Payment — In general, workers' wages must be paid in cash. An exception allowing wage payments by direct deposit to a bank, with the written consent of the worker, *does not apply* to employees working on a farm not connected with a factory.

Wage Deductions — It is unlawful for an employer to make any deduction from a worker's wages unless the deduction is authorized by law or a court order, or the deduction is authorized in writing by the worker to cover insurance premiums, health benefits, union dues, or similar purposes.

Notifications — At the time of hiring, every employer must advise each new worker of the rate of pay and the regular designated payday. The worker must be notified of any change in the paydays prior to the time of the change.

Pay Statements — With every payment of wages, employers must furnish each worker with a statement listing gross earnings, deductions, and net pay. If requested by the worker, the employer must also provide an explanation of how the wages were computed.

Recordkeeping — Employers are required to keep payroll records for not less than 6 years, showing the hours worked, the rate or rates of pay, gross wages, deductions, and net pay for each employee.

ENFORCEMENT: *Division of Labor Standards, New York State Department of Labor, Albany, New York 12240 (518-457-4256; toll-free 888-469-7365).*

As an alternative to filing a claim with the Department, the law gives workers the right to sue the employer in civil court to collect unpaid wages, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer or farm labor contractor may not fire, punish or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

North Carolina

■ WAGE AND HOUR ACT (*WAGE PAYMENTS*)

TERMS:

Paydays and Pay Periods — Employers must pay their workers' wages on a regular payday. Pay periods may be daily, weekly, bi-weekly, semi-monthly, or monthly. Bonuses, commissions or other forms of compensation may be paid as infrequently as once a year if announced by the employer in advance.

Form of Payment — Wages may be paid in cash, by money order or negotiable check, or by direct deposit into a federally insured bank or an institution selected by the worker.

Final Wages — Workers whose employment ends for any reason must be paid all wages due on or before the next regular payday, and any bonus or other such compensation is payable on the first regular payday after the amount due can be determined.

Withholding of Wages — It is illegal for an employer to withhold or divert any part of a worker's wages unless the employer is required or authorized to do so by state or federal law, or the employer has a signed prior authorization from the worker indicating the purpose of the deduction. Furthermore, the cash value of loss or damage to an employer's property may not be deducted from a worker's wages unless the worker receives at least 7 days' notice of the amount to be deducted.

Statement of Deductions — For each pay period in which any deduction from wages occurs, the employer must provide the worker with an itemized statement of deductions.

Notification — At the time of hiring, employers must formally notify their new employees as to pay rates, compensation policies, and the day and place for payment of wages. In addition, workers must have access to a written statement or posted notice of the employer's policies regarding holidays, vacation pay and comparable matters.

ENFORCEMENT: *Wage and Hour Bureau, Standards and Inspections Division, North Carolina Department of Labor, Raleigh, North Carolina 27699 (919-807-2796; toll-free 800-625-2267).* A worker may submit a claim for unpaid wages to the Department, which must attempt to collect a valid claim through informal methods prior to exercising its power to take court action on the worker's behalf to recover the claim.

As an alternative to enforcement by the Department, a worker may take legal action against the employer to collect unpaid wages using a private attorney or public legal service provider. Regardless of whether the action is brought by the Department or directly by the worker, any such suit must be filed within 2 years after the date the unpaid wages were due.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who has been subjected to any such retaliation may file a complaint with the Department up to 180 days after the violation occurs.

North Dakota

■ WAGE COLLECTION LAW

TERMS:

Paydays and Pay Periods — Farm operators and all other employers must pay their workers' wages at least once each calendar month, on regular paydays designated in advance by the employer.

Method of Payment — Wages must be paid (1) in lawful U.S. currency, (2) by check, written on a bank convenient to the place of employment, (3) by direct deposit, to a financial institution of the worker's choice, or (4) with a stored-value debit or ATM card issued by a federally insured bank or credit union. The use of a stored-value card is optional for the employer and the worker.

Final Wages — Whenever an employer fires or lays off a worker, or when a worker quits or resigns, any unpaid wages must be paid by the next regular payday.

