
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 487 Session of
2025

INTRODUCED BY HUGHES, KANE, TARTAGLIONE, L. WILLIAMS, SAVAL,
KEARNEY, HAYWOOD AND SANTARSIERO, MARCH 21, 2025

REFERRED TO LABOR AND INDUSTRY, MARCH 21, 2025

AN ACT

1 Providing for notification of wage theft and for protection for
2 employees who report wage theft; imposing duties on the
3 Department of Labor and Industry; establishing the Wage Theft
4 Notification and Protection Restricted Account; and imposing
5 penalties and other relief.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Wage Theft
10 Notification and Protection Act.

11 Section 2. Definitions.

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

15 "Account." The Wage Theft Notification and Protection
16 Restricted Account established under section 8.

17 "Construction Workplace Misclassification Act." The act of
18 October 13, 2010 (P.L.506, No.72), known as the Construction
19 Workplace Misclassification Act.

1 "Department." The Department of Labor and Industry of the
2 Commonwealth.

3 "Employee." As the term "employee" is defined in section 3 of
4 The Minimum Wage Act.

5 "Employer." An employer as defined in any of the following:

6 (1) The Wage Payment and Collection Law.

7 (2) The Minimum Wage Act.

8 "Secretary." The Secretary of Labor and Industry of the
9 Commonwealth or a designee.

10 "The Minimum Wage Act." The act of January 17, 1968 (P.L.11,
11 No.5), known as The Minimum Wage Act of 1968.

12 "Wage Payment and Collection Law." The act of July 14, 1961
13 (P.L.637, No.329), known as the Wage Payment and Collection Law.

14 "Wage theft." The failure to pay, withholding or
15 deprivation, including the aiding thereof, of wages, gratuities,
16 benefits or other compensation, lawfully due to an employee
17 under the Wage Payment and Collection Law, The Minimum Wage Act,
18 the Construction Workplace Misclassification Act or other State
19 law regulating wages, gratuities, benefits or other compensation
20 lawfully due to employees.

21 Section 3. Notice.

22 (a) Summary.--The department shall develop and make
23 available to employers on the department's publicly accessible
24 Internet website a plain language, easy-to-understand summary on
25 wage theft. The department shall furnish, on request by an
26 employer, a copy of the summary without charging a fee. The
27 summary shall include:

28 (1) Examples of wage theft.

29 (2) Citations to State law applicable to the examples.

30 (3) Remedies and penalties applicable to the examples of

1 wage theft.

2 (4) A statement indicating that wage theft is not
3 limited to the examples and how to access information on
4 other types of violations.

5 (5) Information indicating how to report wage theft and
6 limitations for filing a complaint.

7 (6) A statement of employee protections for reporting
8 wage theft and participating in a related investigation.

9 (7) A reference to the requirements, penalties and
10 protections established under this act.

11 (8) Any other information deemed necessary by the
12 department.

13 (b) Notice of summary.--An employer shall provide notice to
14 its employees no later than 90 days from the effective date of
15 this section or at the time of hiring, of the summary under
16 subsection (a).

17 Section 4. Additional notice requirements.

18 (a) Additional requirements.--An employer shall:

19 (1) post the summary described under section 3(a) at the
20 workplace in a conspicuous place where employees normally
21 pass and can read it; or

22 (2) make the summary continuously available to employees
23 through a website, intranet, mobile application or other
24 electronic or Internet service regularly used by the employer
25 to communicate with employees. The employer shall notify each
26 employee that the notice is available electronically,
27 including how to access it.

28 (b) Updates to information.--The department shall update as
29 necessary the summary described under section 3(a) and post the
30 updated summary on its publicly accessible Internet website in

1 downloadable format. An employer shall, within 120 days of the
2 date on which the department posts the updated summary on its
3 publicly accessible Internet website, update the notices
4 required under subsection (a) and section 3(a).

5 Section 5. Criminal penalties.

6 An employer that fails to provide notice to an employee as
7 required under section 3(a), fails to comply with the
8 requirements of section 4(a) and (b) or is found to be in
9 violation of section 7(a) when a criminal penalty for the
10 violation is not provided for under existing State law or
11 regulation, commits a summary offense and, upon conviction,
12 shall be sentenced to pay a fine of not more than \$500.

