

1 Senate BILL NO. 259
 2 INTRODUCED BY Boylan

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT
 5 EMPLOYEES OF THE STATE OR ANY POLITICAL SUBDIVISION SHALL BE
 6 PAID WAGES WITHIN THE SAME TIME LIMITS AS OTHER EMPLOYEES;
 7 AMENDING SECTION 41-1301, R.C.M. 1947."

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 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 41-1301, R.C.M. 1947, is amended to
 11 read as follows:

12 "41-1301. Semimonthly payment of wages. Definitions
 13 for the purpose of this act.

14 (1) Each employer, or an authorized representative of
 15 the employer, shall on written demand, prior to the
 16 commencing of work, notify each employee as to the rate of
 17 wages to be paid, whether by the hour, day, week, month or
 18 yearly basis and date of paydays. Such notification shall be
 19 in writing to each employee or the posting of notice in a
 20 conspicuous place. The provisions of this section shall not
 21 apply in respect to an employer who has entered into a
 22 signed collective bargaining agreement, when such agreement
 23 contains conditions of employment, wages to be received and
 24 hours to be worked, or to employers engaged in agriculture
 25 or stockraising, provided, however, such employers shall

1 conform with the provisions of section 41-1303.

2 (2) Every employer of labor in the state of Montana,
 3 shall pay to each of his employees the wages earned by such
 4 employees at least twice in each month in lawful money of
 5 the United States, or checks on banks convertible into cash
 6 on demand at the full face value thereof, and no person for
 7 whom labor has been performed shall withhold from any
 8 employee any wages earned or unpaid for a longer period than
 9 five (5) days after the same became due and payable;
 10 provided, however, reasonable deductions may be made for
 11 board, room, and other incidentals supplied by the employer,
 12 whenever such deductions are a part of the conditions of
 13 employment, or other deductions provided for by law;
 14 provided further, that if at such time of payment of wages
 15 any employee shall be absent from the regular place of
 16 labor, he shall be entitled to such payment at any time
 17 thereafter. Provisions of this section shall not apply to
 18 any professional, supervisory or technical employees, who by
 19 custom, receive their wages earned at least once monthly.

20 (3) The following are the definitions used for the
 21 purpose of this act:

- 22 (a) "Employ" means permit or suffer to work.
- 23 (b) "Employer" includes any individual, partnership,
 24 association, corporation, business trust, legal
 25 representative, or any organized group of persons, acting

1 directly or indirectly in the interest of an employer in
2 relation to an employee, but shall not include the United
3 States, ~~the state of Montana or any legal subdivision~~
4 ~~thereof.~~

5 (c) "Employee" includes any person who works for
6 another for hire.

7 (d) "Wages" includes any moneys due an employee from
8 the employer or employers whether to be paid by the hour,
9 day, week, semimonthly, monthly or yearly and shall include
10 bonus, piecework, tips and gratuities of any kind.

11 (e) "Commissioner of labor" refers to the director,
12 commissioner or chief of the labor department as such
13 department is defined by law, or any person or persons
14 designated by him for the purpose of this act."

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