



**PROFESSIONAL
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STATEMENT RE: HB 103—as amended by the House, an act relative to paying discharged and laid-off employees

TO: Senate Commerce, Labor and Consumer Protection Committee

BY: Professional Insurance Agents of New Hampshire Inc.

ON: May 12, 2009

This bill seeks to clarify the time requirements for employers to pay discharged and laid-off employees and requires that whenever an employee is discharged or laid off, the employer shall pay the employee's wages in full and in hand within 72 hours. "Payment in hand" means payment delivered to the employee or made available to the employee directly or to a third party at the direction of the employee.

Current law specifies that whenever an employee quits or resigns, the employer shall pay the employee's wages no later than the next regular payday, as provided under RSA 275:43, either through the regular pay channels or by mail if requested by the employee, except that if the employee gives at least one pay period's notice of intention to quit the employer shall pay all wages earned by the employee within 72 hours.

According to this proposal, only when an employee voluntarily terminates his or her employment, the employer will be entitled to pay the next regular payday.

PIANH and its member agents struggle to stay in business in this tough economy, employing New Hampshire residents and creating and maintaining jobs. This bill, by requiring immediate payment upon laying off an employee represents an unreasonable and onerous requirement to place upon the state's business owners. Many times payroll is not handled in house and time is needed to obtain a check from a payroll company. This situation can be exacerbated by layoffs that may occur on the weekend.

For all of these reasons, we urge you to oppose this legislation and vote against HB 103.