

H. B. No. 13 Introduced by
Henry A. Burgess

A BILL
for

AN ACT regulating minimum wages
and maximum hours with respect
to the employment in Wyoming
of certain types of labor and
providing for its enforcement.

Feb. 17, 1950
Introduced
Read first time
Referred to Com. No. 14
Delivered to Printing Com.

Feb. 18, 1950
Delivered to Com. No. 14
Returned from Com. No. 14
Recommended do pass
Placed on general file

Feb. 21, 1950
Considered in committee of
the whole
Amended as follows:
Page 2, Line 15, strike the
words "after eight" and in-
sert in lieu thereof "for all".
Line 15, strike the last word
and all of Line 16 and add
"over 48 hours in any one
week."
So amended do pass
Report of Com. of Whole adopted
Placed on second reading
Ordered engrossed for third
reading
Delivered to Com. No. 18

Returned from Com 18
Placed on 3rd
Reading

H. B. No. 13

Introduced by:

Henry A. Bunge

A B I L L

for

AN ACT regulating minimum wages and maximum hours with respect to the employment in Wyoming of certain types of labor and providing for its enforcement.

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

Section 1. (a) "Person" means an individual, partnership, association, corporation, receiver, trust, trustee, legal representative of a deceased employer or any other person or combination of persons.

(b) "Employer" includes any person acting directly or indirectly in his own interest or in the interest of another but shall not include the United States or any State or Political subdivision of a State, or any person engaged in agricultural pursuits or any person employing domestics, or any hospital or home or institution exclusively engaged in the healing art.

(c) "Employee" includes any individual who has entered into the employment of, or works under contract of service with an employer. It shall not include a person whose employment is purely casual or contingent. It shall not include an employee employed in a bona fide executive, administrative, or professional capacity. It shall not include an individual whose earning capacity is impaired by age, physical or mental deficiency or injury, nor shall it include one not adaptable to employment. The term "Employee" shall not apply to those persons engaged in the first processings of dairy products, sugar beets, canning of fruits and vegetables or other agricultural processing of a seasonal nature. The term "Employee" shall not include apprentices. The term "Employee" shall include the singular and plural of both sexes.

(d) "Wage" shall not include sums paid as gifts or as special awards, or payments for occasional periods when no work is performed, or payments made to any old-age retirement or pension plan.

Section 2. Every employer shall pay to his employees wages at the rate of not less than 75¢ an hour and not less than time and one-half the employees regular rate of pay for all hours of work over 48 hours in any one week.

Section 3. No contract, rule, regulation or device whatsoever shall operate to relieve the employer in whole or in part, from any liability created by this Act except as hereinafter provided.

Section 4. (a) Any employer who violates the provisions of this Act shall be liable to any employee or employees aggrieved by such offense and shall be liable to pay such employee liquidated damages in the amount of double the sum found to be owing and not paid to such employee. Action for recovery thereof by employee may be maintained in any Court of competent jurisdiction but the action must be brought within one year after the cause of action accrues. It shall be the duty of the County and Prosecuting Attorney of the County in which any violation of this Act occurs to give all necessary legal advice to any aggrieved employee who may seek advice as to his rights under this Act and to prepare and prosecute to judgment, without charge, all claim for damages any employee may have against any employer.

(b) Any employer found guilty of the wilful violation of this Act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$50.00 and not more than \$100.00 for each offense.

Section 5. No employee shall suffer any reduction in pay or loss of condition by reason of passage of this Act, nor shall this Act affect existing contracts of employment and service.

Section 6. Nothing in this Act shall be construed to conflict with Chapter 54, Article 7, Wyoming Compiled Statutes, 1945, relating to employment of women and girls.

Section 7. This Act shall not be construed to apply to employees covered by any United States law governing wages and hours.

H.B. No.

13

Introduced by

Henry A. Burgess

So amended do pass

Report of Com. of Whole adopted

PLACED ON SECOND READING

A BILL
for

AN ACT regulating minimum wages
and maximum hours with respect
to the employment in Wyoming of
certain types of labor and pro-
viding for its enforcement.

*Read 2 times
ordered engrossed
for 3rd reading
Held to Com. 18
Telephon Com. 18
Place on 3rd*

FEB 17 1950

Introduced	✓
Read first time	✓
Referred to Com. No.	14
Delivered to Printing Com.	✓

FEB 18 1950

DELIVERED TO COM. NO. 14

Returned from Com. No. 14

Recommended do pass

Placed on general file

FEB 21 1950

Considered in committee of the whole
Amended as follows

H.B. No. 13 Amended
Page 2, Line 15, strike the words
"after eight" and insert in lieu
thereof "for all"
Line 15, strike the last word and
all of line 16 and add "over 40
hours in any one week"

Section 2. Every employer shall pay to his employees wages at the rate of not less than 75¢ an hour and not less than time and one-half the employees regular rate of pay ^{for all} after eight hours of work in any one day or after six days of work in any one week. *over 48 hours in any one week*

Section 3. No contract, rule, regulation or device whatsoever shall operate to relieve the employer in whole or in part, from any liability created by this Act except as hereinafter provided.

Section 4. (a) Any employer who violates the provisions of this Act shall be liable to any employee or employees aggrieved by such offense and shall be liable to pay such employee liquidated damages in the amount of double the sum found to be owing and not paid to such employee. Action for recovery thereof by employee may be maintained in any Court of competent jurisdiction but the action must be brought within one year after the cause of action accrues. It shall be the duty of the County and Prosecuting Attorney of the County in which any violation of this Act occurs to give all necessary legal advice to any aggrieved employee who may seek advice as to his rights under this Act and to prepare and prosecute to judgment, without charge, all claim for damages any employee may have against any employer.

(b) Any employer found guilty of the wilful violation of this Act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$50.00 and not more than \$100.00 for each offense.

Section 5. No employee shall suffer any reduction in pay or loss of condition by reason of passage of this Act, nor shall this Act affect existing contracts of employment and service.

Section 6. Nothing in this Act shall be construed to conflict with Chapter 54, Article 7, Wyoming Compiled Statutes, 1945, relating to employment of women and girls.

Section 7. This Act shall not be construed to apply to employees covered by any United States law governing wages and hours.