Committee on Commerce and Workforce Development  

Senate Amendments to S.B. 1061  

(Reference to printed bills)  

1 Strike everything after the enacting clause and insert:  
2 "Section 1. Title 23, chapter 2, article 7, Arizona Revised Statutes,  
3 is amended by adding section 23-361.03, to read:  
4 23-361.03. Payment by the piece or commission; productive and  
5 nonproductive hours worked; definitions  
6 A. If an employee is paid by the piece or commission, the piece wage  
7 or commission earnings may be combined to compensate the employee for all  
8 productive and nonproductive hours worked. An additional time-based wage is  
9 not required for nonproductive hours or break periods. The regular wage rate  
10 is determined by dividing the total piecework or commission earnings by the  
11 total productive and nonproductive hours worked in the workweek. If the  
12 regular wage rate is less than the minimum wage prescribed by section 23-363,  
13 the employer shall provide additional compensation to the employee so that  
14 the employee receives at least the minimum wage on average for all hours  
15 worked during the pay period.  
16 B. For the purposes of this section:  
17 1. "Productive hours" means hours worked during which the employee is  
18 producing pieces, conducting sales or performing activities that are integral  
19 to the production or sales process.  
20 2. "Nonproductive hours" means hours worked during which the employee  
21 is not producing pieces, conducting sales or performing activities that are  
22 integral to the production or sales process."  
23 Amend title to conform