

CHAPTER NO. 492.

HOUSE BILL NO. 579

INTRODUCED BY FAGG, DOZIER, MANNING

IN THE HOUSE

February 6, 1979	Introduced and referred to Committee on State Administration.
February 20, 1979	Committee recommend bill do pass. Report adopted.
February 21, 1979	Second reading, do pass as amended.
February 22, 1979	Correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

February 23, 1979	Introduced and referred to Committee on Labor and Employment Relations.
March 16, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 19, 1979	Motion pass consideration.
March 20, 1979	Second reading, concurred in as amended.
March 23, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 24, 1979	Returned from second house. Concurred in as amended.
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March 26, 1979

On motion, consideration
passed until the 71st
Legislative Day.

March 29, 1979

Second reading, amendments
adopted.

March 30, 1979

Third reading, amendments
adopted. Sent to enrolling.

Reported correctly enrolled.

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House BILL NO. *579*

INTRODUCED BY ~~FAGER~~ *Devin Manning*

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN EMPLOYEE SEPARATED FROM EMPLOYMENT SHALL RECEIVE HIS FINAL PAYCHECK ON THE NEXT REGULAR PAYDAY FOR THE PAY PERIOD DURING WHICH HE WAS SEPARATED FROM EMPLOYMENT OR 15 DAYS FROM THE DATE OF SEPARATION, WHICHEVER OCCURS FIRST; AMENDING SECTION 39-3-205, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 39-3-205, MCA, is amended to read:
"39-3-205. Payment of wages when employee separated from employment prior to payday. Whenever any employee is separated from the employ of any employer, all the unpaid wages of such employee shall become due and payable within 3 days ~~on the next regular payday for the pay period during which the employee was separated from employment or 15 days from the date of separation from employment, whichever occurs first,~~ either through the regular pay channels or by mail if requested by the employee. ~~However--where--on employer's payroll checks originate at an office outside the state--the time provided herein for payment of--wages--shall be extended for 3 additional days."~~

-End-

HIB 579
INTRODUCED BILL

1 HOUSE BILL NO. 579
 2 INTRODUCED BY FAGG, DOZIER, MANNING
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN A
 5 PUBLIC EMPLOYEE SEPARATED FROM EMPLOYMENT SHALL RECEIVE HIS
 6 FINAL PAYCHECK ON THE NEXT REGULAR PAYDAY FOR THE PAY PERIOD
 7 DURING WHICH HE WAS SEPARATED FROM EMPLOYMENT OR 15 DAYS
 8 FROM THE DATE OF SEPARATION, WHICHEVER OCCURS FIRST;
 9 AMENDING SECTION 39-3-205, MCA."

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 39-3-205, MCA, is amended to read:
 13 "39-3-205. Payment of wages when employee separated
 14 from employment prior to payday. Whenever any employee is
 15 separated from the employ of any employer, all the unpaid
 16 wages of such employee shall become due and payable within 3
 17 days WITHIN 3 DAYS, EXCEPT FOR EMPLOYEES OF THE STATE OF
 18 MONTANA AND ITS POLITICAL SUBDIVISIONS WHO WOULD BE PAID ON
 19 the next regular payday for the pay period during which the
 20 employee was separated from employment or 15 days from the
 21 date of separation from employment, whichever occurs first,
 22 either through the regular pay channels or by mail if
 23 requested by the employee. However, ~~where an employer's~~
 24 ~~payroll checks originate at an office outside the state, the~~
 25 ~~time provided herein for payment of wages shall be extended~~

1 ~~for 3 additional days. HOWEVER, WHERE AN EMPLOYER'S PAYROLL~~
 2 ~~CHECKS ORIGINATE AT AN OFFICE OUTSIDE THE STATE, THE TIME~~
 3 ~~PROVIDED HEREIN FOR PAYMENT OF WAGES SHALL BE EXTENDED FOR 3~~
 4 ~~ADDITIONAL DAYS."~~

-End-

HOUSE BILL NO. 579

INTRODUCED BY FAGG, DOZIER, MANNING

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN A
PUBLIC EMPLOYEE SEPARATED FROM EMPLOYMENT SHALL RECEIVE HIS
FINAL PAYCHECK ON THE NEXT REGULAR PAYDAY FOR THE PAY PERIOD
DURING WHICH HE WAS SEPARATED FROM EMPLOYMENT OR 15 DAYS
FROM THE DATE OF SEPARATION, WHICHEVER OCCURS FIRST;
PROVIDING FOR IMMEDIATE PAYMENT UPON SEPARATION FROM
EMPLOYMENT IN CERTAIN CASES; AMENDING SECTION 39-3-205,
MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 39-3-205, MCA, is amended to read:

"39-3-205. Payment of wages when employee separated
from employment prior to payday. Whenever (1) EXCEPT AS
PROVIDED IN SUBSECTION (2), WHENEVER any employee is
separated from the employ of any employer, all the unpaid
wages of such employee shall become due and payable within 3
days WITHIN 3 DAYS, EXCEPT FOR EMPLOYEES OF THE STATE OF
MONTANA AND ITS POLITICAL SUBDIVISIONS WHO WOULD BE PAID ON
the next regular payday for the pay period during which the
employee was separated from employment or 15 days from the
date of separation from employment, whichever occurs first,
either through the regular pay channels or by mail if

requested by the employee. However--where an employer's
payroll checks originate at an office outside the state, the
time provided herein for payment of wages shall be extended
for 3 additional days. HOWEVER, WHERE AN EMPLOYER'S PAYROLL
CHECKS ORIGINATE AT AN OFFICE OUTSIDE THE STATE, THE TIME
PROVIDED HEREIN FOR PAYMENT OF WAGES SHALL BE EXTENDED FOR 3
ADDITIONAL DAYS.

(2) WHEN AN EMPLOYEE IS SEPARATED FOR CAUSE FROM
EMPLOYMENT BY THE EMPLOYER, ALL THE UNPAID WAGES OF THE
EMPLOYEE SHALL BECOME DUE AND PAYABLE IMMEDIATELY UPON SUCH
SEPARATION."

-End-

March 15, 1979

SENATE STANDING COMMITTEE REPORT
(Labor & Employment Relations)

That House Bill No. 579, third reading bill, be amended as follows:

1. Title, line 9.

Following: line 8

Insert: "PROVIDING FOR IMMEDIATE PAYMENT UPON SEPARATION FROM
EMPLOYMENT IN CERTAIN CASES;"

2. Page 1, line 14.

Following: "payday."

Strike: "Whenever"

Insert: "Except as provided in subsection (2), whenever"

3. Page 2.

Following: line 4

Insert: "(2) When an employee is separated from employment by
the employer, all the unpaid wages of the employee shall become
due and payable immediately upon such separation."

March 20, 1979

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 579, third reading bill, be amended as follows:

1. Amendment number 3, line 1 of the inserted paragraph.

Following: "separated"

Insert: "for cause"