Deductions from Pay — Employers may withhold from a worker's wages only those amounts (1) authorized to be withheld under state or federal law, or by a court order, (2) authorized in writing by the worker, (3) deducted for repayment of a documented advance made by the employer to the worker, or (4) deducted for damage, breakage or similar cause and authorized by the worker at the time of the deduction.

ENFORCEMENT: *Wage and Hour Division, North Dakota Department of Labor and Human Rights, Bismarck, North Dakota 58505 (701-328-2660; toll-free 800-582-8032).* The Department is obligated to cooperate with a worker in enforcing a claim for unpaid wages lodged against an employer when it appears that the claim is valid, and when the claim is filed within 2 years from the date the wages were due.

Ohio

■ MISCELLANEOUS LABOR LAWS (*SEMI-MONTHLY PAYMENT OF WAGES*)

TERMS: On or before the first day of each month, employers are required to pay the wages earned by their employees during the first half of the preceding month, and on or before the 15th day of each month they must pay all wages earned during the last half of the preceding month.

This provision does not prohibit an employer from paying wages daily or weekly, or using a different pay period authorized by a written contract or under law.

ENFORCEMENT: *Bureau of Labor and Worker Safety, Division of Industrial Compliance and Labor, Ohio Department of Commerce, Reynoldsburg, Ohio 43068 (614-644-2223)*. A worker who has not received wages within the timeframe described above may file a wage claim with the Department, which is authorized to investigate and assist in collection of a valid claim on the worker's behalf.

As an alternative to filing a claim or complaint with the Department, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

Oklahoma

■ WAGE PAYMENT LAW

TERMS:

Paydays and Pay Periods — Employers must pay their workers' wages at least twice a month, on regular paydays designated in advance by the employer. A payday must occur no more than 11 days after the end of the pay period.

Final Wages — Whenever a worker's employment ends, the employer generally must pay final wages in full on the next regular payday for the pay period in which the work was performed.

Method of Payment — Wages may be paid only (1) in lawful U.S. money, (2) by check or similar written draft that can be cashed on demand for U.S. money and at full face value, or (3) by electronic deposit to an account that the worker can access on demand and without discount.

Pay Statements — With each payment of wages, employers must provide each worker with an itemized statement showing all deductions from the worker's earnings.

ENFORCEMENT: *Wage and Hour Unit, Oklahoma Department of Labor, Oklahoma City, Oklahoma 73105 (405-521-6598).*

As an alternative to filing a wage claim with the Department, the law gives workers the right to sue the employer in civil court to collect unpaid wages, using a private attorney or a public legal services program.

Oregon

■ WAGE PAYMENT AND COLLECTION LAWS

TERMS:

Method of Payment — In general, an employer may pay wages (1) by check or other non-cash medium, payable without discount in lawful U.S. money on demand, at a place of business in the county where the employee lives or works, (2) by direct deposit to a financial institution of the employee's choosing, or (3) using an ATM card, payroll card or other means of electronic transfer, provided the employee is able to make an initial withdrawal of the entire amount of net pay without cost, or choose some other payment method that involves no cost to the employee.

Paydays and Pay Periods — Every employer must establish a regular payday on which all employees are paid their earnings. Paydays may not be spaced more than 35 days apart.

Wages at Termination — Whenever an employer lays off or fires a worker or the worker quits, all unpaid wages become due and payable not later than the next business day.

Seasonal Farmworker Exception — A worker employed as a seasonal farmworker is generally entitled to final wages immediately. However, when termination occurs at the end of the harvest season and the worker is employed by a farmworker camp operator and lives in a licensed camp cost-free, final wages are payable by noon on the day after termination. A seasonal farmworker who quits the job without giving at least 48 hours' notice of intention to quit is entitled to receive final pay within 48 hours after termination or on the next regularly scheduled payday, whichever is earlier.

Deductions — An employer is prohibited from withholding, deducting or diverting any portion of a worker's wages unless the deduction (1) is required by law, (2) is authorized in writing by the worker, payable to someone other than the employer, and recorded in the employer's books, or (3) is authorized under a union contract.

Pay Statements — Each time a worker is paid, the employer must furnish the worker with a written statement itemizing total earnings and each deduction.

Annual Pay Statement — At the request of an employee or former employee, any employer who uses 5 or more workers in any calendar month must, by March 10 of each year, give the employee a statement showing the total compensation paid during the previous calendar year.

