

Wage Deduction Laws

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| State | Statute |
|----------------|--|
| Alabama | <p>36-1-4 - 36-1-4.4 (a) Any officer or employee of the State of Alabama, any political subdivision or school district thereof, of any institution supported in whole or in part by the state, a county or a municipality who desires to make a contribution to a community chest or other combination of nonprofit health or welfare agencies shall be permitted to have such contribution deducted from the salary or wage due such officer or employee by filing a written request therefore with the fiscal officer of the state, political subdivision, school district or institution by which such officer or employee is employed. (b) Upon receipt of such request by the fiscal officer of the state, political subdivision, school district or institution from such officer or employee, such fiscal officer is authorized to issue a warrant or warrants in favor of the designated community chest or other combination of nonprofit health or welfare agencies in such amount as may be designated in such request. The state Comptroller shall adopt statewide policies which provide for deductions from the salaries of state employees or groups of state employees whenever a request is presented to the state Comptroller by a group of participating state employees equal in number to at least 200 provided, however, that deductions being made as of April 23, 1985, shall continue to be made. The deductions shall be made at least monthly and shall be remitted to the appropriate company, association, or organization as specified by the employees. The deductions may be made for membership dues, and voluntary contributions, and insurance premiums. Any deduction provided under the provisions of this section may be terminated upon two months' notice in writing by a state employee to the appropriate company, association, or organization and to the appropriate payroll clerk or other appropriate officials as specified by the state Comptroller. The state Comptroller may, at his discretion, collect from the deductions withheld a cost of administration fee not to exceed one percent of the total deduction collected. The policies adopted by the state Comptroller for deductions from the salaries of state employees or groups of state employees for employee organizations shall provide that the deductions for membership dues and voluntary contributions shall be made based on membership lists and forms provided by the employees' organization. Such lists are to be corrected and revised annually according to procedures to be established by the state Comptroller. Membership dues and voluntary contributions currently authorized shall continue on an annual basis for the current yearly period and for each succeeding yearly period unless the employee revokes the deduction in writing within 10 days of the next succeeding yearly period. Voluntary contributions may be revoked by giving a 30-day notice in writing. New authorizations shall be permitted on a monthly basis according to procedures to be established by the state Comptroller. Upon leaving state service whether by death, retirement, termination, resignation, leave of absence or other means, payroll deduction of dues and authorized voluntary deductions shall cease. When an employee returns to state service from an approved leave of absence or other temporary leave, payroll deductions and voluntary contributions shall resume unless the employee revokes the deductions in writing. When amounts have been correctly deducted and remitted by the state Comptroller, the state Comptroller shall bear no further responsibility or liability for subsequent transactions.</p> <p>25-7-34 No employer shall require any person, as a condition of employment or continuation of employment, to pay any dues, fees or other charges of any kind to any labor union or labor organization.</p> |
| Alaska | <p>8 15.160 a) AS 23.10.085(c) does not limit the right of an employer and employee to enter into a written agreement to provide for deductions of monetary obligations of an employee. Requiring or inducing an employee to return or give up any part of the compensation to which the employee is entitled, whether by force, intimidation, or threat of dismissal from employment, or by any other manner, is prohibited. A written agreement for deductions payable to the employer or person acting in the employer's behalf or interest is not valid if it would have the effect of reducing an employee's wage rate below the statutory minimum wage or overtime rates, or if it would require an employee to reimburse the employer for any of the following: (1) customer checks returned due to insufficient funds or any other reason; (2) non-payment for goods or services as a result of theft or credit default; (3) cash or cash register shortages unless the employee admits, willingly and in writing, to having personally taken the specific amount of cash that is alleged to be missing; (4) lost, missing, or stolen property, unless the employee admits willingly and in writing, to having personally taken the specific property alleged to be lost, missing, or stolen; or (5) damage or breakage costs unless clearly due to willful conduct of the employee and the employee has acknowledged responsibility in writing. (b) Nothing in (a) of this section prohibits deductions from earnings based on a written agreement, if the employer has been directed by the employee to pay a sum for the benefit of that employee to a creditor, donee, or other third party. Neither the employer nor any person acting in the employer's behalf or interest may derive any profit or benefit from the transaction. (c) Nothing in (a) of this section prohibits deductions from earnings based on a written agreement to reimburse an employer for transportation from the place of hire to the place of employment if the deduction does not (1) reduce the employee's wages below the statutory minimum; or (2) reduce the overtime compensation rate below one and one-half times the contractual rate of pay. (d) Nothing in (a) of this section</p> |

prohibits deductions from earnings, based on a written agreement, to reimburse an employer for the reasonable cost of furnishing board and lodging, if (2) the board and lodging facilities of the employer are customarily furnished by the employer and used by the employees; and (3) the cost to the employee for the use of the employer's board and lodging facilities, is reasonable and without profit to the employer. (e) Unless the employer and the employee have executed a written agreement as described in (d) of this section, at the time of hire, the employer is prohibited from seeking to retroactively deduct the cost of board and lodging as an offset against wages due upon termination or wage deficiencies subject to collection by the department. (f) The director will make the determination regarding the cost of board and lodging under (d)(3) of this section. The determination will be made in accordance with 29 C.F.R. 531.3--531.5 and 531.29--531.35. (g) An employer may deduct an amount from the wages of an employee as a security deposit to ensure the return, in clean and in a state of good repair, of uniforms or equipment issued by the employer, if (1) the deduction is based on a written agreement; (2) the total deposit does not exceed the cost of the item; and (3) the deduction does not reduce the employee's wage below the statutory minimum, or reduce the employee's overtime compensation below one and one-half times the contractual rate of pay.

Arizona

23-352 No employer may withhold or divert any portion of an employee's wages unless one of the following applies: 1. The employer is required or empowered to do so by state or federal law. 2. The employer has prior written authorization from the employee. 3. There is a reasonable good faith dispute as to the amount of wages due, including the amount of any counterclaim or any claim of debt, reimbursement, recoupment or set-off asserted by the employer against the employee.

23-361.02. Paycheck deductions; authorization; civil penalty; definition A. A PUBLIC OR PRIVATE EMPLOYER IN THIS STATE SHALL NOT DEDUCT ANY PAYMENT FROM AN EMPLOYEE'S PAYCHECK FOR POLITICAL PURPOSES UNLESS THE EMPLOYEE ANNUALLY PROVIDES WRITTEN OR ELECTRONIC AUTHORIZATION TO THE EMPLOYER FOR THE DEDUCTION. B. IF A DEDUCTION IS MADE FROM AN EMPLOYEE'S PAYCHECK FOR MULTIPLE PURPOSES, THE EMPLOYER SHALL OBTAIN A STATEMENT FROM EACH ENTITY TO WHICH THE DEDUCTIONS ARE PAID THAT INDICATES THE PAYMENT IS NOT USED FOR POLITICAL PURPOSES OR A STATEMENT THAT INDICATES THE MAXIMUM PERCENTAGE OF THE PAYMENT THAT IS USED FOR POLITICAL PURPOSES. THE EMPLOYER SHALL NOT DEDUCT ANY PAYMENT BEYOND THAT SPECIFIED FOR NONPOLITICAL PURPOSES WITHOUT THE ANNUAL WRITTEN OR ELECTRONIC PERMISSION OF THE EMPLOYEE. C. THE ATTORNEY GENERAL SHALL ADOPT RULES THAT DESCRIBE THE ACCEPTABLE FORMS OF EMPLOYEE AUTHORIZATION AND ENTITY STATEMENTS UNDER THIS SECTION. D. IF AN EMPLOYER IMPROPERLY DEDUCTS PAYMENTS FROM AN EMPLOYEE'S PAYCHECK FOR POLITICAL PURPOSES OR AN ENTITY PROVIDES AN INACCURATE STATEMENT UNDER THIS SECTION, THE EMPLOYER OR ENTITY IS SUBJECT TO A CIVIL PENALTY OF AT LEAST TEN THOUSAND DOLLARS FOR EACH VIOLATION. THE ATTORNEY GENERAL SHALL IMPOSE AND COLLECT THE CIVIL PENALTIES UNDER THIS SUBSECTION AND SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL CIVIL PENALTIES COLLECTED PURSUANT TO THIS SECTION IN THE STATE GENERAL FUND. E. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING: 1. A SINGLE DEDUCTION FOR NONPOLITICAL PURPOSES. 2. DEDUCTIONS FOR SAVINGS OR CHARITABLE CONTRIBUTIONS. 3. DEDUCTIONS FOR EMPLOYEE HEALTH CARE, RETIREE OR WELFARE BENEFITS. 4. DEDUCTIONS FOR STATE, LOCAL OR FEDERAL TAXES. 5. DEDUCTIONS FOR CONTRIBUTIONS TO A SEPARATE SEGREGATED FUND PURSUANT TO 2 UNITED STATES CODE SECTION 441b(b) OR SECTION 16-920, SUBSECTION A, PARAGRAPH 3. 6. ANY DEDUCTION OTHERWISE REQUIRED BY LAW. F. IF AN EMPLOYEE HAS AUTHORIZED A DEDUCTION FROM THE EMPLOYEE'S PAYCHECK UNDER THIS SECTION AND THE EMPLOYEE RESIGNS MEMBERSHIP IN THE ASSOCIATION OR ORGANIZATION FOR WHICH THE DEDUCTION WAS AUTHORIZED, THE EMPLOYEE'S AUTHORIZATION FOR THE DEDUCTION IMMEDIATELY BECOMES VOID. G. THIS SECTION DOES NOT PREEMPT ANY FEDERAL LAW. H. FOR THE PURPOSES OF THIS SECTION, EMPLOYEE DOES NOT INCLUDE ANY PUBLIC SAFETY EMPLOYEE, INCLUDING A PEACE OFFICER, FIRE FIGHTER, CORRECTIONS OFFICER, PROBATION OFFICER OR SURVEILLANCE OFFICER, WHO IS EMPLOYED BY THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE.

23-202.- 23.203 It is unlawful for a person charged or entrusted by another with the employment or continuance in employment of any workmen or laborers to demand or receive, either directly or indirectly, from a workman or laborer employed or continued in employment through his agency or under his direction or control, a fee, commission or gratuity of any kind as the price or condition of the employment of the workman or laborer, or as the price or condition of his continuance in such employment. Any person charged or entrusted with employment of laborers or workmen for his principal, or under whose direction or control the workmen and laborers are engaged in work and labor for the principal, who violates a provision of this section is guilty of a class 2 misdemeanor. A person who knowingly compels, or in any manner seeks to coerce any employee or any person to purchase goods or supplies from any particular person is guilty of a class 2 misdemeanor.

Arkansas

19-4-1602 (a) Deductions from the payrolls of state employees, both regular and extra help, are authorized only for the following purposes: (1) Withholding taxes; (2) Social security contributions; (3) Contributions to any state retirement system or approved plan of deferred compensation; (4)(A) Group hospital, medical, and life insurance deductions. (B) However, any payroll deductions through the Arkansas state mechanized payroll system for state employees for coverages other than the state-authorized plan shall be approved by the State and Public School Life Insurance Board; (5) Payments to state employees' credit unions; (6) Value of maintenance perquisites; (7) Payment of union dues, when requested in writing by state employees; (8) Purchase of United States Government savings bonds; (9) Arkansas State Employees Association.

Inc., dues, when requested in writing by those state employees; (10) Fees for participation in the State Employees Benefit Corporation, when requested in writing by those state employees; (11) Contributions to the major federated fund-raising organization, when authorized by those state employees; (12) Arkansas State Police Association dues, when authorized in writing by those state employees; (13) Fraternal Order of Police dues, when requested in writing by those state employees; (14) Central Arkansas State Troopers Coalition dues, when authorized in writing by those state employees; (15) Arkansas Rehabilitation Association dues, when authorized in writing by those state employees; (16) Correctional Peace Officer Foundation dues, when authorized in writing by those state employees; (17) Department of Correction employee association dues, when requested in writing by those employees; (18) American Association of University Professors dues, when requested in writing by those employees; and (19) For such other purposes as are specifically authorized by law but not enumerated in this subsection. (b) If a state employee authorizes in writing the payroll deduction of dues of any union or professional association representing the employee, the agency shall deduct the dues from the payroll of the employee and remit the dues to the organization. (c) Deductions authorized by this section shall be made in compliance with rules, regulations, and procedures established by the Chief Fiscal Officer of the State.

23-98-108 (a) Those employers in the State of Arkansas that do not provide a portion of the cost of health insurance for their employees shall provide notice to their employees of the existence of the minimum basic benefit policy authorized by this chapter. Such notice shall be in a form prepared by the Insurance Commissioner and may be provided to employees by posting at the place of employment or in any other reasonable manner. (b) Any insured, or dependent of an insured, under this chapter may provide written request to his or her employer to withhold the amount of premium on a minimum basic benefit policy from his or her paycheck along with written instructions for remittance of the premium, in which case the employer shall withhold the premium and remit the premium payment to the insurer, unless to do so would require the employer to make remittances to more than three (3) different insurers. (c) No employer required to make a remittance of a premium under the provisions of this chapter shall be required to make such remittances more often than once per month. (d) Nothing in this chapter shall be construed to require or mandate in any way that an employer provide or pay any portion of the cost of a minimum basic benefit policy issued under this chapter. (e) The Arkansas Employment Security Department, upon request by the commissioner, is authorized to provide a copy of the form of notice prepared by the commissioner to employers as the commissioner and the department may agree upon.

11-3-203 (a)(1) It shall be unlawful for any person, partnership, association, or corporation, either for himself or in a representative or fiduciary capacity, to require any employee or applicant for employment, as a condition of employment or continued employment, to submit to or take a physical or medical examination unless the examination is provided at no cost to the employee or applicant for employment and unless a true and correct copy, either original or duplicate original, of the examiner's report of the examination is furnished free of charge to the applicant or employee. (2) It shall further be unlawful for any person, partnership, association, or corporation to require any employee or applicant for employment to pay, either directly or indirectly, any part of the cost of the examination, report, or copy of the report. (b) Each and every violation of any provision of subsection (a) of this section shall constitute a misdemeanor, punishable by a fine in any amount not exceeding one hundred dollars (\$100).

11-4-402 (a) It shall be unlawful for any milling or manufacturing company, or any other person, corporation, or company employing persons to labor for them in the State of Arkansas, to discount the wages of their employees or laborers when payment is made or demanded before the regular paydays more than at the rate of ten percent (10%) per annum from the date of payment to the regular payday. This subsection (b) does not apply to any demand or claim by the Department of Labor. (c) Any evasion or violation of this section shall be usury and a misdemeanor. The person, company, or corporation, or his, her, or its agents, violating this section shall be fined in any sum not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500), and the entire property of the person, company, or corporation shall be subject to the payment of the fine and costs.

California

224 The provisions of Sections 221, 222 and 223 shall in no way make it unlawful for an employer to withhold or divert any portion of an employee's wages when the employer is required or empowered so to do by state or federal law or when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital or medical dues, or other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute, or when a deduction to cover health and welfare or pension plan contributions is expressly authorized by a collective bargaining or wage agreement. Nothing in this section or any other provision of law shall be construed as authorizing an employer to withhold or divert any portion of an employee's wages to pay any tax, fee or charge prohibited by Section 50026 of the Government Code, whether or not the employee authorizes such withholding or diversion.