13 Section 6. Administrative penalties and civil enforcement.

14 (a) Penalties.--If the secretary finds that an employer has
15 violated this act and an administrative penalty for the
16 violation is not provided for under existing State law or
17 regulation, the secretary may assess and collect a civil penalty
18 of not more than \$500 per violation.

19 (b) Factors to be considered.--When determining the amount
20 of the penalty to be imposed, the secretary shall consider
21 factors, including, but not limited to:

22 (1) The history of previous violations.

23 (2) The good faith of the employer.

24 (3) The size of the employer's business.

25 (c) Use of penalty funds.--Penalties collected under this
26 section shall be paid into the account.

27 (d) Enforcement proceedings.--The secretary may enforce this
28 act in an enforcement proceeding authorized by and brought under
29 The Minimum Wage Act, the Wage Payment and Collection Law, the
30 Construction Workplace Misclassification Act or other State law

1 regulating wages, gratuities, benefits or other compensation
2 lawfully due to employees.

3 Section 7. Retaliation prohibited.

4 (a) Prohibition.--It shall be unlawful for an employer or
5 officer or agent of an employer to take adverse action against a
6 person in retaliation for exercising rights protected under this
7 act, The Minimum Wage Act, the Wage Payment and Collection Law,
8 the Construction Workplace Misclassification Act or other State
9 law regulating wages, gratuities, benefits or other compensation
10 lawfully due to employees. Rights protected under this section
11 include, but are not limited to, the right to file a complaint,
12 participate in an investigation or to inform any person about
13 the provisions of, or an employer's noncompliance with, this
14 act, The Minimum Wage Act, the Wage Payment and Collection Law,
15 the Construction Workplace Misclassification Act or other State
16 law regulating wages, gratuities, benefits or other compensation
17 lawfully due to employees.

18 (b) Rebuttable presumption.--Adverse action against a person
19 within 90 days of the person's exercise of a right protected
20 under this act, The Minimum Wage Act, the Wage Payment and
21 Collection Law, the Construction Workplace Misclassification Act
22 or other State law regulating wages, gratuities, benefits or
23 other compensation lawfully due to employees, shall raise a
24 rebuttable presumption of having done so in retaliation for the
25 exercise of the right.

26 (c) Relief authorized.--The secretary may order any relief
27 necessary to make an employee whole for retaliation, including,
28 but not limited to, payment of lost wages and benefits,
29 reinstatement or other equitable relief.

30 Section 8. Wage Theft Notification and Protection Restricted

1 Account.

2 The Wage Theft Notification and Protection Restricted Account
3 is established as a restricted account within the General Fund.
4 The money in the account is appropriated to the department on a
5 continuing basis for the purposes of administering this act, The
6 Minimum Wage Act, the Wage Payment and Collection Law, the
7 Construction Workplace Misclassification Act or other State law
8 regulating wages, gratuities, benefits or other compensation
9 lawfully due to employees.

10 Section 9. Report.

11 By July 31, 2028, and every year thereafter, the department
12 shall submit a report to the chairperson and minority
13 chairperson of the Labor and Industry Committee of the Senate
14 and the chairperson and minority chairperson of the Labor and
15 Industry Committee of the House of Representatives. The report
16 shall be posted on the department's publicly accessible Internet
17 website. The report shall contain information on violations
18 under this act from the preceding calendar year. The report
19 shall also contain information on wage theft violations from the
20 preceding calendar year, including:

21 (1) The total number of violations.

22 (2) A listing of employers classified by the nature of
23 the violations and business industry.

24 (3) A brief description of the violations for the
25 employers listed.

26 (4) The total number of workers impacted under each
27 violation classification.

28 (5) The total amount of wages and tax revenue unlawfully
29 withheld from the violations.

30 (6) A listing of other forms of compensation unlawfully

1 withheld from the violations.

2 (7) A summary of enforcement actions collectively taken
3 in response to the violations.

4 (8) Other information deemed necessary by the
5 department.

6 Section 10. Effective date.

7 This act shall take effect in four months.