ENFORCEMENT: *Wage and Hour Division, Oregon Bureau of Labor and Industries, Portland, Oregon 97232.*

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a wage claim, participated in a proceeding, or exercised any other right afforded by these provisions.

Pennsylvania

■ WAGE PAYMENT AND COLLECTION LAW

TERMS:

Paydays — Farm operators and other employers must pay their workers' earnings (other than any bonuses) on regular paydays designated in advance. Unless specified otherwise in a written employment contract, wages are generally payable within 15 days after the end of the pay period in which they are earned.

Bonuses, on the other hand, must be paid within 10 days after the end of the job or other due-date; where no required time for payment was specified, bonuses are payable within 60 days after the worker demands payment. All wages of any kind must be paid in lawful U.S. money or by check.

Notification — It is the employer's duty to notify each worker at the time of hiring as to the time and place of payment, the rate of pay, and any benefits or bonuses to be paid. Workers are also entitled to advance notice of any change in these conditions. Such notifications may be provided by posting the required information at the employer's place of business.

Final Wages — When a job ends, for whatever reason, workers' final wages are due no later than the next regular payday on which the earnings would otherwise be paid.

ENFORCEMENT: *Bureau of Labor Law Compliance, Pennsylvania Department of Labor and Industry, Harrisburg, Pennsylvania 17120 (717-787-4763; toll-free 800-932-0665).* Workers (or their representatives) may request the Department to take legal action on their behalf to collect any claim for unpaid wages, provided action is started within 3 years after such wages were originally payable.

As an alternative to filing a claim with the Department, the law gives workers the right to sue the employer in civil court to collect unpaid wages, using a private attorney or a public legal services program.

■ MISCELLANEOUS LABOR LAWS (SEMI-MONTHLY PAYMENT OF WAGES)

TERMS: Unless a different wage payment schedule is agreed to at the time of hire, employers in Pennsylvania must pay their employees (other than those paid an annual salary) no less often than twice a month. The first payment must occur between the 1st and the 15th day of each month, the second between the 15th and the last day.

ENFORCEMENT: *Bureau of Labor Law Compliance, Pennsylvania Department of Labor and Industry, Harrisburg, Pennsylvania 17120 (717-787-4763; toll-free 800-932-0665).*

■ SEASONAL FARM LABOR ACT (WAGE PAYMENTS)

TERMS:

Paydays — Every employer of seasonal farm labor must pay the wages of such workers on regular paydays designated in advance, but in no case more than 7 days after the end of the week in which the wages were earned.

Final Wages — When a seasonal farm job ends, final earnings must be paid in full by the end of the next business day.

Method of Payment — Lawful U.S. currency or check are the only allowable means of payment.

Deductions from Wages — Employers of seasonal farm labor are allowed to withhold from a worker's wages only (1) employment taxes required to be withheld under state or federal law, (2) authorized union dues, (3) payments for employee benefits approved in writing by the worker, (4) reasonable charges for housing and meals provided by the employer, and (5) amounts required to repay advances made by the employer under a prior agreement with the worker.

Pay Statements — At the time of payment, employers must provide each seasonal farmworker with a written statement showing the hourly or piecework wage rate, the number of hours worked, the units of work performed (if paid on a piecework basis), the amount of gross earnings, and any amounts withheld for any purpose whatever.

Wage Payments by a Labor Contractor — An employer of seasonal farm labor may not permit a farm labor contractor to pay wages on the employer's behalf unless the employer furnishes to each worker, and posts at an accessible location at the workplace, a statement showing the wage rates to be paid and other terms of employment agreed upon prior to hiring. If this condition is met, the employer may utilize a contractor as an agent for wage payment purposes, and the contractor becomes responsible for complying with the requirements outlined above.

ENFORCEMENT: *Bureau of Labor Law Compliance, Pennsylvania Department of Labor and Industry, Harrisburg, Pennsylvania 17120 (717-787-4763; toll-free 800-932-0665).* A seasonal farmworker who does not receive pay in accordance with these provisions may file a complaint with the Department.

SPECIAL NOTE: Interference with, harassment of, eviction of, or termination of the employment of any seasonal farmworker for having filed a complaint under the Seasonal Farm Labor Act is punishable as a criminal offense.

