
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2412 Session of
2024

INTRODUCED BY DELLOSO, RABB, SANCHEZ, ROZZI, D. MILLER, FRIEL,
SHUSTERMAN, HADDOCK, SCHWEYER, PISCIOTTANO, PIELLI,
HOHENSTEIN, MERSKI, KENYATTA, VENKAT, HILL-EVANS, MALAGARI,
GALLAGHER, GIRAL, HARKINS, McNEILL, WARREN, MAYES, BOYD,
KINKEAD, HOWARD, O'MARA AND DONAHUE, JUNE 12, 2024

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JUNE 12, 2024

AN ACT

1 Providing for interagency cooperation regarding employee
2 misclassification; and establishing the Employee
3 Misclassification Working Group.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Employee
8 Misclassification Working Group Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Labor and Industry of the
14 Commonwealth.

15 "Secretary." The Secretary of Labor and Industry of the
16 Commonwealth.

17 "Working group." The Employee Misclassification Working

1 Group established under section 4(a).

2 Section 3. Interagency cooperation.

3 (a) Mandatory exchange of State tax information.--Consistent
4 with current law, the Department of Revenue shall provide State
5 tax information, upon request, to the following:

6 (1) The department's Office of Unemployment Compensation
7 Tax Services.

8 (2) For the purposes of assessing or investigating
9 employee misclassification, the department's:

10 (i) Bureau of Workers' Compensation.

11 (ii) Bureau of Labor Law Compliance.

12 (iii) Office of Unemployment Compensation Services
13 Centers.

14 (iv) Office of Unemployment Compensation Benefits
15 Policy.

16 (b) Sharing information.--Nothing in this act shall limit or
17 affect the Department of Revenue and the department from sharing
18 information as otherwise allowed by law.

19 (c) Federal employer identification numbers.--To ensure the
20 efficiency of the exchange of State tax information under this
21 section, the State agency business applications shall include
22 and use Federal employer identification numbers to identify
23 business entities and streamline compliance crossmatches.

24 Section 4. Employee Misclassification Working Group.

25 (a) Establishment.--The Employee Misclassification Working
26 Group is established to coordinate enforcement strategies
27 involving State agencies and employee misclassification.

28 (b) Composition.--

29 (1) At a minimum, the working group shall include
30 representatives from the department, the Department of

1 Revenue and the Office of Attorney General.

2 (2) Representatives from county district attorneys'
3 offices and local labor law enforcement offices may
4 participate in the activities of the working group.

5 (c) Chairperson.--

6 (1) A representative designated by the secretary shall
7 serve as the chairperson of the working group.

8 (2) The chairperson of the working group may invite
9 other individuals to participate in the activities of the
10 working group.

11 (d) Meetings.--The working group shall meet at least
12 quarterly at the time and location and in the manner provided by
13 the chairperson of the working group. The working group may meet
14 more often if deemed necessary by the chairperson of the working
15 group.

16 Section 5. Effective date.

17 This act shall take effect in 60 days.