

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1183
(Industry, Business and Labor Committee)
(At the request of the Labor Commissioner)

AN ACT to amend and reenact section 34-14-03 of the North Dakota Century Code, relating to wages payable upon separation from employment.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 34-14-03 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

34-14-03. Employees who are separated from payroll before paydays.

1. Whenever an employee is discharged or terminated from employment by an employer, separates from employment voluntarily, or is suspended from work as the result of an industrial dispute, the employee's unpaid wages or compensation becomes due and payable at the regular paydays established in advance by the employer for the periods worked by the employee. When an employer discharges or terminates an employee, the ~~unpaid wages or compensation of that employee become due immediately, and the employer shall pay those wages to the employee within fifteen days or at the next regular pay period, whichever occurs first, by certified mail at an address designated by the employee or as otherwise agreed upon by both parties.~~ If the employer fails to pay the wages within the stated time, the employee may charge and collect wages in the sum agreed upon in the contract of employment for each day the employer is in default until the employer has paid in full, without rendering any service therefor, except the employee shall cease to draw wages or salary thirty days after such default.
2. ~~Whenever an employee, not having a written employment contract for a definite period, quits or resigns his employment, the wages or compensation earned become due and payable not later than the next regular stated payday.~~
3. ~~In the event of the suspension of work as the result of an industrial dispute, the wages and compensation earned and unpaid at the time of said suspension become due and payable at the next regular payday, as provided in section 34-14-02, including, without abatement or reduction, all amounts due all persons whose work has been suspended as a result of such industrial dispute, together with any deposit or other guaranty held by the employer for the faithful performance of the employee's duties.~~

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1183.

House Vote: Yeas 95 Nays 1 Absent 2

Senate Vote: Yeas 46 Nays 0 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State