2695.2 (b) (1) When tools or equipment are required by the employer or are necessary to the performance of a job, the tools and equipment shall be provided and maintained by the employer, except that a shepherd whose wages are at least two times the minimum wage provided herein, or if paid on a monthly basis, at least two times the monthly minimum wage, may be required to provide and maintain handtools and equipment customarily required by the trade or craft. (2) A reasonable deposit may be required as security for the return of the items furnished by the employer under provisions of paragraph (1) upon issuance of a receipt to the shepherd for the deposit. The deposits shall be made pursuant to Article 2 (commencing with Section 400) of Chapter 3. Alternatively, with the prior written authorization of the shepherd, an employer may deduct from the shepherd's last check the cost of any item furnished pursuant to paragraph (1) when the item is not returned. No deduction shall be made at any time for normal wear and tear. All items furnished by the employer

shall be returned by the sheepherder upon completion of the job.

222.5 No person shall withhold or deduct from the compensation of any employee, or require any prospective employee or applicant for employment to pay, any fee for, or cost of, any pre-employment medical or physical examination taken as a condition of employment, nor shall any person withhold or deduct from the compensation of any employee, or require any employee to pay any fee for, or costs of, medical or physical examinations required by any law or regulation of federal, state or local governments or agencies thereof.

401 If a bond or photograph of an employee or applicant is required by any employer, the cost thereof shall be paid by the employer.

450 (a) No employer, or agent or officer thereof, or other person, may compel or coerce any employee, or applicant for employment, to patronize his or her employer, or any other person, in the purchase of any thing of value. (b) For purposes of this section, to compel or coerce the purchase of any thing of value includes, but is not limited to, instances where an employer requires the payment of a fee or consideration of any type from an applicant for employment for any of the following purposes: (1) For an individual to apply for employment orally or in writing. (2) For an individual to receive, obtain, complete, or submit an application for employment. (3) For an employer to provide, accept, or process an application for employment.

452;2802 When employers require uniforms to be worn by employees as a condition of employment, that uniform must be provided and maintained by the employer. The term "uniform" includes wearing apparel and accessories of distinctive design or color. Ordinary work clothes are not considered uniforms when the employees have free choice of what to wear. When the employer specifies the design or color or requires that an insignia be affixed, it is considered a uniform. White nurses' uniforms and black and white uniforms for service personnel, need not be supplied to employees by the employer, as these uniforms are standard in their industries and can be used from one job to the next. Employees may be asked to maintain employer-furnished uniforms, when the uniforms require minimal time for care, e.g., uniforms made of a material requiring only washing and tumble or drip drying. Employers must maintain or provide a maintenance allowance for uniforms requiring ironing or dry cleaning, or uniforms requiring special laundering for heavy soil, or requiring patching and repairs due to the nature of the work. Where an employer does not provide a uniform allowance, an employee may be entitled to reimbursement for costs incurred for maintenance.

1670.7. Any provision of a contract which that purports to allow a deduction from a person's wages for the cost of *emigrating and* transporting that person to the United States is void as against public policy. SEC. 2. Section 236.1 of the Penal Code is amended to read: 236.1. (a) (1) Any person who deprives or violates the personal liberty of another with the intent to effect or maintain a felony violation of Section 266, 266h, 266i, 267, 311.4, or 518, or to obtain forced labor or services, is guilty of human trafficking. (2) If the victim is under 18 years of age at the time of the commission of the offense, any person who causes, induces, or persuades, or attempts to cause, induce, or persuade, the victim to engage in a commercial sex act as described in Section 266, 266h, 266i, 266j, 267, 311.4, or 518, subdivision (b) of Section 647, or Section 653.22, or who obtains or attempts to obtain forced labor or services from the victim, is guilty of human trafficking. (b) Except as provided in subdivision (c), a violation of this section is punishable by imprisonment in the state prison for three, four, or six years. (c) A violation of this section where the victim of the trafficking was under 18 years of age at the time of the commission of the offense is punishable by imprisonment in the state prison for four, six, or eight years. (d) (1) For purposes of this section, unlawful deprivation or violation of the personal liberty of another includes substantial and sustained restriction of another's liberty accomplished through fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person, under circumstances where the person receiving or apprehending the threat reasonably believes that it is likely that the person making the threat would carry it out. (2) Duress includes knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or immigration document of the victim. (e) For purposes of this section, "forced labor or services" means labor or services that are performed or provided by a person and are obtained or maintained through force, fraud, or coercion, or equivalent conduct that would reasonably overbear the will of the person. (f) The Legislature finds that the definition of human trafficking in this section is equivalent to the federal definition of a severe form of trafficking found in Section 7102(8) of Title 22 of the United States Code. SEC. 3. Section 784.8 is added to the Penal Code, to read: 784.8. When more than one violation of Section 236.1 occurs in more than one jurisdictional territory, and the offenses are part of a single scheme, the jurisdiction of any of those offenses is in any jurisdiction where at least one of the offenses occurred. SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Colorado

8-4-101 a) Deductions mandated by or in accordance with local, state, or federal law including, but not limited to, deductions for taxes, "Federal Insurance Contributions Act" ("FICA") requirements, garnishments, or any other court-ordered deduction; (b) Deductions for loans, advances, goods or services, and equipment or property provided by an employer to an employee pursuant to a written agreement between such employer and employee, so long as it is enforceable and not in violation of law; (c) Any deduction necessary to cover the replacement cost of a shortage due to theft by an employee if a report has been filed with the proper law enforcement agency in connection with such theft

pending a final adjudication by a court of competent jurisdiction; except that if the accused employee is found not guilty in a court action or if criminal charges related to such theft are not filed against the accused employee within ninety days of the filing of the report with the proper law enforcement agency, or such charges are dismissed, the accused employee shall be entitled to recover any amount wrongfully withheld plus interest. In the event an employer acts without good faith, in addition to the amount wrongfully withheld and legally proven to be due, the accused employee may be awarded an amount not to exceed treble the amount wrongfully withheld. In any such action the prevailing party shall be entitled to reasonable costs related to the recovery of such amount including attorney fees and court costs. (d) Any deduction, not listed in paragraph (a), (b), or (c) of this subsection (7.5), which is authorized by an employee if such authorization is revocable including, but not limited to, deductions for hospitalization and medical insurance, other insurance, savings plans, stock purchases, voluntary pension plans, charities, and deposits to financial institutions.

8-9-107 (1) Nothing contained in this article shall be construed to affect deductions authorized by an employee to be made by an employer for hospital, medical, stock purchases, savings, insurance, charities, credit unions, banks, savings and loans, or any other financial institution or other similar purposes, or for rent, board, and subsistence provided in connection with employment, if the authorization is revocable. (2) Rent, board, and subsistence deductions as provided in subsection (1) of this section shall not be made a condition of employment.

8-2-118 It is unlawful for any employer, as defined in subsection (2) of this section, to require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any records required by the employer as a condition of employment, except those records necessary to support the applicant's statements in the application for employment.

Wage Order #22 Where the wearing of a particular uniform or special apparel is a condition of employment, the employer shall pay the cost of purchases, maintenance, and cleaning of the uniforms or special apparel. If the uniform furnished by the employer is plain and washable and does not need or require special care such as ironing, dry cleaning, pressing, etc., the employer need not maintain or pay for cleaning. An employer may require a reasonable deposit (up to one-half of actual cost) as security for the return of each uniform furnished to employees upon issuance of a receipt to the employee for such deposit. The entire deposit shall be returned to the employee when the uniform is returned. The cost of ordinary wear and tear of a uniform or special apparel shall not be deducted from the employee's wages or deposit. Exception: clothing accepted as ordinary street wear and the ordinary white or any light colored plain and washable uniform need not be furnished by the employer unless a special color, make, pattern, logo or material is required.

Connecticut

31-71e No employer may withhold or divert any portion of an employee's wages unless (1) the employer is required or empowered to do so by state or federal law, or (2) the employer has written authorization from the employee for deductions on a form approved by the commissioner, or (3) the deductions are authorized by the employee, in writing, for medical, surgical or hospital care or service, without financial benefit to the employer and recorded in the employer's wage record book.

31-73 (a) When used in this section, "refund of wages" means: (1) The return by an employee to his employer or to any agent of his employer of any sum of money actually paid or owed to the employee in return for services performed or (2) payment by the employer or his agent to an employee of wages at a rate less than that agreed to by the employee or by any authorized person or organization legally acting on his behalf. (b) No employer, contractor, subcontractor, foreman, superintendent or supervisor of labor, acting by himself or by his agent, shall, directly or indirectly, demand, request, receive or exact any refund of wages, fee, sum of money or contribution from any person, or deduct any part of the wages agreed to be paid, upon the representation or the understanding that such refund of wages, fee, sum of money, contribution or deduction is necessary to secure employment or continue in employment. No such person shall require, request or demand that any person agree to make payment of any refund of wages, fee, contribution or deduction from wages in order to obtain employment or continue in employment. A payment to any person of a smaller amount of wages than the wage set forth in any written wage agreement or the repayment of any part of any wages received, if such repayment is not made in the payment of a debt evidenced by an instrument in writing, shall be prima facie evidence of a violation of this section. (c) The provisions of this section shall not apply to any deductions from wages made in accordance with the provisions of any law, or of any rule or regulation made by any governmental agency. (d) Any person who violates any provision of this section shall be fined not more than one hundred dollars or imprisoned not more than thirty days for the first offense, and, for each subsequent offense, shall be fined not more than five hundred dollars or imprisoned not more than six months or both.

31-70 Any person who or corporation which withholds any part of the wages of any person, because of any agreement expressed or implied requiring notice before leaving the employment, shall be fined not more than fifty dollars

Delaware

1107 No employer may withhold or divert any portion of an employee's wages unless: (1) The employer is required or empowered to do so by state or federal law; or (2) The deductions are for medical, surgical or hospital care or service, without financial benefit to the employer, and are openly, clearly and in due course recorded in the employers' books; or (3) The employer has a signed authorization by the employee for deductions for a lawful purpose accruing to the benefit of the employee, except that the Department, upon finding that it is acting in the public interest, may, by regulation, prohibit such withholding or diverting for such purpose. If the Department abuses its discretion and acts arbitrarily and without any reasonable ground, any aggrieved person may institute a civil action in the Superior Court to have such regulation declared null and void. The Department, in such action, shall not be liable for costs or fees of any nature.

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| | <p>4514 (b) Jurors shall be paid a per diem rate of \$20.00 which shall serve as a daily allowance for reimbursement for travel, parking and other out-of-pocket expenses. An employer shall not consider the reimbursement described in this subsection as pay. Jurors whose term of service is 1 day or 1 trial shall not receive reimbursement for the first day of service. The State shall pay for food, lodging and other necessary expense during the sequestration of a jury.</p> |
| <p>District of Columbia</p> | <p>1-617.07 Any labor organization which has been certified as the exclusive representative shall, upon request, have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees who authorize the deduction of said dues. Such authorization, costs, and termination shall be proper subjects of collective bargaining. Service fees may be deducted from an employee's salary by the employer if such a provision is contained in the bargaining agreement.</p> <p>908.1-908.3 In addition to the wages required by this Chapter, the employer shall pay the cost of purchase, maintenance and cleaning of uniforms and protective clothing (including hats and shoes) required by the employer or by law, except that in lieu of purchasing, maintaining and cleaning plain and washable uniforms the employer may pay 15 cents (\$ 0.15) per hour in addition to the wages required by this Chapter, with the weekly maximum payment required being six dollars (\$ 6.00). Such payment of 15 cents (\$ 0.15) per hour shall not apply in the case of protective clothing. When the employer purchases but the employee maintains and cleans plain and washable uniforms, the payment shall be 10 cents (\$ 0.10) per hour in addition to the wages required by this Chapter. When the employer cleans and maintains but the employee purchases plain and washable uniforms, the payment shall be 8 cents (\$ 0.08) per hour in addition to the wages required by this Chapter.</p> |
| <p>Florida</p> | <p>110.114 (1) The state or any of its departments, bureaus, commissions, and officers are authorized and permitted, with the concurrence of the Department of Banking and Finance, to make deductions from the salary or wage of any employee or employees in such amount as shall be authorized and requested by such employee or employees and for such purpose as shall be authorized and requested by such employee or employees and shall pay such sums so deducted as directed by such employee or employees. The concurrence of the Department of Banking and Finance shall not be required for the deduction of a certified bargaining agent's membership dues deductions pursuant to s. 447.303 or any deductions authorized by a collective bargaining agreement. (2) The approval of and making of approved deductions shall not require the approval or making of other requested deductions. (3) Notwithstanding the provisions of subsections (1) and (2), the deduction of an employee's membership dues deductions as defined in s. 447.203(15) for an employee organization as defined in s. 447.203(11) shall be authorized or permitted only for an organization that has been certified as the exclusive bargaining agent pursuant to chapter 447 for a unit of state employees in which the employee is included. Such deductions shall be subject to the provisions of s. 447.303. (4) Records of employee requests and employer authorizations for deductions from an employee's wage or salary, or the legal authority for the deduction, shall be maintained by each employing entity.</p> <p>112.175 (1)(a) Any person who has received an educational loan made or guaranteed by the state or any of its political subdivisions and who at any time becomes or is an employee of the state or any of its political subdivisions shall be deemed to have agreed as a condition of employment to have consented to voluntary or involuntary withholding of wages to repay such loan. Any such employee who has defaulted or does default on the repayment of such loan shall, within 60 days after service of a notice of default by the agency holding the loan to the employee and the employing agency, establish a loan repayment schedule which shall be agreed to by both the agency holding the loan and the employee for repaying such defaulted loan through payroll deductions. Under no circumstances may an amount in excess of 10 percent per pay period of the pay of such employee be required by the agency holding the loan as part of a repayment schedule or plan. If such employee fails to establish a repayment schedule within the specified period of time or fails to meet the terms and conditions of the agreed to or approved repayment schedule as authorized by this subsection, such employee shall be deemed to have breached an essential condition of employment and shall be deemed to have consented to the involuntary withholding of wages or salary for the repayment of the loan. (b) No person who is employed by the state or any of its political subdivisions on or after October 1, 1986, may be dismissed for having defaulted on the repayment of an educational loan made or guaranteed by the state or any of its political subdivisions. (2) The Administration Commission shall adopt rules to implement this section, which shall include, but not be limited to, a standard method of calculating amounts to be withheld from employees who have failed to establish a repayment schedule within the specified period of time or failed to meet the terms and conditions of the agreed to or approved repayment schedule provided for in this section. Such method shall consider the following factors: (a) The amount of the loan which remains outstanding; (b) The income of the employee who owes such amount; and (c) Other factors such as the number of dependents supported by the employee.</p> <p>448.24 (1) No labor pool shall charge a day laborer: (a) For safety equipment, clothing, accessories, or any other items required by the nature of the work either by law, custom, or as a requirement of the third-party user: 1. This subsection shall not preclude the labor pool from charging the day laborer the market value of items temporarily provided to the worker by the labor pool, in the event that the worker willfully fails to return such items to the labor pool; 2. For items other than those referenced in this paragraph, which the labor pool makes available for purchase, the day laborer shall be charged no more than the actual cost of the item to the labor pool, or market value, whichever is less; (b) More than a reasonable amount to transport a worker to or from the designated worksite, but in no event shall the amount exceed the prevailing rate for public transportation in the geographic area; or (c) For directly or indirectly cashing a worker's check.</p> |
| <p>Georgia</p> | <p>34-6-25 No employer shall deduct from the wages or other earnings of any employee any fee, assessment, or other sum of money whatsoever to be held for or to be paid over to a labor organization except on the individual order or request of the</p> |

employee, which shall not be irrevocable for a period of more than one year.

