PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1061

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

   "Section 1. Title 23, chapter 2, article 7, Arizona Revised Statutes, is amended by adding section 23-361.03, to read:

   23-361.03. Payment by the piece or commission; productive and nonproductive hours worked; definitions

   A. IF AN EMPLOYEE IS PAID BY THE PIECE OR COMMISSION, THE PIECE WAGE OR COMMISSION EARNINGS MAY BE COMBINED TO COMPENSATE THE EMPLOYEE FOR ALL PRODUCTIVE AND NONPRODUCTIVE HOURS WORKED. AN ADDITIONAL TIME-BASED WAGE IS NOT REQUIRED FOR NONPRODUCTIVE HOURS OR BREAK PERIODS. THE REGULAR WAGE RATE IS DETERMINED BY DIVIDING THE TOTAL PIECEWORK OR COMMISSION EARNINGS BY THE TOTAL PRODUCTIVE AND NONPRODUCTIVE HOURS WORKED IN THE WORKWEEK. IF THE REGULAR WAGE RATE IS LESS THAN THE MINIMUM WAGE PRESCRIBED BY SECTION 23-363, THE EMPLOYER SHALL PROVIDE ADDITIONAL COMPENSATION TO THE EMPLOYEE SO THAT THE EMPLOYEE RECEIVES AT LEAST THE MINIMUM WAGE ON AVERAGE FOR ALL HOURS WORKED DURING THE PAY PERIOD.

   B. FOR THE PURPOSES OF THIS SECTION:

   1. "PRODUCTIVE HOURS" MEANS HOURS WORKED DURING WHICH THE EMPLOYEE IS PRODUCING PIECES, CONDUCTING SALES OR PERFORMING ACTIVITIES THAT ARE INTEGRAL TO THE PRODUCTION OR SALES PROCESS.

   2. "NONPRODUCTIVE HOURS" MEANS HOURS WORKED DURING WHICH THE EMPLOYEE IS NOT PRODUCING PIECES, CONDUCTING SALES OR PERFORMING ACTIVITIES THAT ARE INTEGRAL TO THE PRODUCTION OR SALES PROCESS."

23 Amend title to conform

GAIL GRIFFIN

1/29/15
1:24 PM
S: SC/1s