Puerto Rico

■ WAGE PAYMENT LAWS

TERMS:

Method of Payment — Workers must receive their wages in legal U.S. money, whether (1) in cash, (2) by check, (3) by direct deposit or electronic transfer, in either case to a bank of the worker's choosing, or (4) by payroll credit card. The worker may choose among the methods of pay the employer makes available. In general, the employer, not the worker, is responsible for any costs associated with the use of checks or electronic methods of payment.

Frequency of Payment — The wages of laborers of any kind must be paid no less often than every 15 days.

Final Wages — When a worker quits or is dismissed, the employer must pay the worker's earnings no later than the next regular payday.

Deductions — With few exceptions, it is unlawful for an employer to deduct or retain any part of a laborer's wages other than those amounts authorized by the worker for (1) payment of premiums to certain retirement or hospital service plans, (2) purchase of savings bonds, (3) payment of union dues, (4) repayment of loans advanced by the employer or made by certain institutions, (5) payment of the cost of meals, or repayment of advances for meals, consumed on the job by a worker in the agricultural phase of the sugarcane industry, (6) payment of premiums for certain types of insurance, or (7) charitable contributions.

Restrictions on How to Spend Wages — Employers are forbidden from imposing any restrictions or requirements on how or where their workers spend their earnings. An employer is prohibited from dismissing a worker because the worker spent his or her wages in a certain place or in a certain way.

ENFORCEMENT: *Bureau of Labor Standards, Puerto Rico Department of Labor and Human Resources, Hato Rey, Puerto Rico 00918 (787-754-2100).* A worker who has not been paid in accordance with these provisions may file a complaint with the Department.

The wage payment laws also give workers the right to sue an employer in civil court to collect unpaid wages, using a private attorney or a public legal services program. A suit may not be instituted later than one year after the worker terminates employment with the employer involved.

Rhode Island

■ WAGE PAYMENT LAWS

TERMS:

Paydays — Every employer must establish a regular payday, and workers are entitled to written notice of any change in the scheduled payday at least 3 paydays in advance. Unless pay is on a fixed bi-weekly, semi-monthly, monthly or yearly rate, workers must be paid weekly, and each payday must fall within 9 days of the end of the payroll period in which the wages were earned.

Method of Pay — Employers are not permitted to pay wages in any medium other than (1) in lawful U.S. money, (2) by check, convertible into cash on demand and at full face value, or (3) by electronic transfer to the worker's bank account or payroll card. Employers are permitted to pay wages using a payroll card only if the worker is able to make at least one withdrawal from the payroll card account per pay period without charge, up to the full amount of the net wages for the pay period.

Final Wages — Whenever a worker quits the job or is terminated by the employer, the worker's final wages are payable on the next regular payday.

Earnings Statements — On every regular payday, the employer is obligated to furnish the worker with a statement showing the hours worked during the pay period, the deductions made from the worker's pay, and the basis or reason for each such deduction.

ENFORCEMENT: *Labor Standards Program, Workforce Regulation and Safety Division, Rhode Island Department of Labor and Training, Cranston, Rhode Island 02920 (401-462-8550).*

As an alternative to filing a wage claim with the Department, a person who has not received wages in accordance with these provisions may take action in civil court against the employer involved, using a private attorney or public legal service provider.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

South Carolina

■ WAGE PAYMENT LAW

TERMS: Employers with 5 or more employees at any one time during the preceding 12 months are required to comply with the state wage payment law. Key provisions include the following:

Notification — Either through use of individual written statements or by posting at the workplace, employers must notify each worker at the time of hiring as to the hours and wages agreed upon, the time and place of payment, and the deductions to be made from the worker's pay. Any change in these terms must be made in writing at least 7 calendar days before it becomes effective.

Pay Statements — Every employer subject to the law is obligated to provide each worker with an itemized statement showing the worker's gross pay and deductions for each pay period.

Method of Payment — In general, employers are not permitted to pay wages in any medium other than (1) in lawful U.S. money, (2) by check or similar draft that can be exchanged for cash, or (3) by direct deposit to a federally insured financial institution. If the employer uses direct deposit, the worker must be allowed at least one free withdrawal per pay period.