45-7-54 (a) Any department, agency, authority, or commission of the state is authorized to deduct designated amounts from the salaries or wages of its employees and remit such moneys to not for profit organizations, associations, or corporations providing tangible services and benefits to state government or its employees. Except as provided in subsection (b) of this Code section, no such deduction shall be made unless at least 2,500 of the full-time employees of the state request such deduction. Where 2,500 or more full-time employees of the state request payroll deduction services to any not for profit organization, association, or corporation having among its objectives educational, legislative, or professional development activities related to promoting and enhancing the efficiency, productivity, and welfare of state government services or of state government employees, then the state shall provide such deductions as an additional employment benefit to its employees. (b) Where 500 or more full-time state employees who are employed in the Division of Family and Children Services or in the law enforcement or registered nursing disciplines request payroll deduction services to any not for profit association having among its specific objectives professional development activities related to such employment or promoting or enhancing law enforcement or registered professional nursing in the State of Georgia, then the state shall provide such deductions as an additional employment benefit to its employees. This provision shall not be interpreted to require the agency or state to provide the funds for any employees dues or contributions. (c) The commissioner of the State Merit System of Personnel Administration shall have the authority to administer this Code section and to determine and compel compliance with its provisions. (d) No deduction shall be made under this Code section without the express written and voluntary consent of the employee. Each such request shall designate the exact amount to be deducted. Any employee who consents to such deduction is authorized to terminate the deduction with two weeks' written notice to the department, agency, authority, or commission. (e) No deduction shall be made under this Code section to any organization, association, or corporation which engages in collective bargaining with the state or encourages its members to strike or stop work. (f) Each department, agency, authority, or commission of the state shall collect from the deductions withheld a cost of administration fee not to exceed 1 percent of the total deduction collected. (g) No person shall disclose to any other person the name of any employee deducting amounts, or the organizations, associations, or corporations designated, except as is necessary to accomplish the purpose of this article or as otherwise authorized in writing by the individual employee. (h) Departments, agencies, authorities, and commissions and their employees shall not incur any liability for errors or omissions made in performance of the payroll deduction agreement between the state and the employee, provided that this Code section does not confer immunity from criminal or civil liability for conversion, theft by conversion, theft by taking, theft by extortion, theft by deception, or any other intentional misappropriation of the money or property of another.

45-7-55 (a) It is the purpose of this Code section to permit voluntary deductions from wages or salaries of employees of the State of Georgia for the purchase of transit passes and other fare media for the benefit of these employees and the State of Georgia through a process which involves minimal disruption of work time and provides reasonable assurance to the employees of reliable transportation to and from work. (b) Any department, agency, authority, or commission of the state is authorized to participate in any program to provide a mass transit employee benefit to its employees and may, but need not, bear all or a portion of the cost of such fare media from funds specifically appropriated for this purpose. (c) Any such participating state entity is authorized to deduct designated amounts from the wages or salaries of its employees for the purpose of facilitating employee purchase of transit passes and other fare media. No such deduction shall be made without the approval of the head of the participating state entity. No such deduction shall be made without the written request of the employee, who may withdraw that persons request upon one months written notice. (d) The fiscal authorities or other employees of any participating state entity will not incur any liability for errors or omissions made in the performance of the mass transit employee benefit program.

Hawaii

388-6 No employer may deduct, retain, or otherwise require to be paid, any part or portion of any compensation earned by any employee except where required by federal or state statute or by court process or when such deductions or retentions are authorized in writing by the employee, provided that the following may not be so authorized, or required to be borne by the employee: (1) Fines; (2) Cash shortage in a common money till, cash box, or register used by two or more persons; or cash shortage in a money till, cash box, or register under sole control if the employee is not given an opportunity to account for all moneys received at the start of a shift and all moneys turned in at the end of a shift; (3) Fines, penalties, or replacement costs for breakage; (4) Losses due to acceptance by an employee of checks which are subsequently dishonored if employee is given discretion to accept or reject any check; (5) Losses due to defective or faulty workmanship, lost or stolen property, damage to property, default of customer credit, or nonpayment for goods or services received by customer if such losses are not attributable to employee's willful or intentional disregard of employer's interest; or (6) Medical or physical examination or medical report expenses which accrue due to services rendered to an employee or prospective employee, where such examination or report is requested or required by the employer or prospective employer or required by any law or regulation of federal, state or local governments or agencies thereof.

302A-803 Licensing fees for teaches may be collected via mandatory payroll deductions which shall subsequently be deposited into the state treasury and credited to the Hawaii teacher standards board revolving fund.

388-51 Except as provided for by chapter 373 and rules adopted thereto, no employer shall require to be paid or to be borne by an employee or prospective employee a job application processing fee.

Idaho

45-609 (1) No employer may withhold or divert any portion of an employee's wages unless (a) The employer is required or empowered to do so by state or federal law; or (b) The employer has a written authorization from the employee for deductions for a lawful purpose. (2) An employer shall furnish each employee with a statement of deductions made from

the employee's wages for each pay period such deductions are made. The willful failure of any employer to comply with the provisions of this subsection shall constitute a misdemeanor.

Illinois

820.115/9 Except as hereinafter provided, deductions by employers from wages or final compensation are prohibited unless such deductions are (1) required by law; (2) to the benefit of the employee; (3) in response to a valid wage assignment or wage deduction order; (4) made with the express written consent of the employee, given freely at the time the deduction is made.

50. 125/2 Any local governmental agency, unless provided otherwise in any statute specifically creating or governing any such agency, may by ordinance or resolution of its corporate authority authorize the withholding from the compensation of employees the union dues of such employees payable to any labor organization and membership dues of such employees payable to professional organizations upon the written request of the employee, which the employee may revoke in writing at any time.

820. 150/1 Whenever an employee agrees to let his employer make deductions from his wages for payments to a medical service plan the employer shall accept cash at the regular group rate from such employee for such payment, in lieu of such payroll deduction, or continue to make payments for the benefit of the employee in the amount necessary to continue the employee's participation in the medical service plan, for any period up to 6 consecutive months in the event that such employee is unable to earn sufficient wages to cover the amount normally deducted for such payment, provided, however, that such employee maintains recall rights with that employer and does not accept any employment elsewhere.

300.870 An employer may request that a deposit be paid on a particular piece of property, but such a deposit shall not be deducted from the employee's wages or final compensation unless the employee's express written consent is given freely at the time the deduction is made.

735.5/12-803 The maximum wages, salary, commissions and bonuses subject to collection under a deduction order, for any work week shall not exceed the lesser of (1) 15% of such gross amount paid for that week or (2) the amount by which disposable earnings for a week exceed 45 times the Federal Minimum Hourly Wage prescribed by Section 206(a)(1) of Title 29 of the United States Code, as amended, in effect at the time the amounts are payable. This provision (and no other) applies irrespective of the place where the compensation was earned or payable and the State where the employee resides. No amounts required by law to be withheld may be taken from the amount collected by the creditor. The term "disposable earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld.

820 .235/1 No employer shall require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any records of such examination required by the employer as a condition of employment.

300.780 An employer shall not deduct expenses for training or educational courses required by the employer, even though such training or educational courses are also required by State or federal government, unless the employee's express written consent is given freely at the time the deduction is made.

300.820 A financial loss suffered by an employer due to damage to his/her property or to that of a customer or client shall not be deducted from an employee's pay unless the employee's expressed written consent is given freely at the time the deduction is made.

300.840 An employer shall not deduct the cost of purchasing and/or cleaning uniforms required by the employer from an employee's wages or final compensation, unless the employee's express written consent is given freely at the time the deduction is made. Distinctive outfits or accessories, or both, intended to identify the employee with a specific employer shall be considered a uniform. If an employer requires a general type of ordinary basic street clothing to be worn, but permits variations in the detail of dress, this shall not be considered a uniform. However, when an employer requires that an employee purchase street clothes either from the employer or from a third party designated by the employer, the clothing shall be considered a uniform.

Indiana

IC 22-2-6-2 (a) Any assignment of the wages of an employee is valid only if all of the following conditions are satisfied: (1) The assignment is: (A) in writing; (B) signed by the employee personally;(C) by its terms revocable at any time by the employee upon written notice to the employer; and (D) agreed to in writing by the employer. (2) An executed copy of the assignment is delivered to the employer within ten (10) days after its execution. (3) The assignment is made for a purpose described in subsection (b). (b) A wage assignment under this section may be made for the purpose of paying any of the following: (1) Premium on a policy of insurance obtained for the employee by the employer. (2) Pledge or contribution of the employee to a charitable or nonprofit organization. (3) Purchase price of bonds or securities, issued or guaranteed by the United States. (4) Purchase price of shares of stock, or fractional interests therein, of the employing company, or of a company owning the majority of the issued and outstanding stock of the employing company, whether purchased from such company, in the open market or otherwise. However, if such shares are to be purchased on installments pursuant to a written purchase agreement, the employee has the right under the purchase agreement at any time before completing purchase of such shares to cancel said agreement and to have repaid promptly the amount of all installment payments which theretofore have been made. (5) Dues to become owing by the employee to a labor organization of which the

employee is a member. (6) Purchase price of merchandise sold by the employer to the employee, at the written request of the employee. (7) Amount of a loan made to the employee by the employer and evidenced by a written instrument executed by the employee subject to the amount limits set forth in section 4(c) of this chapter. (8) Contributions, assessments, or dues of the employee to a hospital service or a surgical or medical expense plan or to an employees' association, trust, or plan existing for the purpose of paying pensions or other benefits to said employee or to others designated by the employee. (9) Payment to any credit union, nonprofit organizations, or associations of employees of such employer organized under any law of this state or of the United States. (10) Payment to any person or organization regulated under the Uniform Consumer Credit Code (IC 24-4.5) for deposit or credit to the employee's account by electronic transfer or as otherwise designated by the employee. (11) Premiums on policies of insurance and annuities purchased by the employee on the employee's life. (12) The purchase price of shares or fractional interest in shares in one (1) or more mutual funds. (13) A judgment owed by the employee if the payment: (A) is made in accordance with an agreement between the employee and the creditor; and (B) is not a garnishment under IC 34-25-3.

22-2-6-4(a) If an employer has overpaid an employee, the employer may deduct from the wages of the employee the amount of the overpayment. A deduction by an employer for reimbursement of an overpayment of wages previously made to an employee is not a fine under IC 22-2-8-1 or an assignment of wages under section 2 of this chapter. An employer must give an employee two (2) weeks notice before the employer may deduct, under this section, any overpayment of wages from the employee's wages (b) An employer may not deduct from an employee's wages an amount in dispute under IC 22-2-9-3. (c) The amount of a wage deduction made by an employer under subsection (a) is limited to the following: (1) Except as provided in subdivision (2), the maximum part of the aggregate disposable earnings of an employee for any work week that is subjected to an employer deduction for overpayment may not exceed the lesser of: (A) twenty-five percent (25%) of the employee's disposable earnings for that week; or (B) the amount by which the employee's disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage prescribed by 29 U.S.C. 206(a)(1) in effect at the time the earnings are payable. In the case of earnings for a pay period other than a week, the earnings must be computed upon a multiple of the federal minimum hourly wage equivalent to thirty (30) times the federal minimum hourly wage as prescribed in this section. (2) If a single gross wage overpayment is equal to ten (10) times the employee's gross wages earned due to an inadvertent misplacement of a decimal point, the entire overpayment may be deducted immediately.

22-2-8-1 It is unlawful for any employer to assess a fine on any pretext against any employee and retain the same or any part thereof from his wages. An employer who violates this section commits a Class C infraction.

Iowa

701-204.1 (70A) The state of Iowa may grant eligible professional/trade associations the right to receive dues deductions from state employees through payroll deduction upon presentation of dues deduction authorization forms signed by state employees.

701-206.1 (70A) The state of Iowa may grant to eligible insurance companies the right to receive insurance premiums from state employees through payroll deduction upon presentation of insurance deduction authorization forms signed by state employees.

91A.5 1. An employer shall not withhold or divert any portion of an employee's wages unless: a. The employer is required or permitted to do so by state or federal law or by order of a court of competent jurisdiction; or b. The employer has written authorization from the employee to so deduct for any lawful purpose accruing to the benefit of the employee. 2. The following shall not be deducted from an employee's wages: a. Cash shortage in a common money till, cash box, or register operated by two or more employees or by an employee and an employer. However, the employer and a full-time employee who is the manager of an establishment may agree in writing signed by both parties that the employee will be responsible for a cash shortage that occurs within forty-five days prior to the most recent regular payday. Not more than one such agreement shall be in effect per establishment. b. Losses due to acceptance by an employee on behalf of the employer of checks which are subsequently dishonored if the employee has been given the discretion to accept or reject such checks and the employee does not abuse the discretion given. c. Losses due to breakage, damage to property, default of customer credit, or nonpayment for goods or services rendered so long as such losses are not attributable to the employee's willful or intentional disregard of the employer's interests. d. Lost or stolen property, unless the property is equipment specifically assigned to, and receipt acknowledged in writing by, the employee from whom the deduction is made. e. Gratuities received by an employee from customers of the employer. f. Costs of personal protective equipment, other than items of clothing or footwear which may be used by an employee during nonworking hours, needed to protect an employee from employment-related hazards, unless provided otherwise in a collective bargaining agreement. g. Costs of more than twenty dollars for an employee's relocation to the place of employment. This paragraph shall apply only to an employer as defined in section 91E.1.

Kansas

44-319 (a) No employer may withhold, deduct or divert any portion of an employee's wages unless: (1) The employer is required or empowered to do so by state or federal law; (2) the deductions are for medical, surgical or hospital care or service, without financial benefit to the employer, and are openly, clearly and in due course recorded in the employer's books; or (3) the employer has a signed authorization by the employee for deductions for a lawful purpose accruing to the benefit of the employee. (b) Nothing in this section shall be construed as prohibiting the withholding of amounts authorized in writing by the employee to be contributed by him to charitable organizations; nor shall this section prohibit deductions by check-off of dues to labor organizations or service fees, where such is not otherwise prohibited by law.

Kentucky

337.060 (1) No employer shall withhold from any employee any part of the wage agreed upon This section shall not make it unlawful for an employer to withhold or divert any portion of an employee's wage when the employer is authorized to do

so by local, state, or federal law or when a deduction is expressly authorized in writing by hospital the employee to cover insurance premiums, and medical dues, or other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute, nor shall it preclude deductions for union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employers and employees or their representative. (2) Notwithstanding the provisions of subsection (1) of this section, no employer shall deduct the following from the wages of employees: (a) Fines;(b) Cash shortages in a common money till, cash box or register used by two (2) or more persons;(c) Breakage; (d) Losses due to acceptance by an employee of checks which are subsequently dishonored if such employee is given discretion to accept or reject any check; or (e) Losses due to defective or faulty workmanship, lost or stolen property, damage to property, default of customer credit, or nonpayment for goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of employer's interest.

803 1:080 The cost of furnishing facilities which are primarily for the benefit or convenience of the employer will not be recognized as reasonable and may not therefore be included in computing wages. The following examples of facilities to be primarily for the benefit or convenience of the employer is meant as illustrative rather than exclusive: tools of the trade and other materials and services incidental to carrying on the employer's business; the cost of any construction by or for the employer; the cost of uniforms and of their laundering, where the nature of the business requires the employees to wear a uniform.

