

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2138**

Introduced by

Senators Hogue, Nodland, Larsen

Representatives Bellew, Damschen, Headland

1 A BILL for an Act to create and enact a new section to chapter 34-14 of the North Dakota
2 Century Code, relating to employer's payment of accrued paid time off.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 34-14 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Limitations on accrued paid time off - Investigation.**

- 7 1. If a private sector employee separates from employment voluntarily and following that
8 separation the employer is unsuccessful in locating or contacting the employee in
9 order to pay any accrued paid time off, that employer's obligation to pay the accrued
10 paid time off ceases two years from the date wages are due to be paid under section
11 34-14-03. This section does not apply if during the two-year period there is a change
12 in the employer's physical address or mailing address.
- 13 2. As provided under section 34-14-05, an employee may report a violation under this
14 section. If a report of violation is made within thirty days of the alleged violation, the
15 labor commissioner shall investigate the merits of the claim. If a report is made more
16 than thirty days following the alleged violation, the commissioner may investigate the
17 merits of the claim.