Deductions — Employers may not withhold or divert any portion of a worker's wages unless required or permitted to do so by state or federal law.

Final Wages — Whenever a worker is terminated from employment, for whatever reason, the employer generally must pay all wages due within 48 hours of termination or by the next regular payday, which may not exceed 30 days.

ENFORCEMENT: *Office of Investigations and Enforcement, South Carolina Department of Labor, Licensing and Regulation, Columbia, South Carolina 29211 (803-896-4470).*

As an alternative to filing a wage complaint with the Department, a worker may recover unpaid wages by taking legal action against the employer in civil court, using a private attorney or public legal service provider. If the suit is successful, the court may award up to *three times* the full amount of the unpaid wages, together with court costs and attorney's fees. Court action to recover unpaid wages must be commenced no later than 3 years after the wages become due.

South Dakota

■ WAGE AND HOUR LAWS (*WAGE PAYMENTS*)

TERMS: In general, every farm employer is obligated to pay all cash wages at least once a month, on regular paydays designated in advance by the employer. Unless an employer and employee agree to another method of payment, wages must be paid (1) in lawful U.S. money, (2) by check, or (3) by direct deposit to the employee's bank account.

When a worker quits or an employer terminates a worker from employment, the worker's final pay is due not later than the next regular payday, or as soon thereafter as the worker returns any of the employer's property which is in the worker's possession.

ENFORCEMENT: *Wage and Hour Office, Division of Labor and Management, South Dakota Department of Labor and Regulation, Pierre, South Dakota 57501 (605-773-3681).*

As an alternative to filing a wage claim with the state agency, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

Tennessee

■ WAGE REGULATIONS

TERMS:

Pay Periods — Farm operators and other employers with 5 or more employees are required to pay their workers at least twice a month. Wages earned from the 1st through the 15th day of any month are payable no later than the 5th day of the following month; wages earned from the 16th through the last day of the month are payable by the 20th of the next month.

Paydays — Every employer in the state must establish and maintain regular paydays, and must post in plain sight in at least 2 locations at the workplace a notice indicating the payday schedule.

Method of Payment — Employers are forbidden to pay wages in any medium of exchange other than (1) in lawful U.S. money, (2) by check or draft, payable without discount in lawful U.S. money at an established place of business, (3) by electronic transfer in lawful U.S. money, or (4) by credit to a prepaid debit card, from which the worker is able to withdraw or transfer funds.

Employers who use debit cards to pay wages must ensure that their workers can make at least one withdrawal or transfer per pay period for any amount contained on the card and without cost to the worker, and must give their workers the option to receive pay via electronic transfer instead.

ENFORCEMENT: *Labor Standards Unit, Regulations and Compliance Division, Tennessee Department of Labor and Workforce Development, Nashville, Tennessee 37243 (615-781-5343; toll-free 844-224-5818).*

Texas

■ PAYDAY LAW

TERMS:

Paydays — Farmworkers and other employees who are excluded from federal overtime pay requirements must receive their wages no less often than once a month; other workers must be paid at least twice a month. Employers are required to designate paydays in advance and post the schedule in the workplace.

Final Wages — A worker who is laid off or fired is entitled to receive final pay, in full, no later than the 6th day after termination. A worker who quits or resigns must be paid final wages no later than the next regular payday.

Method of Payment — Wages generally must be paid (1) in U.S. currency, (2) by check or other draft that is exchangeable for cash at full face value, or (3) by electronic transfer. Electronic transfer may be used only if the worker has an account at a financial institution that qualifies for direct deposit.

Wage Deductions — An employer is not permitted to withhold any part of a worker's wages unless the employer (1) is ordered to do so by a court of law, (2) is authorized to do so by state or federal law, or (3) has written authorization from the worker to deduct part of the wages for a lawful purpose.

ENFORCEMENT: *Labor Law Section, Texas Workforce Commission, Austin, Texas 78778 (512-475-3027)*. A worker who does not receive his or her earnings in accordance with these provisions may file a wage claim with the Workforce Commission, no later than 180 days after the wages became due for payment. A wage claim form is available on the Commission's website, at www.twc.state.tx.us/jobseekers/how-submit-wage-claim-under-texas-payday-law.