Louisiana

23:635 No person, acting either for himself or as agent or otherwise, shall assess any fines against his employees or deduct any sum as fines from their wages. This Section shall not apply in cases where the employees willfully or negligently damage goods or works, or in cases where the employees willfully or negligently damage or break the property of the employer, or in cases where the employee is convicted or has pled guilty to the crime of theft of employer funds, but in such cases the fines shall not exceed the actual damage done.

42:456 A. Payroll deductions shall be authorized only for the following: (1) Mandated federal or state income withholdings, credit unions, garnishments, liens, union dues, savings bonds programs, qualified United Way entities, health and life insurance products offered through the Office of Group Benefits, and products having state participating contributions, sponsored by the Office of Group Benefits, which qualify and are offered under Section 125 of the Internal Revenue Code (Cafeteria Plan). (2) Products offered without state contributory participation which have been evaluated and approved in accordance with rules and procedures promulgated by the commissioner of administration. B. Except for deductions required by law, no withholding may be made from the earnings of any employee for the purposes permitted by this Section unless the withholding is specifically and voluntarily authorized by the employee in writing. Any amount withheld in accordance with the provisions of this Section shall be remitted to the organization designated on a regularly scheduled basis as prescribed by rules promulgated by the division of administration and administered by the state payroll office as provided in R.S. 42:455.

17:438 A. Any teacher or other employee of a parish or city school board may authorize his employing school board to deduct and withhold from his earnings a specific amount for such pay periods as may be designated, for the payment of regular dues owed by such teacher or other employee to any organization of teachers or other school employees. B. No deduction shall be made from the earnings of any teacher or other employee for the purpose permitted by this Section unless fifty or more teachers or other employees or ten percent of the total number of employees, including teachers, whichever is less have requested such deduction be made and the deduction is specifically and voluntarily authorized in writing by the teacher or other employee. If such authority is provided and a request for such deduction made, the school board shall honor the request and provide for the deduction; however, if any system documents to the satisfaction of the State Board of Elementary and Secondary Education that it has already acquired payroll checks that will not accommodate the request, the school board shall provide for such deduction as soon as possible but, in no case later than the beginning of the school year following the request. C. Any amount withheld in accordance with the provisions of this Section shall be remitted to the organization designated on a regularly scheduled basis as determined by the employing board. D. This Section shall not apply to a city or parish school board operating under the terms of a collective bargaining agreement applicable to teachers employed by the board.

23:635 No person, acting either for himself or as agent or otherwise, shall assess any fines against his employees or deduct any sum as fines from their wages. This Section shall not apply in cases where the employees willfully or negligently damage goods or works, or in cases where the employees willfully or negligently damage or break the property of the employer, or in cases where the employee is convicted or has pled guilty to the crime of theft of employer funds, but in such cases the fines shall not exceed the actual damage done.

23:897 A. Except as provided in Subsection K of this Section and in R.S. 23:634(B), it is unlawful for any public or private employer to require any employee or applicant for employment to pay or to in any manner pass on to the applicant or to withhold from an employee's pay the cost of fingerprinting, a medical examination, or a drug test, or the cost of furnishing any records available to the employer or required by the employer as a condition of employment.

Maine

635.1 As used in this section, unless the context otherwise indicates, the following terms have the following meanings. A. "Net amount" means the amount of money due an employee as compensation after any deductions or withholdings other than an employer's withholding for the purpose of recovering any overcompensation. B. "Overcompensation" means any compensation paid to an employee that is greater than that to which the employee is entitled under the compensation

system established by the employer, but does not include fringe benefits, awards, bonuses, settlements or insurance proceeds in respect to or in lieu of compensation, expense reimbursements, commissions or draws or advances against compensation. 2. Recovery of overcompensation. An employer who has overcompensated an employee through employer error may not withhold more than 10% of the net amount of any subsequent pay without the employee's written permission, except that, if the employee voluntarily terminates employment, the employer may deduct the full amount of overcompensation from any wages due. This section is applied as follows. A. An employer has the burden of proof, except that, if the overcompensation amounts to less than 15% of the correct net amount of the employee's compensation, the employer must prove by clear and convincing evidence that the employee knowingly accepted the overcompensation. B. If an employee knowingly accepts the overcompensation, this section does not apply. C. This section, except for the forfeiture provisions in subsection 3, does not limit or affect an employer's general civil remedies against an employee.

26:629 1. For purposes of this subchapter, the word "debt" means a benefit to the employee. "Debt" does not include items incurred by the employee in the course of the employee's work or dealing with the customers on the employer's behalf, such as cash shortages, inventory shortages, dishonored checks, dishonored credit cards, damages to the employer's property in any form or any merchandise purchased by a customer. Uniforms, personal protective equipment or other tools of the trade that are considered to be primarily for the benefit or convenience of the employer may not be considered a "debt." For purposes of this paragraph, "uniforms" includes shirts or other items of clothing bearing the company name or logo. The employer may not mandate that an employee pay for the cleaning and maintenance of a uniform, but may have a written agreement whereby the employee chooses to have a payroll deduction for the cost of cleaning and maintenance. 2. No person, firm or corporation shall require or permit any person as a condition of securing or retaining employment to work without monetary compensation or when having an agreement, verbal, written or implied that a part of such compensation should be returned to the person, firm or corporation for any reason other than for the payment of a loan, debt or advance made to the person, or for the payment of any merchandise purchased from the employer or for sick or accident benefits, or life or group insurance premiums, excluding compensation insurance, which an employee has agreed to pay, or for rent, light or water expense of a company-owned house or building. This section shall not apply to work performed in agriculture or in or about a private home. For purposes of this subchapter, the word "debt" means a benefit to the employee. Debt does not include items incurred by the employee in the course of the employee's work or dealing with the customers on his employer's behalf, such as cash shortages, inventory shortages, dishonored checks, dishonored credit cards, damages to the employer's property in any form or any merchandise purchased by a customer. An employer shall be liable to the employees for the amount returned to the employer as prohibited in this section.

26:592 No employer may require any employee or accepted applicant for employment to bear the medical expense of an examination when that examination is ordered or required by the employer. No employer may require any employee or accepted applicant for employment to bear the expense of an eye examination ordered or required by the employer which is performed by a person licensed to perform the examinations, except that if an employer orders or requires the eye examination to be performed by a specific type of eye care provider, or specific provider, the employer must pay for the examination only when performed by that specific type of eye care provider or specific provider. An employer may pay for an examination under this section directly, through group health insurance coverage of the employee or otherwise, as long as the employee is not ultimately required to bear the expense of that examination. Any employer who violates this section commits a civil violation for which a forfeiture not to exceed \$50 for each and every violation may be adjudged. It is the duty of the director to enforce this section. Notwithstanding section 591, subsection 2, for the purposes of this section, the term "employer" includes the State, a county, a municipality, a quasi-municipal corporation or any other public employer. For the purposes of this section, the term "accepted applicant" means an applicant who has been offered a job by the employer.

Maryland

3-503 An employer may not make a deduction from the wage of an employee unless the deduction is: (1) ordered by a court of competent jurisdiction; (2) authorized expressly in writing by the employee; (3) allowed by the Commissioner because the employee has received full consideration for the deduction; or (4) otherwise made in accordance with any law or any rule or regulation issued by a governmental unit.

4-401(a) Union dues.- Each employer who, under a collective bargaining agreement, deducts dues from an employee's pay for payment to a union shall make the payment within 30 days after it is required. (b) Benefits.- Each employer or union official who, under a collective bargaining or other agreement with an employee, agrees to make a payment into a health or welfare fund, a pension fund, a vacation plan, or any other similar fund or plan for employees shall make the payment within 30 days after it is required.

13-241(a) Establishment of program for collection by payroll deductions.- An employer may establish a program for collecting from employees by means of payroll deductions voluntary contributions to one or more campaign finance entities selected by the employer. (b) Segregated escrow account.- Periodic contributions collected by payroll deductions under a program established under subsection (a) of this section shall be combined and accumulated in a segregated escrow account maintained solely for that purpose. (c) Records.- An employer shall keep detailed and accurate records of each payroll deduction made under subsection (a) of this section, including: 1) the name of the contributor; (2) the date on which the contribution is withheld; (3) the amount of the contribution; and (4) the disposition of the contribution. (d) Transmission of contribution.- Within 3 months after withholding a contribution under this section, the employer shall transmit the contribution to the appropriate campaign finance entity, together with the information recorded under subsection (c) (1), (2), and (3) of this section. (e) Solicitation.- In soliciting an employee to make a contribution to a

campaign finance entity by payroll deduction, an employer shall inform the employee of: (1) the political purposes of the campaign finance entity; and (2) the employee's right to refuse to contribute to the campaign finance entity without reprisal. (f) Prohibited acts.- An employer may not receive or use money or anything of value under this section if it is obtained: (1) by actual or threatened: (i) physical force; (ii) job discrimination; or (iii) financial reprisal; or (2) as: (i) a result of a commercial transaction; or (ii) dues, fees, or other assessment required as a condition of membership in a labor organization or employment.

13-242 b) In general.- If an employer withholds from employees by payroll deduction the employees' dues to an employee membership entity, an employee may contribute by payroll deduction to one or more affiliated political action committees selected by the employee. (c) Separate account.- Periodic contributions collected by payroll deductions pursuant to a program established under subsection (b) of this section shall be: (1) combined and accumulated in a segregated escrow account maintained solely for that purpose; and (2) transmitted to the employee membership entity within 30 days of being withheld, together with the information required under subsection (d) (1) through (4) of this section. (d) Records.- An affiliated political action committee, in conjunction with its employee membership entity and the employer, shall keep detailed and accurate records of each contribution under subsection (b) of this section, including: (1) the name of the contributor; (2) the date on which the contribution was made; (3) the amount of the contribution; (4) the name of the affiliated political action committee designated by the employee to receive the contribution; and (5) the date on which the contribution was received by the employee membership entity and the affiliated political action committee. (e) Transmittal of contributions - Employer program.- (1) Within 30 days after it receives a contribution under subsection (c) of this section, the employee membership entity shall transmit the contribution: (i) to its affiliated political action committee; or (ii) if a contribution is designated for a political action committee affiliated with a State or local chapter of the employee membership entity, to the State or local chapter of the employee membership entity. (2) Within 5 days after it receives a contribution under paragraph (1) (ii) of this subsection, the State or local chapter of the employee membership entity shall transmit the contribution to its affiliated political action committee. (3) An employee membership entity, including a State or local chapter, that transfers contributions in accordance with paragraphs (1) or (2) of this subsection shall include the information recorded under subsection (d) of this section that is received from the employer. (f) Prohibited acts.- An employer, employee membership entity, or affiliated political action committee, may not solicit, receive, or use employee contributions in a manner that would be prohibited under § 13-241(e) and (f) of this subtitle if performed by an employer.

Massachusetts

154:8 None of the foregoing sections of this chapter, nor section one hundred and forty-eight of chapter one hundred and forty-nine, shall be applicable to or control or prohibit the deduction of labor or trade union or craft dues or obligations, or making deposits in, purchasing shares of, or for the repayment of any loan from any credit union established under the laws of the commonwealth or of the United States, or deposits in any savings bank, trust company, national banking association or co-operative bank, or subscriptions to a non-profit hospital service corporation established under chapter one hundred and seventy-six A, or to a medical service corporation established under chapter one hundred and seventy-six B, or to a charitable corporation, or payments or contributions of or toward the cost of or the premiums on any insurance policy or annuity contract or purchase of government bonds, or purchase of stock pursuant to an employee stock purchase plan, from wages of an employee by an employer in accordance with a written request made by the individual employee; provided, that no such written request, whether recorded or not, except in the case of labor or trade union or craft dues, shall be regarded as an assignment valid against a trustee process.

180:17A Deductions on pay-roll schedules may be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is employed, for the payment of union dues to an association of state, county or municipal employees, dues to the Massachusetts State Employees Association, dues to the Massachusetts Nurses Association, or dues payable to any relief association of any municipal department. Any such authorization may be withdrawn by the employee by giving at least sixty days' notice in writing of such withdrawal to the state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is then employed and by filing a copy thereof with the treasurer of the association.

149:152 There shall not be deducted from the wages of an employee in any factory, workshop, manufacturing, mechanical or mercantile establishment, or from the wages of a mechanic, workman or laborer, on account of the employee's coming late to work, a sum in excess of the proportionate wage which would have been earned during the time actually lost. Whoever violates this or the preceding section shall be punished by a fine of not more than fifty dollars.

149:154 No employer shall impose a fine upon an employee engaged at weaving for imperfections arising during the process of weaving. Whoever violates this or the preceding section shall for the first offence be punished by a fine of not more than one hundred dollars and for a subsequent offence by a fine of not more than three hundred dollars.

149:159B Any employer who requests or requires a person who is a present or prospective employee to undergo a medical examination by a physician designated by the employer, as a condition to securing or continuing in employment, shall reimburse said person for the medical expenses requested or required.

455 2.01 - 2.03 All special wearing apparel whatsoever which is worn by the employee as a condition of employment. It will be presumed that uniforms worn by the employees of any establishment are worn as a condition of employment if such uniforms are of similar design, color, or material and/or form part of the decorative pattern of the establishment to

distinguish the employee as an employee of the place of work. (4)(c) (c) Deductions for Uniforms. For employers requiring uniforms, the following shall apply: 1. No deduction for uniforms shall be made from the employee's regular hourly rate. 2. The employer shall launder, clean and maintain such uniforms without cost to the employee. 3. No deposit shall be required by the employer from any employee for a uniform or for any other purpose, except by permission of the Director.

