PROPOSED AMENDMENT
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, 
is amended by adding section 23-361.03, to read:
3 23-361.03. Payment by the piece or commission; productive and 
4 nonproductive hours worked; definitions
5  A. IF AN EMPLOYEE IS PAID BY THE PIECE OR COMMISSION, THE PIECE WAGE 
6 OR COMMISSION EARNINGS MAY BE COMBINED TO COMPENSATE THE EMPLOYEE FOR ALL 
7 PRODUCTIVE AND NONPRODUCTIVE HOURS WORKED. AN ADDITIONAL TIME-BASED WAGE IS 
8 NOT REQUIRED FOR NONPRODUCTIVE HOURS OR BREAK PERIODS. THE REGULAR WAGE RATE 
9 IS DETERMINED BY DIVIDING THE TOTAL PIECEWORK OR COMMISSION EARNINGS BY THE 
10 TOTAL PRODUCTIVE AND NONPRODUCTIVE HOURS WORKED IN THE WORKWEEK. IF THE 
11 REGULAR WAGE RATE IS LESS THAN THE MINIMUM WAGE PRESCRIBED BY SECTION 23-363, 
12 THE EMPLOYER SHALL PROVIDE ADDITIONAL COMPENSATION TO THE EMPLOYEE SO THAT 
13 THE EMPLOYEE RECEIVES AT LEAST THE MINIMUM WAGE ON AVERAGE FOR ALL HOURS 
14 WORKED DURING THE PAY PERIOD.
15  B. FOR THE PURPOSES OF THIS SECTION:
16  1. "PRODUCTIVE HOURS" MEANS HOURS WORKED DURING WHICH THE EMPLOYEE IS 
17 PRODUCING PIECES, CONDUCTING SALES OR PERFORMING ACTIVITIES THAT ARE INTEGRAL 
18 TO THE PRODUCTION OR SALES PROCESS.
19  2. "NONPRODUCTIVE HOURS" MEANS HOURS WORKED DURING WHICH THE EMPLOYEE 
20 IS NOT PRODUCING PIECES, CONDUCTING SALES OR PERFORMING ACTIVITIES THAT ARE 
21 INTEGRAL TO THE PRODUCTION OR SALES PROCESS."
22 Amend title to conform