Vermont

■ WAGE PAYMENT LAW

TERMS:

Paydays and Pay Periods — Workers must receive their wages weekly, unless the employer notifies the workers in writing of his or her intention to pay every 2 weeks or twice a month. In any case, not more than 6 days may elapse between the end of a pay period and the corresponding date of payment.

Final Wages — A worker who voluntarily leaves the job must receive final pay on the next regular payday (or on the following Friday, if there is no regular payday). An employee who is fired or laid off must be paid in full within 72 hours after termination.

Method of Payment — Under most circumstances, wages may not be paid in any form other than (1) in lawful money, (2) by check, (3) by direct deposit to a bank or other financial institution, or (4) by credit to a payroll card account in a federally insured bank or other financial institution.

Payroll cards may be used to pay wages only if the worker agrees to it, and the payroll card account must allow the worker at least 3 free withdrawals, one of which must permit withdrawal of the entire balance. None of the employer's costs for a payroll card account may be passed on to the worker.

Payment of wages using vouchers, store orders, or other non-cash methods is generally prohibited.

ENFORCEMENT: *Wage and Hour Program, Vermont Department of Labor, Montpelier, Vermont 05601 (802-828-4204)*. A worker who has not received all wages due may file a complaint with the Department.

As an alternative to filing a claim with the Department, the law gives workers the right to sue the employer in civil court to recover unpaid wages, using a private attorney or a public legal services program.

SPECIAL NOTE: It is illegal for an employer to fire or otherwise retaliate against a worker because (1) the worker filed a complaint of a violation of the wage payment law, (2) the worker has cooperated with the state labor department in an investigation of a violation, or (3) the employer believes the worker is going to file such a complaint or cooperate in such an investigation. A worker who has suffered from an act of retaliation may take action in civil court for damages, using a private attorney or public legal service provider.

Virginia

■ WAGE PAYMENT LAW

TERMS:

Pay Periods — Employers must establish regular pay periods and, in general, must pay salaried personnel at least once a month and hourly workers at least twice a month or every 2 weeks.

Final Wages — Upon termination of employment, a worker is entitled to final pay on or before the date the worker would have been paid for the services involved had the employment not ended.

Medium of Pay — Employers are not permitted to pay wages in any form other than (1) in lawful U.S. money, (2) by check payable at face value in lawful U.S. money on demand, (3) by electronic fund transfer, in lawful U.S. money to an account at a bank selected by the worker, or (4) by credit to a prepaid debit card or card account from which the worker is able to withdraw or transfer funds.

Deductions from Pay — No employer may withhold any part of a worker's wages without the signed authorization of the worker, except for payroll or withholding taxes or in accordance with law. Furthermore, an employer may not force a worker to sign any contract or agreement requiring the worker to give up any part of his or her wages as a condition for hiring or continued employment, unless authorized by law.

ENFORCEMENT: *Labor and Employment Law Division, Virginia Department of Labor and Industry, Richmond, Virginia 23219 (804-371-3104).* A worker who does not receive pay as required by this law, or who is negatively affected by any practice forbidden by this law, may file a complaint with the Department.

Washington

■ WAGE PAYMENT AND COLLECTION LAW

TERMS: In general, when a worker quits a job or is fired or laid off, the worker's final wages must be paid at the end of the designated pay period.

It is unlawful for an employer to withhold any portion of a worker's wages unless the deduction (1) is required by state or federal law, (2) is specifically agreed upon by the worker and the employer, or (3) is required for medical, surgical or hospital care and clearly documented in the employer's records.

ENFORCEMENT: *Employment Standards, Apprenticeship and Crime Victims Division, Washington State Department of Labor and Industries, Olympia, Washington 98504 (toll-free 866-219-7321).*

West Virginia

■ WAGE PAYMENT AND COLLECTION LAW

TERMS:

Pay Periods — Employers in the state (other than railroad companies) generally must pay their workers' wages at least twice a month, with no more than 19 days between paydays, unless a different schedule is provided for by special agreement.

Method of Payment — Wages may not be paid in any medium other than (1) in lawful U.S. money, (2) by check or similar draft, when arrangements have been made for cashing at full face value, (3) by direct deposit or electronic transfer of funds into a worker's payroll card account in a federally insured bank, or (4) by any method of depositing immediately available funds in a worker's account in a bank or credit union. Use of a payroll card must be agreed upon in writing by both the employer and the worker.