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| Michigan | <p>408.477 (1) Except for those deductions required or expressly permitted by law or by a collective bargaining agreement, an employer shall not deduct from the wages of an employee, directly or indirectly, any amount including an employee contribution to a separate segregated fund established by a corporation or labor organization under section 55 of the Michigan campaign finance act, Act No. 388 of the Public Acts of 1976, being section 169.255 of the Michigan Compiled Laws, without the full, free, and written consent of the employee, obtained without intimidation or fear of discharge for refusal to permit the deduction. (2) Except as provided in this subsection and subsection (4), a deduction for the benefit of the employer requires written consent from the employee for each wage payment subject to the deduction, and the cumulative amount of the deductions shall not reduce the gross wages paid to a rate less than minimum rate as defined in the minimum wage law of 1964, Act No. 154 of the Public Acts of 1964, being sections 408.381 to 408.398 of the Michigan Compiled Laws. A nonprofit organization shall obtain a written consent from an employee for deductions to that nonprofit organization that qualify as charitable contributions under federal law. However, this subsection does not require the nonprofit organization to obtain from an employee a separate written consent for each subsequent paycheck from which deductions that qualify as charitable contributions that benefit the employer are made. An employee at any time may rescind in writing his or her authorization to have charitable contributions deducted from his or her paycheck. As used in this subsection, "nonprofit organization" means an organization that is exempt from taxation under section 501(c)(3) of the internal revenue code. (3) Each deduction from the wages of an employee shall be substantiated in the records of the employer and shall be identified as pertaining to an individual employee. Prorating of deductions between 2 or more employees is not permitted. (4) Within 6 months after making an overpayment of wages or fringe benefits that are paid directly to an employee, an employer may deduct the overpayment from the employee's regularly scheduled wage payment without the written consent of the employee if all of the following conditions are met: (a) The overpayment resulted from a mathematical miscalculation, typographical error, clerical error, or misprint in the processing of the employee's regularly scheduled wages or fringe benefits. (b) The miscalculation, error, or misprint described in subdivision (a) was made by the employer, the employee, or a representative of the employer or employee. (c) The employer provides the employee with a written explanation of the deduction at least 1 pay period before the wage payment affected by the deduction is made. (d) The deduction is not greater than 15% of the gross wages earned in the pay period in which the deduction is made. (e) The deduction is made after the employer has made all deductions expressly permitted or required by law or a collective bargaining agreement, and after any employee-authorized deduction. (f) The deduction does not reduce the regularly scheduled gross wages otherwise due the employee to a rate that is less than the greater of either of the following: (i) The minimum rate as prescribed by subsection (2). (ii) The minimum rate as prescribed by the fair labor standards act of 1938, chapter 676, 52 Stat. 1060, 29 U.S.C. 201 to 216 and 217 to 219.</p> <p>408.478 (1) An employer, agent or representative of an employer, or other person having authority from the employer to hire, employ, or direct the services of other persons in the employment of the employer shall not demand or receive, directly or indirectly from an employee, a fee, gift, tip, gratuity, or other remuneration or consideration, as a condition of employment or continuation of employment. This subsection does not apply to fees collected by an employment agency licensed under the laws of this state. (2) Except for a contribution required or expressly permitted by law or by a collective bargaining agreement, an employer shall not require an employee or a person seeking employment to contribute directly or indirectly to a charitable, social, or beneficial purpose as a condition of employment or continuation of employment.</p> <p>750.354a It shall be unlawful for any employer in the state of Michigan to compel newly hired employees or employees reporting back to work after a furlough or leave of absence to pay the cost of a medical examination or to pay for being photographed and finger printed, when requested by the employer. Any employer operating in the state of Michigan violating the provisions of this act shall be liable to a penalty of not more than \$100.00 for each and every violation. It shall be the duty of the commissioner of labor to enforce this act.</p> <p>Public Act 30 Sec. 7. (1) Except for those deductions required or expressly permitted by law or by a collective bargaining agreement, an employer shall not deduct from the wages of an employee, directly or indirectly, any amount including an employee contribution to a separate segregated fund established by a corporation or labor organization under section 55 of the Michigan campaign finance act, 1976 PA 388, MCL 169.255, without the full, free, and written consent of the employee, obtained without intimidation or fear of discharge for refusal to permit the deduction. However, an employer that is a public body, as defined in section 11 of the Michigan campaign finance act, 1976 PA 388, MCL 169.211, shall not deduct, directly or indirectly, any amount from an employee's wages for a contribution to a separate segregated fund established under section 55 of the Michigan campaign finance act, 1976 PA 388, MCL 169.255, or a contribution or any payment to any committee established under the federal election campaign act of 1971, Public Law 92-225, 2 USC 431 to 455. (2) Except as provided in this subsection and subsection (4), a deduction for the benefit of the employer requires written consent from the employee for each wage payment subject to the deduction, and the cumulative amount of the deductions shall not reduce the gross wages paid to a rate less than minimum rate as defined in the minimum wage law of 1964, 1964 PA 154, MCL 408.381 to 408.398. A nonprofit organization shall obtain a written consent from an employee for deductions to that nonprofit organization that qualify as charitable contributions under federal law. However, this subsection does not require the nonprofit organization to obtain from an employee a separate written consent for each subsequent paycheck from which deductions that qualify as charitable contributions that benefit the employer are made. An employee at any time may rescind in writing his or her authorization to have charitable contributions deducted</p> |
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from his or her paycheck. As used in this subsection, "nonprofit organization" means an organization that is exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3). (3) Each deduction from the wages of an employee shall be substantiated in the records of the employer and shall be identified as pertaining to an individual employee. Prorating of deductions between 2 or more employees is not permitted. (4) Within 6 months after making an overpayment of wages or fringe benefits that are paid directly to an employee, an employer may deduct the overpayment from the employee's regularly scheduled wage payment without the written consent of the employee if all of the following conditions are met: (a) The overpayment resulted from a mathematical miscalculation, typographical error, clerical error, or misprint in the processing of the employee's regularly scheduled wages or fringe benefits. (b) The miscalculation, error, or misprint described in subdivision (a) was made by the employer, the employee, or a representative of the employer or employee. (c) The employer provides the employee with a written explanation of the deduction at least 1 pay period before the wage payment affected by the deduction is made. (d) The deduction is not greater than 15% of the gross wages earned in the pay period in which the deduction is made. (e) The deduction is made after the employer has made all deductions

Minnesota

181.06 A written contract may be entered into between an employer and an employee wherein the employee authorizes the employer to make payroll deductions for the purpose of paying union dues, premiums of any life insurance, hospitalization and surgical insurance, group accident and health insurance, group term life insurance, group annuities or contributions to credit unions or a community chest fund, a local arts council, a local science council or a local arts and science council, or Minnesota benefit association, a federally or state registered political action committee, or participation in any employee stock purchase plan or savings plan for periods longer than 60 days, including gopher state bonds established under section 16A.645.

181.61 It is unlawful for any employer to require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any records required by the employer as a condition of employment, except certificates of attending physicians in connection with the administration of an employee's pension and disability benefit plan or citizenship papers or birth records.

181.79 No employer shall make any deduction directly or indirectly, from the wages due or earned by any employee, who is not an independent contractor, for lost or stolen property, damage to property, or to recover any other claimed indebtedness running from employee to employer, unless the employee, after the loss has occurred or the claimed indebtedness has arisen, voluntarily authorizes the employer in writing to make the deduction or unless the employee is held liable in a court of competent jurisdiction for the loss or indebtedness. Such authorization shall not be admissible as evidence in any civil or criminal proceeding. Any authorization for a deduction shall set forth the amount to be deducted from the employee's wages during each pay period. A deduction may not be in excess of the amount established by law as subject to garnishment or execution on wages. Any agreement entered into between an employer and an employee contrary to this section shall be void. This section shall not apply to the following: (a) in cases where a contrary provision in a collective bargaining agreement exists; b) any rules established by an employer for employees who are commissioned salespeople, where the rules are used for purposes of discipline, by fine or otherwise, in cases where errors or omissions in performing their duties exist; or (c) in cases where an employee, prior to making a purchase or loan from the employer, voluntarily authorizes in writing that the cost of the purchase or loan shall be deducted from the employee's wages, at regular intervals or upon termination of employment.

177.24 Deductions, direct or indirect, from wages or gratuities not authorized by this subdivision may only be taken as authorized by sections 177.28, subdivision 3, 181.06, and 181.79. Deductions, direct or indirect, for up to the full cost of the uniform or equipment as listed below, may not exceed \$50 or, if a motor vehicle dealer licensed under section 168.27 furnishes uniforms or clothing described in clause (1) on an ongoing basis, may not exceed the lesser of 50 percent of the dealer's reasonable expense or \$25 per month, including nonhome maintenance. No deductions, direct or indirect, may be made for the items listed below which when subtracted from wages would reduce the wages below the minimum wage: (1) purchased or rented uniforms or specially designed clothing required by the employer, by the nature of the employment, or by statute as a condition of employment, which is not generally appropriate for use except in that employment;(2) purchased or rented equipment used in employment, except tools of a trade, a motor vehicle, or any other equipment which may be used outside the employment; (3) consumable supplies required in the course of that employment;(4) travel expenses in the course of employment except those incurred in traveling to and from the employee's residence and place of employment. Subd. 5. **Expense reimbursement.** An employer, at the termination of an employee's employment, must reimburse the full amount deducted, directly or indirectly, for any of the items listed in subdivision 4, except for a motor vehicle dealer's rental and maintenance deduction for uniforms or clothing. When reimbursement is made, the employer may require the employee to surrender any existing items for which the employer provided reimbursement.

Missouri

33.103. 1 Whenever the employees of any state department, division or agency establish any voluntary retirement plan, or participate in any group hospital service plan, group life insurance plan, medical service plan or other such plan, or if they are members of an employee collective bargaining organization, or if they participate in a group plan for uniform rental, the commissioner of administration may deduct from such employees' compensation warrants the amount necessary for each employee's participation in the plan or collective bargaining dues, provided that such dues deductions shall be made only from those individuals agreeing to such deductions. Before such deductions are made, the person in charge of the department, division or agency shall file with the commissioner of administration an authorization showing the names of participating employees, the amount to be deducted from each such employee's compensation, and the agent authorized to receive the deducted amounts. The amount deducted shall be paid to the authorized agent in the amount of the total deductions by a warrant issued as provided by law. **2.** The commissioner of administration may, in the same manner,

deduct from any state employee's compensation warrant: (1) Any amount authorized by the employee for the purchase of shares in a state employees' credit union in Missouri; (2) Any amount authorized by the employee for contribution to a fund resulting from a united, joint community-wide solicitation or to a fund resulting from a nationwide solicitation by charities rendering services or otherwise fulfilling charitable purposes if the fund is administered in a manner requiring public accountability and public participation in policy decisions; (3) Any amount authorized by the employee for the payment of dues in an employee association; (4) Any amount determined to be owed by the employee to the state in accordance with guidelines established by the commissioner of administration which shall include notice to the employee and an appeal process; (5) Any amount voluntarily assigned by the employee for payment of child support obligations determined pursuant to chapter 452 or 454, RSMo; and (6) Any amount authorized by the employee for contributions to any "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code of 1986, as amended, sponsored by the state of Missouri.

8 -30-4.050 The following is an illustrative, but not exhaustive, listing of goods and services which are not considered to be for the private benefit of the employee and whose fair market value may not be deducted by the employer as a credit toward the payment of the minimum wage to the employee: (A) Tools; (B) Equipment; (C) Uniforms, including, but not limited to, garments such as suits, dresses, aprons and all other garments whatsoever as worn by the employees as a condition of employment. This apparel of a similar design, color or material, or forming part of the decorative pattern of the establishment or distinguishing the employee as an employee of the concern is presumed to be worn as a condition of employment; (D) Laundry or cleaning of uniforms; (E) Maintenance of tools, equipment or uniforms; (F) Breakage or loss of tools, equipment or uniforms; (G) Any other item required by the employer to be worn or used by the employee as a condition of employment; and (H) Transportation furnished to the employee where that transportation is an incident of and necessary to the employment, such as travel costs of railroad maintenance of- way workers.

Montana **39-3-204** Reasonable deductions may be made for board, room, and other incidentals supplied by the employer, whenever the deductions are a part of the conditions of employment, or other deductions provided for by law.

39-2-301 Unlawful for employer to require employee to pay cost of medical examination as condition of employment. It shall be unlawful for any employer to require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any records of such examination as a condition of employment.

Nebraska **48-1230** (1) An employer may deduct, withhold, or divert a portion of an employee's wages only when the employer is required to or may do so by state or federal law or by order of a court of competent jurisdiction or the employer has written agreement with the employee to deduct, withhold, or divert.

48-224. Wage withholding; Employee organizations, credit unions, charities, or public welfare plans]—(1) Any employee of the State of Nebraska, any municipal corporation, or any public body or agency created by the laws of this state, who desires to participate voluntarily in any employee organization, credit union, or any community charity or public welfare plan approved by the Governor and the Director of Administrative Services, in the case of employees of the State of Nebraska, or by the duly elected governing body of such municipal corporation or other public body or agency, may execute an order authorizing the withholding from any wages or salary paid to such employee of a sum each month or pay period and the same to be paid to the designated recipient thereof. For purposes of this section, community charity includes any not-for-profit federation of health and human services agencies and associations. (2) If a not-for-profit federation of health and human services agencies and associations is authorized pursuant to subsection (1) of this section, approval to similar not-for-profit federations shall also be granted on a similar equitable basis. For purposes of this subsection, a similar not-for-profit federation shall meet the following requirements: (a) The federation has had an established office in the state for at least the last five years;(b) The federation represents at least ten Nebraska-based health and human services agencies and associations in addition to the federation; (c) The federation is a Nebraska corporation in good standing which holds a valid 501(c)(3) designation by the Internal Revenue Code; (d) The federation and its agencies have an active, voluntary board which exercises administrative control over the federation and holds regular meetings; and (e) The federation has a program focus and service delivery which is organized on either a statewide or regional basis.

Nebraska **36-213** Nothing contained in this section shall be construed to void payroll deductions by the employer if such wages or earnings so deducted are for (1) purchase of government bonds, (2) contributions to charity, or (3) payment of employee organization dues, of group or individual insurance premiums, of pension assessments, to credit unions, or for a savings plan, in accordance with a written order of the employee which has been accepted by the employer. Every such assignment shall specify the employer who will pay the wages that are the subject of the assignment, and the assignment shall be valid only as to wages due from the employer or employers so specified. It shall be unlawful for any person, firm, corporation, company, partnership, limited liability company, or business institution to cause any employer by any such void assignment or by notice of any such void assignment to withhold the payment of any wages due the head of a family.

48-224 (1) Any employee of the State of Nebraska, any municipal corporation, or any public body or agency created by the laws of this state, who desires to participate voluntarily in any employee organization, credit union, or any community charity or public welfare plan approved by the Governor and the Director of Administrative Services, in the case of employees of the State of Nebraska, or by the duly elected governing body of such municipal corporation or other public body or agency, may execute an order authorizing the withholding from any wages or salary paid to such employee of a sum each month or pay period and the same to be paid to the designated recipient thereof. For purposes of this section, community charity includes any not-for-profit federation of health and human services agencies and associations. (2) If a