Final Pay — When an employer fires or lays off a worker, the employer must pay the worker's final wages in full no later than the next regular payday. If the employer fails to meet this timeframe, the worker is entitled to recover the unpaid amount, plus *two times* the unpaid amount as a penalty.

Notifications — At the time of hiring, every employer must provide to each worker hired a written notice of the rate of pay and the day, hour and place of payment. Any change in these conditions must be announced in advance and in writing. There must be a summary of the wage payment and collection law posted at the workplace and accessible to the workers at all times.

ENFORCEMENT: *Wage and Hour Section, Division of Labor, West Virginia Department of Commerce, Charleston, West Virginia 25305 (304-558-7890).*

Instead of filing a wage claim with the Division of Labor, a worker whose wages have not been paid in accordance with these provisions may recover unpaid wages by bringing legal action against the employer directly, utilizing a private attorney or a public legal services program.

Wisconsin

■ WAGE PAYMENT, CLAIMS, AND COLLECTION LAW

TERMS: Farmworkers must receive their wages at regular intervals, and no less often than once every 3 months. A worker who is absent at the regular time of payment, or for any other reason is not paid at that time, must be paid within 6 days after requesting his or her earnings.

Agricultural and non-agricultural workers who do not have a written employment contract for a definite period must receive final wages in full no later than the date on which they would have received their next wages under the employer's established payroll schedule.

ENFORCEMENT: *Labor Standards Bureau, Equal Rights Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53703 (608-266-6860).* The Department may take action on a wage claim only if it is filed no later than 2 years after the date the unpaid wages were due.

As an alternative to filing a claim with the Department, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

■ MIGRANT LABOR LAW (WAGE PAYMENT)

TERMS: Wage payments to out-of-state migrant workers temporarily employed in seasonal agricultural operations in Wisconsin are subject to provisions in the state's migrant labor law.

Frequency of Payment — Every employer must pay all wages earned by an out-of-state migrant farmworker directly to the worker, on regular paydays designated in advance by the employer, but no less often than twice a month.

Medium of Pay — Wages must be paid in U.S. currency or by check.

Wages at Termination — At the end of the period of employment for which a migrant worker was hired, the employer is generally required to pay all remaining wages within 3 days after the worker's last day.

Wage Statements — At the time of payment, employers must give each migrant worker a written statement showing the amount of the worker's gross and net wages, and each amount deducted or withheld for whatever purpose.

Deductions — It is illegal for an employer or migrant labor contractor to deduct or withhold from a migrant worker's wages any amount for the payment of past or expected debts, unless the worker has previously authorized the deduction or withholding in writing. This does not prevent an employer from making any wage deduction required by law or under a court order.

ENFORCEMENT: *Migrant Law Enforcement Section, Employment and Training Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53707 (608-266-0002).* Complaints regarding wage payments contrary to these provisions, or claims for unpaid wages, may be filed with the Department for investigation.

Without regard to action by the Department, a migrant worker affected by a violation of the migrant labor law by an employer or migrant labor contractor has a right to file suit against the violator in civil court, using a private attorney or public legal service provider.

SPECIAL NOTE: An employer or labor contractor may not fire, discipline or discriminate in any way against a migrant worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who has been subjected to unlawful retaliation may file suit against the employer or contractor involved, using a private attorney or public legal service provider.

Wyoming

■ WAGE PAYMENT AND COLLECTION LAWS

TERMS: Whenever a farmworker or other employee quits the job or is laid off or fired by the employer, the worker's final wages must be paid no later than the next regularly scheduled payday. Wages must be paid in lawful U.S. money or by check.

ENFORCEMENT: *Labor Standards Office, Wyoming Department of Workforce Services, Cheyenne, Wyoming 82002 (307-777-7261).* A worker who has not received final pay in accordance with these provisions may file a claim with the Department, provided the sum involved does not exceed \$500 or 2 months' wages, whichever is greater. If, after investigation, the claim is found to be valid, the agency has authority to take legal action on the worker's behalf to collect the unpaid wages.