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| | <p>not-for-profit federation of health and human services agencies and associations is authorized pursuant to subsection (1) of this section, approval to similar not-for-profit federations shall also be granted on a similar equitable basis. For purposes of this subsection, a similar not-for-profit federation shall meet the following requirements: (a) The federation has had an established office in the state for at least the last five years; (b) The federation represents at least ten Nebraska-based health and human services agencies and associations in addition to the federation;(c) The federation is a Nebraska corporation in good standing which holds a valid 501(c)(3) designation by the Internal Revenue Code; (d) The federation and its agencies have an active, voluntary board which exercises administrative control over the federation and holds regular meetings; and (e) The federation has a program focus and service delivery which is organized on either a statewide or regional basis.</p> <p>48-221 It shall be unlawful for any employer, as defined in section 48-220, to require any applicant for employment, to pay the cost of a medical examination required by the employer as a condition of employment. When the employer requests an applicant for a position to submit to a medical examination, the employer shall assume the cost thereof.</p> |
| <p>Nevada</p> | <p>608.110 1. This chapter does not preclude the withholding from the wages or compensation of any employee of any dues, rates or assessments becoming due to any hospital association or to any relief, savings or other department or association maintained by the employer or employees for the benefit of the employees, or other deductions authorized by written order of an employee. 2. At the time of payment of wages or compensation, the employer shall furnish the employee with an itemized list showing the respective deductions made from the total amount of wages or compensation. 3. Except as otherwise provided by an agreement between the employer and employee, any employer who withholds money from the wages or compensation of an employee for deposit in a financial institution shall deposit the money in the designated financial institution within 5 working days after the day on which the wages or compensation from which it was withheld is paid to the employee.</p> <p>608.158 If an employer is the policyholder of a policy of group life or health insurance which covers his employees, he shall notify the employees of his inability to pay a premium when due or of his intention to stop paying premiums. The notice must be: (a) Given at least 10 days before the coverage will cease; and (b) Conspicuously posted at the place of employment or given in another manner which ensures that all employees will receive the information.2. An employer is liable to an employee for any money deducted from the employee's wages for the payment of premiums on a policy of group life or health insurance if the money was not so used.</p> <p>608.100 1. It is unlawful for any employer to: a) Pay a lower wage, salary or compensation to an employee than the amount agreed upon through a collective bargaining agreement, if any; (b) Pay a lower wage, salary or compensation to an employee than the amount that the employer is required to pay to the employee by virtue of any statute or regulation or by contract between the employer and the employee; or (c) Pay a lower wage, salary or compensation to an employee than the amount earned by the employee when the work was performed. 2. It is unlawful for any employer to require an employee to rebate, refund or return any part of the wage, salary or compensation earned by and paid to the employee. 3. It is unlawful for any employer who has the legal authority to decrease the wage, salary or compensation of an employee to implement such a decrease unless: a) Not less than 7 days before the employee performs any work at the decreased wage, salary or compensation, the employer provides the employee with written notice of the decrease; or (b) The employer complies with the requirements relating to the decrease that are imposed on the employer pursuant to the provisions of any collective bargaining agreement or any contract between the employer and the employee.</p> <p>608.165 All uniforms or accessories distinctive as to style, color or material shall be furnished, without cost, to employees by their employer. If a uniform or accessory requires a special cleaning process, and cannot be easily laundered by an employee, such employee's employer shall clean such uniform or accessory without cost to such employee.</p> |
| <p>New Hampshire</p> | <p>275:48. No employer may withhold or divert any portion of an employee's wages unless: (a) The employer is required or empowered to do so by state or federal law, including payroll taxes. (b) The employer has a written authorization by the employee for deductions for a lawful purpose accruing to the benefit of the employee as provided in regulations issued by the commissioner, as provided in subparagraph (d) or for any of the following: (1) Union dues;(2) Health, welfare pension, and apprenticeship fund contributions;(3) Voluntary contributions to charities;(4) Housing and utilities;(5) Payments into savings funds held by someone other than the employer;(6) Voluntary rental fees for non-required clothing;(7) Voluntary cleaning of uniforms and non-required clothing; (8) The employee's use of a vehicle under by RSA 261:111, III; (9) Medical, surgical, hospital, and other group insurance benefits without financial advantage to the employer, when the employee has given his or her written authorization and deductions are duly recorded; (10) Required clothing not covered by the definition of uniform; (11) Legal plans and identity theft plans without financial advantage to the employer when the employee has given his or her written authorization and deductions are duly recorded; and (12) For any purpose on which the employer and employee mutually agree that does not grant financial advantage to the employer, when the employee has given his or her written authorization and deductions are duly recorded. The withholding shall not be used to offset payments intended for purchasing items required in the performance of the employee's job in the ordinary course of the operation of the business.</p> |
| <p>New Jersey</p> | <p>34:11-4.4. Withholding or diverting wages.—No employer may withhold or divert any portion of an employee's wages unless: a. The employer is required or empowered to do so by New Jersey or United States law; or b. The amounts withheld or diverted are for: (1) Contributions authorized either in writing by employees, or under a collective bargaining agreement, to employee welfare, insurance, hospitalization, medical or surgical or both, pension, retirement, and profit-sharing plans, and to plans establishing individual retirement annuities on a group or individual basis, as defined by section 408 (b) of the federal Internal Revenue Code of 1986 (26 U.S.C.s.408(b)), or individual retirement accounts at any State or federally</p> |

chartered bank, savings bank, or savings and loan association, as defined by section 408 (a) of the federal Internal Revenue Code of 1986 (26 U.S.C.s.408(a)), for the employee, his spouse or both. (2) Contributions authorized either in writing by employees, or under a collective bargaining agreement, for payment into company-operated thrift plans; or security option or security purchase plans to buy securities of the employing corporation, an affiliated corporation, or other corporations at market price or less, provided such securities are listed on a stock exchange or are marketable over the counter. (3) Payments authorized by employees for payment into employee personal savings accounts, such as payments to a credit union, savings fund society, savings and loan or building and loan association; and payments to banks for Christmas, vacation, or other savings funds; provided all such deductions are approved by the employer. (4) Payments for company products purchased in accordance with a periodic payment schedule contained in the original purchase agreement; payments for employer loans to employees, in accordance with a periodic payment schedule contained in the original loan agreement; payments for safety equipment; payments for the purchase of United States Government bonds; payments to correct payroll errors; and payments of costs and related fees for the replacement of employee identification, which is used to allow employees access to sterile or secured areas of airports, in accordance with a fee schedule described in any airline media plan approved by the federal Transportation Security Administration; provided all such deductions are approved by the employer. (5) Contributions authorized by employees for organized and generally recognized charities; provided the deductions for such contributions are approved by the employer. (6) Payments authorized by employees or their collective bargaining agents for the rental of work clothing or uniforms or for the laundering or dry cleaning of work clothing or uniforms; provided the deductions for such payments are approved by the employer. (7) Labor organization dues and initiation fees, and such other labor organization charges permitted by law. (8) Contributions authorized in writing by employees, pursuant to a collective bargaining agreement, to a political committee, continuing political committee, or both, as defined in section 3 of P.L.1973, c.83 (C.19:44A-3), established by the employees' labor union for the purpose of making contributions to aid or promote the nomination, election or defeat of any candidate for a public office of the State or of a county, municipality or school district or the passage or defeat of any public question, subject to the conditions specified in section 2 of P.L.1991, c.190 (C.34:11-4.4a). (9) Contributions authorized in writing by employees to any political committee or continuing political committee, other than a committee provided for in paragraph (8) of this subsection, for the purpose of making contributions to aid or promote the nomination, election or defeat of any candidate for a public office of the State or of a county, municipality or school district or the passage or defeat of any public question, subject to the conditions specified in section 2 of P.L.1991, c.190 (C.34:11-4.4a); in making a payroll deduction pursuant to this paragraph the administrative expenses incurred by the employer shall be borne by such committee, at the option of the employer. (10) Payments authorized by employees for employer-sponsored programs for the purchase of insurance or annuities on a group or individual basis, if otherwise permitted by law. (11) Such other contributions, deductions and payments as the Commissioner of Labor and Workforce Development may authorize by regulation as proper and in conformity with the intent and purpose of this act, if such deductions are approved by the employer.

34:11-24.1 No employer or prospective employer shall deduct from the wages of any employee or from the wages to be paid to a prospective employee any sum, or in any manner require payment of any sum from such employee or prospective employee, to defray the cost of any medical examination of such employee or prospective employee when such examination is made at the request or direction of the employer, by a physician designated by said employer, as a condition of entering or continuing employment, and in the event that the employee or prospective employee pays for any such medical examination, the employer or prospective employer shall reimburse the employee or prospective employee for the amount of any such payment.

12:56-17.1 a) It shall be a presumption that the employer has required his or her employees to wear uniforms if such garments are of a similar design, color or material, or form part of the decorative pattern of the establishment. b) Maintenance and upkeep of uniforms of kitchen people, cooks, and dishwashers shall be provided and maintained by the employer. (c) If uniforms are required which are not appropriate for street wear or use in other establishments, the employer shall pay for the cost of such uniforms. (d) If a particular type of clothing is required to be worn, which is appropriate for street wear, the employer who requires an employee to furnish more than one style, type or color of clothing during any one year of his or her employment shall pay to each such employee, in addition to his or her regular wages otherwise due, the amount which employee is required to pay for newly required uniform or uniforms and such additional payment shall be made to the employee in the week in which the change is required. (e) No deduction from the pay of employees for uniforms shall be permitted. If the employee pays for uniforms in cash and the cash payment brings the employee below the minimum wage, the employer shall make up the difference for the minimum wage for that week.

New Mexico

50-4-2 B. Employers shall pay such wages in full, less lawful deductions and less payroll deductions authorized by the employer and employee.

New York

193 1. No employer shall make any deduction from the wages of an employee, except deductions which: a. are made in accordance with the provisions of any law or any rule or regulation issued by any governmental agency; or b. are expressly authorized in writing by the employee and are for the benefit of the employee; provided that such authorization is kept on file on the employer's premises. Such authorized deductions shall be limited to payments for insurance premiums, pension or health and welfare benefits, contributions to charitable organizations, payments for United States bonds, payments for dues or assessments to a labor organization, and similar payments for the benefit of the employee. 2. No employer shall make any charge against wages, or require an employee to make any payment by separate transaction unless such charge or payment is permitted as deduction from wages under the provisions of subdivision one of this section. 3. Nothing in this section shall justify noncompliance with article three-A of the personal property law relating to assignment of earnings, nor with any other law applicable to deductions from wages.

93-b1. The fiscal or disbursing officer of every municipal corporation or other civil division or political subdivision of the state is hereby authorized to deduct from the wage or salary of any employee of such municipal corporation or civil division or political subdivision of the state such amount that such employee may specify in writing filed with such fiscal or disbursing officer for the payment of dues in a duly organized association or organization of civil service employees and to transmit the sum so deducted to the said association or organization. Any such written authorization may be withdrawn by such employee or member at any time by filing written notice of such withdrawal with the fiscal or disbursing officer. 2. The appropriate disbursing or fiscal officer of any municipality or other political subdivision of the state is hereby authorized to deduct from the salary of any employee of such municipality or political subdivision such amount as such employee may specify in writing filed with such appropriate disbursing or fiscal officer within the minimum and maximum amounts prescribed by such appropriate disbursing or fiscal officer for the purchase for such employee of United States bonds and for contributions to federated community campaigns for health, welfare and recreational purposes on behalf of such employee and to the account of such employee with such federated community campaign. Such appropriate disbursing or fiscal officer is hereby authorized to make such rules and regulations governing the purchase of said bonds and contributions to federated community campaigns as he deems necessary, such rules and regulations to be incorporated in the employee's written authorization of payroll deduction filed with such appropriate disbursing or fiscal officer. Any such written authorization may be withdrawn by such employee at any time by filing written notice of such withdrawal with such appropriate disbursing or fiscal officer. * 3. Notwithstanding the provisions of and restrictions of sections two hundred two and two hundred nine-a of the civil service law but subject to the provisions of paragraph (b) of subdivision three of section two hundred eight of such law, every employee organization that has been recognized or certified as the exclusive representative of employees within a negotiating unit of other than state employees shall be entitled to have deducted from the wage or salary of the employees in such negotiating unit who are not members of said employee organization the amount equivalent to the dues levied by such employee organization, and the fiscal or disbursing officer of such public employer shall deduct from the salary of any employee represented by such employee organization for the purpose of collective negotiations who has not authorized the deduction of membership dues in such employee organization pursuant to subdivision one of this section, an agency shop fee deduction in the amount equivalent to the dues levied by such employee organization. The fiscal or disbursing officer is further authorized to accumulate such fees and transmit the fees so accumulated to the employee organization. * NB Repealed October 1, 2005 4. The appropriate disbursing or fiscal officer of any municipality or other political subdivision of the state is hereby authorized to deduct from the salary of any employee of such municipality or political subdivision such amount as such employee may specify in writing to be filed with such appropriate disbursing or fiscal officer within the minimum and maximum amounts prescribed by such appropriate disbursing or fiscal officer for contributions to campus-related foundations and to transmit the sums so deducted to such campus-related foundations. Any such written authorization may be withdrawn by such employee at any time upon filing written notice of such withdrawal with such appropriate disbursing or fiscal officer. Such appropriate disbursing or fiscal officer is hereby authorized to make such rules and regulations as he deems necessary to provide for deductions for campus-related foundations. As used in this subdivision, the term "campus-related foundation" shall mean a non-profit corporation organized and existing pursuant to the education law or the not-for-profit corporation law for the benefit of a state-operated campus of the state university of New York or for the benefit of a community college operating under the program of the state university of New York.

201-b1. It shall be unlawful for any employer to require any applicant for employment to pay the cost of a medical examination required by the employer as a condition of original employment. 2. It shall be unlawful for any employer to require an employee, as a condition of continuation of employment, to pay the cost of any medical examination or the cost of furnishing any health certificate relating thereto where: a. such employee is not covered by health insurance or the employee's health insurance does not cover such examination or certificate or the employer does not provide qualified medical personnel to conduct such examination without cost to the employee; and b. such examination or certificate is not required pursuant to a state or federal statute or municipal ordinance or local law. Nothing contained herein shall prohibit the parties to a collective bargaining agreement from inserting therein a provision requiring: a. an applicant for employment to pay, in the first instance, the cost of such medical examination provided that such collective bargaining agreement also provides for the repayment of such cost by the employer to the applicant after a reasonable period of employment; and b. an employee who is otherwise protected by the provisions of subdivision two of this section, to pay in the first instance the cost of such medical examination or of furnishing the health certificate provided that such collective bargaining agreement also provides for the repayment of such cost by the employer to the employee within a reasonable time.

198-b Whenever any employee who is engaged to perform labor shall be promised an agreed rate of wages for his or her services, be such promise in writing or oral, or shall be entitled to be paid or provided prevailing wages or supplements pursuant to article eight or nine of this chapter, it shall be unlawful for any person, either for that person or any other person, to request, demand, or receive, either before or after such employee is engaged, a return, donation or contribution of any part or all of said employee's wages, salary, supplements, or other thing of value, upon the statement, representation, or understanding that failure to comply with such request or demand will prevent such employee from procuring or retaining employment. Further, any person who directly or indirectly aids, requests or authorizes any other person to violate any of the provisions of this section shall be guilty of a violation of the provisions of this section. 3. Whenever an agreement between a bona fide labor organization and an employer or an association of employers requires that employees shall be paid an agreed wage or rate of wages for their services, it shall be unlawful for any person, either for that person or any other person, to request, demand or receive, either before or after such employee is engaged, that such employee pay back, return, donate, contribute or give any part or all of said employee's wages, salary, supplements or thing of value, to any

person, upon the statement, representation or understanding that failure to comply with such requests or demand will prevent such employee from procuring or retaining employment, and any person who directly or indirectly aids, requests or authorizes any other person to violate any of the provisions of this section shall be guilty of a violation of the provisions of this section. The provisions of this section shall not apply to any agent or representative of a duly constituted labor organization acting in the collection of dues or assessments of such organization.

390A corporation operating a mercantile establishment shall not by deduction from salary, compensation or wages, by direct payment or otherwise, compel any employee in such establishment to contribute to a benefit or insurance fund maintained or managed for the employees of such establishment by such corporation, or by any other corporation or person. Every contract or agreement whereby such contribution is exacted shall be void.

[**Editor's Note:** The New York State Department of Labor (DOL) has issued an *opinion letter* stating that it is unlawful for employers to recoup overpayments made to employees via wage deductions, even if the employee specifically authorizes the deductions in writing and the weekly deductions do not total more than 10% of the weekly wages. Although deductions are impermissible, the employer could request that the employee repay the overpaid sums as long as the employer clearly communicates that the employee's refusal will not, in any way, result in any form of disciplinary or retaliatory action. An employer is prohibited by §193(2) from requiring an employee to make any payment by separate transaction, which, if refused, would result in disciplinary or retaliatory action against the employee. Additionally, §193 does not prohibit the employer from seeking to recover overpayments in a separate proceeding, such as a civil court action. The DOL also notes that nothing in New York State Labor Law prohibits an employer from taking disciplinary action against the employee for failing to inform the employer that he or she has been overpaid.

North Carolina

95-25.8 An employer may withhold or divert any portion of an employee's wages when: (1) The employer is required or empowered to do so by State or federal law, or (2) The employer has a written authorization from the employee which is signed on or before the payday for the pay period from which the deduction is to be made indicating the reason for the deduction. Two types of authorization are permitted: a. When the amount or rate of the proposed deduction is known and agreed upon in advance, the authorization shall specify the dollar amount or percentage of wages which shall be deducted from one or more paychecks, provided that if the deduction is for the convenience of the employee, the employee shall be given a reasonable opportunity to withdraw the authorization; b. When the amount of the proposed deduction is not known and agreed upon in advance, the authorization need not specify a dollar amount which can be deducted from one or more paychecks, provided that the employee receives advance notice of the specific amount of any proposed deduction and is given a reasonable opportunity to withdraw the authorization before the deduction is made.

95-25.9 Cash shortages, inventory shortages, or loss or damage to an employer's property may not be deducted from an employee's wages unless the employee receives notice of the amount to be deducted at least seven days prior to the payday on which the deduction is to be made, except when a separation occurs the seven-day notice is not required.

95-25.10 Cash shortages, inventory shortages, loss or damage to an employer's property, and deposits by the employee for the use of the employer's property may be deducted by an employer from an employee's paycheck in accordance with the requirements of G.S. 95-25.8 and G.S. 95-25.9 or may be recouped by methods other than payroll deductions, provided that the combined amount of such deductions or recoupments shall not reduce wages for the pay period during which the deduction or recoupment occurs below: (1) Eighty-five percent (85%) of the minimum and overtime wages required under this Article when such wages for the employee are determined under this Article, or (2) The minimum and overtime wages required under the Fair Labor Standards Act when such wages for the employee are determined under that Act, or (3) An amount equivalent to the amount of minimum and overtime wages which would be required under this Article when the wages for an employee are determined neither by this Article nor by the Fair Labor Standards Act. Nothing in this section shall prohibit the voluntary repayment of any amount owed by an employee to an employer.

95-82 No employer shall require any person, as a condition of employment or continuation of employment, to pay any dues, fees, or other charges of any kind to any labor union or labor organization.

North Dakota

34-14-04.1 Limitations on withholdings. Every employer shall withhold from the compensation due employees those amounts which are required by state or federal law to be withheld and may deduct advances paid to employees, other than undocumented cash, and other individual items authorized in writing by the employees.

34-01-15 Whenever an employer requires an employee, or prospective employee, to take a medical examination, or furnish any medical records, as a condition of retaining or obtaining employment, the employer shall bear the cost of the examination or the furnishing of the medical records. For purposes of this section, medical examination includes any test for the presence of drugs or alcohol.

Ohio

4113.15 "Employee authorized deduction" includes but is not limited to deductions for the purpose of: (a) purchase of United States savings bonds or corporate stocks or bonds, (b) a charitable contribution, (c) credit union savings or other regular savings program, or (d) repayment of a loan or other obligation.

4113.19 No person shall sell goods or supplies to his employee, or pay such employee wages or a part thereof in goods or supplies, directly or through the intervention of scrip, orders, or other evidence of indebtedness, at higher prices than the reasonable or current market value in cash of such goods or supplies, or, without an express contract with his employee,

deduct or retain the wages of such employee, or a part thereof, for wares, tools, or machinery destroyed or damaged.

4117.09 (A) The parties to any collective bargaining agreement shall reduce the agreement to writing and both execute it: (B) The agreement shall contain a provision that: (2) Authorizes the public employer to deduct the periodic dues, initiation fees, and assessments of members of the exclusive representative upon presentation of a written deduction authorization by the employee.

4113.21 No employer shall require any prospective employee or applicant for employment to pay the cost of a medical examination required by the employer as a condition of employment.

Oklahoma

80-30-17 (a) No employer shall require or permit an employee, as a condition of securing or retaining employment, to work without monetary compensation. (b) The term "deductions," as used in 40 O.S. § 165.1 et seq., is defined as any and all sum(s) of money withheld by the employer from an employee's wages. The scope of the term includes, but is not limited to, amounts withheld for FICA, Federal and State income tax, Medicare, and garnishments. (c) No employer shall deduct any amount from an employee's wages, unless legislation or a court order mandates such, or unless such deduction is made pursuant to the provisions of this section. (d) It is permissible for an employer and employee to voluntarily enter into a payroll deduction agreement, including deductions for the following purposes: (1) To allow the employee to repay a loan or advance which the employer made to the employee during the course of and within the scope of employment, or to allow for recovery of payroll overpayment as provided in this subchapter; (2) To compensate the employer for the value of the employer's merchandise or uniforms purchased by the employee; (3) To provide payment for medical, accident, disability, or retirement benefits, or insurance premiums, not including workers' compensation or unemployment; (4) To provide for contributions to a deferred compensation plan or other investment plan provided by the employer as a benefit to the employee; (5) To compensate the employer for breakage or loss of merchandise, inventory shortage, or cash shortage caused by the employee; where the employee was the sole party responsible for the cash or items damaged or lost, at the time the damage or loss occurred. (e) Any payroll deduction agreement made pursuant to subsection (d) must be in writing, and signed by the employee before any deduction authorized by such agreement is taken. For purposes of these rules, the words "loan" and "advance" mean a transfer of money with a provision for repayment. (f) Pursuant to the authority granted in 40 O.S. § 1 and § 165.7, the Commissioner shall have the authority to investigate, hold hearings, subpoena witnesses, administer oaths, take testimony, and/or order production of any document or financial statement in relation to any violation of this rule. The Commissioner may issue Cease and Desist Orders to compel compliance with this rule.

695:10-7-3 (a) Payroll deductions for charitable contributions are based upon individual state agency pay periods for one calendar year. Payroll deductions shall start with the first pay period beginning in January and end with the last pay period that begins in December. (b) Payroll deductions shall be made in each pay period during the calendar year. (c) No change in the amount of the payroll deduction or designated nonprofit agencies shall be permitted during the term of authorization. (d) No deduction shall be made in any pay period which is insufficient to cover the deduction because of other legal or previously authorized deductions. No adjustments shall be made in subsequent pay periods to make up missed deductions. (e) The minimum payroll deduction shall be \$1.00 per pay period. (f) Payroll deduction shall be permanently discontinued when the: (1) Term of authorization expires at the end of one calendar year, i.e. December 31; (2) Employee retires, dies, or is otherwise separated from employment; or (3) Employee revokes authorization for deduction, this shall be in writing and presented to the payroll office. Discontinuance shall be effective on the next available pay period after receipt of the written request. (g) Once an employee's payroll deduction has been canceled, it can not be reinstated for the calendar year.

191 It shall be unlawful for any person, partnership, association, or corporation, either for himself, herself, or itself, or in a representative or fiduciary capacity, to require any employee or applicant for employment, as a condition of employment or continued employment, to submit to, or take, a physical or medical examination, without providing such examination at no cost therefore to such employee or applicant for employment, or without furnishing, upon the request of the employee or applicant for employment within thirty (30) days after such examination, free of charge, to such employee or applicant for employment, a true and correct copy, either original or duplicate original, of the examiner's report of such examination. It shall further be unlawful for any such person, partnership, association or corporation to require any employee or applicant for employment to pay, either directly or indirectly, any part of the cost of any such examination, report, or copy of report. Provided that the report of any physical examination furnished in accordance with this section shall not be made the basis or predicate for any action in damages against the physician and surgeon making and furnishing such report.

Oregon

652.610 No employer may withhold, deduct or divert any portion of an employee's wages unless: (a) The employer is required to do so by law; (b) The deductions are authorized in writing by the employee, are for the employee's benefit, and are recorded in the employer's books; (c) The employee has voluntarily signed an authorization for a deduction for any other item, provided that the ultimate recipient of the money withheld is not the employer, and that such deduction is recorded in the employer's books; (d) The deduction is authorized by a collective bargaining agreement to which the employer is a party; or (e) The deduction is made from the payment of wages upon termination of employment and is authorized pursuant to a written agreement between the employee and employer for the repayment of a loan made to the employee by the employer, if all of the following conditions are met: (A) The employee has voluntarily signed the agreement; (B) The loan was paid to the employee in cash or other medium permitted by ORS 652.110; (C) The loan was made solely for the employee's benefit and was not used, either directly or indirectly, for any purpose required by the employer or connected with the employee's employment with the employer; (D) The amount of the deduction at

termination of employment does not exceed the amount permitted to be garnished under ORS 23.185; and (E) The deduction is recorded in the employer's books. (Nothing in this section shall be construed as prohibiting the withholding of amounts authorized in writing by the employee to be contributed by the employee to charitable organizations, including contributions made pursuant to ORS 243.666 and 663.110; nor shall this section prohibit deductions by check-off dues to labor organizations or service fees, where such is not otherwise prohibited by law; nor shall this section diminish or enlarge the right of any person to assert and enforce a lawful setoff or counterclaim or to attach, take, reach or apply an employee's compensation on due legal process.

652.710 All moneys collected by an employer from employees or retained from their wages for the purpose of providing for or furnishing to such employees medical and surgical attention, hospital care, X-rays, ambulance, nursing or any related service or care contingent upon sickness or injury pursuant to a contract are trust funds and shall be placed and kept in separate accounts by the employer and shall promptly be paid over to the contractor. Such funds shall in no event become a part of the assets of the employer.

659A.306 (1) It is an unlawful employment practice for any employer to require an employee, as a condition of continuation of employment, to pay the cost of any medical examination or the cost of furnishing any health certificate. (2) Notwithstanding subsection (1) of this section, it is not an unlawful employment practice for an employer to require the payment of medical examination or health certificate costs: (a) From health and welfare fringe benefit moneys contributed entirely by the employer; or (b) By the employee if the medical examination or health certificate is required pursuant to a collective bargaining agreement, state or federal statute or city or county ordinance.

839-020-0020 Employers may not deduct the cost of any of the following items from the minimum wage: (1) Tools. (2) Equipment. (3) Uniforms, including but not limited to, garments such as suits, dresses, aprons, and all other garments whatsoever as worn by the employees as a condition of employment. Such apparel of a similar design, color, or material or forming part of the decorative pattern of the establishment or distinguishing the employee as an employee of the concern is presumed to be worn as a condition of employment. (4) Laundry or cleaning of uniforms. (5) Maintenance of tools, equipment or uniforms. (6) Breakage or loss of tools, equipment or uniforms. (7) Any other item required by the employer to be worn or used by the employee as a condition of employment.

839-020-0004 for exempt employees, "Salary basis" means a salary, which is not subject to deduction because of lack of work for part of a work week, however, deductions for absences of one day or more may be made if the employee is absent for other reasons. Deductions may not be made for absences of less than one day, except as permitted for employers covered by the federal Family and Medical Leave Act of 1993, Public Law 103-3, for part-day absences due to leave pursuant to that law. Employees who are not paid for workweeks in which they performed no work are considered to be on a salary basis provided they are paid on a salary basis in workweeks when work is performed.

Pennsylvania

Sec. 9.1 The following deductions from wages are authorized for the convenience of employees in accordance with the provisions of section 3 of the Wage Payment and Collection Law (43 P.S. §260.3). (1) Contributions to and recovery of overpayments under employee welfare and pension plans subject to the Federal Welfare and Pension Plans Disclosure Act (29 U.S.C.A. §301 et seq.). (2) Contributions authorized in writing by employees or under a collective bargaining agreement to employee welfare and pension plans not subject to the Federal Welfare and Pension Plans Disclosure Act (29 U.S.C.A. §301 et seq.). These include group insurance plans, hospitalization insurance, life insurance, provided such insurance policies are written by companies certified by the Pennsylvania Insurance Department, and group hospitalization and medical service programs offered by nonprofit hospitalization and medical service organizations and medical group plans. (3) Deductions authorized in writing for the recovery of overpayments to employee welfare and pension plans not subject to the Federal Welfare and Pension Plans Disclosure Act (29 U.S.C.A. §301 et seq.). (4) Deductions authorized in writing by employees or under a collective bargaining agreement for payments into the following: (i) Company-operated thrift plans. (ii) Stock option or stock purchase plans to buy securities of the employing or an affiliated corporation at market price or less provided such securities are listed on a stock exchange or are marketable over the counter. (5) Deductions authorized in writing by employees for payment into employee personal savings accounts such as the following: (i) Payments to a credit union. (ii) Payments to a savings fund society, savings and loan, or building and loan association. (iii) Payments to the savings department of banks for Christmas, vacation or other savings funds. (iv) Payroll deductions for the purchase of United States Government bonds. (6) Contributions authorized in writing by the employee for charitable purposes such as the United Community Fund and similar organizations. (7) Contributions authorized in writing by the employee for local area development activities. (8) Deductions provided by law, including but not limited to deductions for Old Age and Survivors Insurance (Social Security taxes), withholding of Federal or local income or wage taxes or occupation privilege taxes and deductions based on court orders. (9) Labor organization dues, assessments and initiation fees, and such other labor organization charges as are authorized by law. (10) Deductions for repayment to the employer of bona fide loans provided the employee authorizes such deductions in writing either at the time the loan is given him or subsequent to such loan. (11) Deductions for purchases or replacements by the employee from the employer of goods, wares, merchandise, services, facilities, rent or similar items provided such deductions are authorized by the employee in writing or are authorized in a collective bargaining agreement. (12) Deductions for purchases by the employee for his convenience of goods, wares, merchandise, services, facilities, rent or similar items from third parties not owned, affiliated or controlled directly or indirectly by the employer if the employee authorizes such deductions in writing. (13) Such other deductions authorized in writing by employees as in the discretion of the Department is proper and in conformity with the intent and purpose of the Wage Payment and Collection Law (43 P.S. §§260.1--260.12).

53 6919 The tax collector shall demand, receive and collect from all corporations, political subdivisions, associations, companies, firms or individuals, employing persons owing delinquent per capita, or occupation, occupational privilege and earned income taxes, or whose spouse owes delinquent per capita, occupation, occupational privilege and earned income taxes, or having in possession unpaid commissions or earnings belonging to any person or persons owing delinquent per capita, occupation, occupational privilege and earned income taxes, or whose spouse owes delinquent per capita, occupation, occupational privilege and earned income taxes, upon the presentation of a written notice and demand certifying that the information contained therein is true and correct and containing the name of the taxable or the spouse thereof and the amount of tax due. Upon the presentation of such written notice and demand, it shall be the duty of any such corporation, political subdivision, association, company, firm or individual to deduct from the wages, commissions or earnings of such individual employes, then owing or that shall within sixty days thereafter become due, or from any unpaid commissions or earnings of any such taxable in its or his possession, or that shall within sixty days thereafter come into its or his possession, a sum sufficient to pay the respective amount of the delinquent per capita, occupation, occupational privilege and earned income taxes and costs, shown upon the written notice or demand, and to pay the same to the tax collector of the taxing district in which such delinquent tax was levied within sixty days after such notice shall have been given. No more than ten percent of the wages, commissions or earnings of the delinquent taxpayer or spouse thereof may be deducted at any one time for the delinquent taxpayer or spouse thereof may be deducted at any one time for delinquent per capita, occupation, occupational privilege and earned income taxes and costs. Such corporation, political subdivision, association, firm or individual shall be entitled to deduct from the moneys collected from each employee the costs incurred from the extra bookkeeping necessary to record such transactions, not exceeding two percent of the amount of money so collected and paid over to the tax collector.

301 Retention from wages of subscriptions to hospital or charitable institution.--It shall be the duty of any corporation, manufacturing establishment or colliery, to retain from and out of the wages or earnings of any person by them employed, on his written order, any contribution or voluntary subscription by such person, made in monthly or other payments, for the support of any hospital or other charitable institution, and the sum so retained to pay over upon demand to such hospital or other charitable institution; and any payment so made shall be as valid as if paid to the person by whom said wages or earnings were earned: Provided, That the hospital or charitable institution claiming the same shall give notice in writing at least ten days before the time for the payment of said wages or earnings to such corporation, manufacturing establishment or colliery, of the name or names of the person or persons by them employed, who have subscribed to the support of such hospital or charitable institution, and the amount by them severally subscribed, and when or how often payable, and how long to continue, and file said subscription with said corporation, manufacturing establishment or colliery.

1002 It shall be unlawful for any employer to require any employee or applicant for employment to pay the cost of a medical examination, or the cost of furnishing any medical records, required by the employer as a condition of employment, if the applicant or employee works for the employer for one work week: Provided, That the provisions of this act shall not apply where medical examination is required by law as a condition of employment.

1301.206 (d) No employer of seasonal farm labor shall deduct, withdraw, withhold or otherwise retain from the wages of any seasonal farm worker any amount on account of debts accrued or anticipated, regardless of purposes or circumstances: Provided, That nothing in this subsection shall prohibit any employer of seasonal farm labor from deducting or withholding from any wages paid such amounts as may be required on account of any tax, or of any Social Security payment, or of dues payable to a recognized labor organization, or any contribution or voluntary subscription for the support of a charitable organization or institution or on account of any premium or other charge due from the seasonal farm worker for group insurance pursuant to any contract with any insurance company, or with any nonprofit corporation providing medical, osteopathic, dental or legal services, or reasonable charges for housing and meals provided by the employer, which the seasonal farm worker has authorized in writing, or of any amount of partial amount of any advance payment by the employer to the seasonal farm worker against subsequent earnings pursuant to a contract or prior agreement with such seasonal farm worker.

211.16 It shall be an unfair labor practice for an employer to deduct, collect, or assist in collecting from the wages of employees any dues, fees, assessments, or other contributions payable to any labor organization, unless he is authorized so to do by a majority vote of all the employees in the appropriate collective bargaining unit taken by secret ballot, and unless he thereafter receives the written authorization from each employee whose wages are affected.

Rhode Island

28-14-10 Wage deductions unaffected. - None of the sections of this chapter shall be applicable to, control, or prohibit the deduction from wages of an employee by an employer in accordance with the terms of a collective bargaining agent of a majority of the employees in a bargaining unit of employees in which the employee is employed, The amount deducted from the wages of the employee is to be used for the purpose of defraying the costs of legal services, counsel fees, or contribution to a prepaid legal services plan for those employees, their families, and their dependents, or is to be paid to pension, welfare, vacation, or annuity plans or an insurance plan for accident, health, disability, or life coverage or similar plans, complete provisions for which are contained in a collective bargaining agreement or a supplemental agreement as provided in the plan between the employer and the authorized bargaining agent of the employees, and those plans are for the benefit of employees, their dependents, and beneficiaries in the bargaining unit, including full-time employees of the labor organization, provided it shall make the same payment for its employees to that plan or plans. None of the sections of this chapter shall be applicable to, control, or prohibit the deduction from wages of an employee by an employer in

accordance with a written request made by the individual employee of: (1) Trade union or craft dues or other obligations imposed by a collective bargaining contract; (2) Subscriptions to a nonprofit hospital service corporation or nonprofit medical and/or surgical service corporation; (3) Contributions to or for the use of a religious, charitable, scientific, literary, or educational corporation, trust, community chest fund, or foundation; (4) Payments for the purpose of purchasing obligations of the United States or stock of a corporation pursuant to an employee stock purchase plan; (5) Contributions to a pension plan in which the employee is a participant not required by a collective bargaining agreement entered into between the authorized collective bargaining representative of an employee and his or her employer; (6) Contributions to or for insurance or under an insurance plan for accident, health, or life coverage not required by a collective bargaining agreement entered into between the authorized collective bargaining representative of an employee and his or her employer; (7) Amounts to be credited to a share, deposit, or loan account in any credit union; (8) Contributions, subscriptions, or payments of a similar nature not connected with past or present indebtedness; or (9) Payments for participation in a vanpool transportation system where employee participation in the program is not a condition of employment.

28-14-10.2 (a) Notwithstanding any other provision of law, upon the written authorization of an employee of any state agency, the disbursing officer shall deduct from the employee's wages and forward to the designated prepaid legal services plan that employee's contributions, subscriptions, or premium payments under the plan. (b) All plans receiving funds under this section shall reimburse the state for the administrative costs of making the deductions.

28-14-3 Whenever a majority of the members of the certified collective bargaining unit in any place of employment shall request, in writing, from their employer that their union dues be deducted from their salary, the dues shall be deducted and remitted together with a list of the members whose dues have been deducted and the deducted amount to the treasurer of the labor union designated by the employee in the request. The deductions shall be taken out according to appropriate payroll periods.

28-14-3.1 (a) Subject to any provisions of the general laws or the public laws to the contrary, whenever any employer provides for a payroll deduction for any purpose, the employer shall transfer those funds deducted to the appropriate person, agency, partnership, or corporation entitled to the money deducted, within twenty-one (21) days following the last day of the month in which the deduction is made, except where the person, agency, partnership, or corporation entitled to money deducted permits otherwise in writing. (b) Any employer who violates this section shall be liable to an employee in a civil action brought by the employee for any loss sustained by the employee as a result of a violation. (c) In addition to the penalty provided by subsection (b), any employer who fails, intentionally, or who fails after written notification by the employee or by the collective bargaining representative of the employee, to transfer funds as required by subsection (a) within thirty (30) days following the last day of the month in which the deduction is made, is liable for an additional penalty in the amount of fifty dollars (\$50.00) for each day beyond the thirty (30) day period during which he or she fails to transfer the funds, which additional penalty is payable to the employee from whose wages the funds were deducted.

28-14-24 (a) In any action for unpaid wages brought under this chapter, the employer-debtor shall not deduct as a setoff or counterclaim: (1) Any money allegedly due the employer as compensation for damages caused to the employer's property by the negligence of the employee; or (2) Any money allegedly due the employer as rent; or (3) Any money allegedly owed to the employer by the employee. (b) Any employer granting his employee a loan or advance against future earnings or wages may deduct the loan as a setoff or counterclaim if evidenced by a statement in writing signed by the employee. Nothing in this section is construed to limit or restrict in any way any rights which the employer now has to recover, by a separate legal action, any money owed the employer by the employee.

28-6.2-1 (a) Whenever any employer requires a physical examination prior to employment, the cost of the examination shall be paid by the employer whether or not the prospective employee is hired.

South Carolina

41-10-40 An employer shall not withhold or divert any portion of an employee's wages unless the employer is required or permitted to do so by state or federal law or the employer has given written notification to the employee of the amount and terms of the deductions as required by subsection (A) of Section 41-10-30.

41-7-40 Nothing in this chapter precludes an employer from deducting from the wages of the employees and paying over to a labor organization, or its authorized representative, membership dues in a labor organization; however, the employer must have received from each employee, on whose account the deductions are made, a written assignment which must not be irrevocable for a period of more than one year or until the termination date of any applicable collective agreement or assignment, whichever occurs sooner. After one year, the employee has the absolute right to revoke the written assignment allowing for deduction of membership dues in a labor union.

58-27-1750 No electrical utility shall: (1) Permit any employee to sell, offer for sale or solicit the purchase of any security of such utility or of any other person or corporation during such hours as such employee is engaged to perform any duty of such electrical utility; (2) By any means or device whatsoever require any employee to purchase or contract to purchase any of its securities or those of any other person or corporation; nor (3) Require any employee to permit the deduction from his wages or salary of any sum as a payment or to be applied as a payment on any purchase or contract to purchase any security of such electrical utility or of any other person or corporation.

South Dakota

60-11-2 It is a Class 2 misdemeanor for any employer, as defined herein to require any employee to pay the cost of a medical examination or the cost of furnishing any records required by the employer as a condition of continued employment.

60-2-1 - 60-2-3 An employer must indemnify his employee, except as provided in § 60-2-2 for all that he necessarily expends or loses in direct consequence of the discharge of his duties as such, or of his obedience to the direction of the employer, even though unlawful, unless the employee at the time of obeying such directions believed them to be unlawful. Losses for which employer not required to indemnify employee. An employer, except as otherwise specially provided, is not bound to indemnify his employee for losses suffered by the latter in consequence of the ordinary risks of the business in which he is employed, nor in consequence of the negligence of another person employed by the same employer in the same general business, unless he has neglected to use ordinary care in the selection of the culpable employee. Employer to indemnify for his own negligence. An employer must in all cases indemnify his employee for losses caused by the formers want of ordinary care.

Tennessee

8-23-204 (2) Any employee of a state agency may authorize deductions for the payment of membership dues and benefit premiums to be made from the employee's compensation for payment to an employee association, if such employee association meets all of the following criteria: (A) It grants membership to any employee who applies for membership without regard to such employee's job classification, state agency or location;(B) It grants the same rights and privileges of membership to all its members;(C) It provides equal services to its members without regard to the job classification, state agency or location of employment within the state of a member;(D) It has a membership of not less than twenty percent (20%) of the employees of state agencies in the executive, legislative or judicial branch;(E) It has as one (1) of its objectives the promotion of an efficient and effective work force for state government in Tennessee, and if affiliated in any manner with another organization, the other organization shall have similar objectives;(F) It is itself a wholly domestic employee organization which is not a part of a multi-state employee organization which controls it or has any right of control; and (G) It is an independent association that will not merge or join with another employee or labor organization without over fifty percent (50%) of its members affirmatively voting to become so merged or joined. (3) Any employee association whose membership consists exclusively of employees of a single correctional institute and which has an agreement for payroll deduction of dues entered into prior to July 1, 1977, may continue or renew such agreement without compliance with the requirements established in the criteria in subdivision (a)(2). (4) Any employee association seeking to qualify under subdivision (a)(2) shall file an initial statement showing the actual number of employees who are members with the commissioner of finance and administration. The commissioner may request an employee association to file an annual certification that it complies with all the requirements of this statute. Decisions by the department of finance and administration with regard to an employee association's ineligibility to receive automatic payroll deductions shall not be final until audited and approved by the comptroller of the treasury. (5) (A) Any professional education association whose active membership consists of at least twenty percent (20%) of the total combined faculty as active members may make an agreement for payroll deduction of dues without compliance with the criteria in subdivision (a)(2), if such association has as a purpose and goal the elevation of the professional status and socio-economic welfare of the members of the teaching profession, or facilitation of cooperation among teachers and research scholars for the promotion of higher education and research. Such agreements shall be applicable to the teachers and faculty on the campuses and institutions of the University of Tennessee and the state university and community college system. Such professional education associations must have existed for more than fifty (50) years and have a total of five (5) or more chapters or affiliates on the campuses and institutions of the University of Tennessee and the state university and community college system. (B) The provision of subdivision (a)(5)(A) requiring a professional education organization to maintain at least twenty percent (20%) of the total combined faculty as active members in order to qualify for deduction of dues shall not apply to any professional association which has had and has exercised the privilege of deduction of dues for at least four (4) years prior to May 31, 1993. (6) Any professional education association whose active membership consists of education employees may make an agreement for payroll deduction of dues at state special schools if such a professional education association meets all of the following criteria: (A) It solicits membership from all certificated employees;(B) It grants the same rights and privileges of membership to all its active members;(C) It provides equal services to its active members; (D) It has a membership of not less than forty percent (40%) of the currently employed certificated employees at each of the state special schools as of July 1, 1991, and can offer proof of continued membership each fiscal year; and (E) It has as one (1) of its objectives the promotion of education and the elevation of the professional status of the members of the teaching profession. (b) (1) Any employee of the state of Tennessee who engages or participates in a work stoppage or who authorizes or encourages a work stoppage commits gross misconduct, shall immediately and permanently forfeit the right to have deductions from compensation authorized in this section, and may be subject to immediate termination of employment. The commissioner of finance and administration is authorized and required to cease and discontinue deducting membership dues under this section for an organization or association, if the commissioner determines that twenty-five percent (25%) or more of the members of the organization or association in a single work location or facility have engaged in a work stoppage of any kind after June 19, 1981. If the organization or association has members at more than one (1) work location or facility, upon the determination that the members of an organization have engaged in a work stoppage, the commissioner shall cancel and revoke the deduction of membership dues for the members of the organization employed at the work location or facility where the work stoppage has occurred. (2) For the purposes of this subsection (b), a work stoppage includes the failure to report for duty, the willful absence from one's position, the stoppage of work or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment, for the purpose of inducing, influencing or for the purpose of coercing a change in conditions, compensation, rights, privileges or obligations of employment, or of intimidating, coercing or unlawfully influencing others from remaining in or from assuming public employment. (3) Any employee or other person who procures or attempts to procure, or causes or induces any other person to procure or attempt

to procure, an automatic deduction authorization form provided for in this section by fraud, misstatement of material fact, misrepresentation of the authenticity of a signature, or in knowing and willful violation of this section, commits gross misconduct. Any such automatic deduction authorization form shall be void and shall be of no effect. (c) The following procedures, in addition to the procedures promulgated by the department of finance and administration pursuant to subsection (f), shall govern when an employee authorizes a deduction from compensation for the payment of membership dues to be paid over to an employee association: (1) To authorize the deduction for the payment of membership dues, an employee shall complete an authorization form which contains the employee's signature and the following information: (A) Employee's name; (B) Employee's social security number; (C) State agency of employment; (D) Facility or location of employment; and (E) The following statement: "I, the undersigned, understand that this authorization is to become effective immediately. I understand that I may revoke this authorization by written notification at any time. Any deductions made from my compensation within thirty (30) days of the effective date of this authorization shall be refunded by the association if revocation is made within such thirty (30) day period. I also understand that the amount of the membership dues deduction may increase or decrease if the association approves an increase or decrease of dues in accordance with its bylaws and rules of procedure. Upon notification to me by the association of an increase or decrease in dues, I understand that I will again have an opportunity to revoke this authorization and receive a refund equal to one (1) month's dues if revocation is made within a thirty (30) day period from the date of notification." (2) The deductions for the payment of membership dues from compensation authorized pursuant to this section shall be made from the compensation of an employee on the first payday of each month, and shall be paid over to the employee association within forty-eight (48) hours after such payday. If a state agency has a single monthly payday, such deduction shall be paid over to the employee association within forty-eight (48) hours of such payday. (3) Any employee who authorizes deductions for the payment of membership dues as provided in this section may, at any time, revoke the authorization for payroll deduction. If revocation of such authorization is made within thirty (30) days of the initial authorization by an employee, any such deductions made and paid over to the employee association shall be refunded to the employee by such association upon receipt of written notice of revocation from the employee. (4) Upon receipt of certification by an employee association that such association has approved an increase or decrease of dues in accordance with its bylaws and rules of procedure, the commissioner of finance and administration or the appropriate chief fiscal officer shall have the new amount of such dues deducted from the compensation of employees who have completed an authorization form for membership dues deduction. The certified increase or decrease shall be effective on the first payroll occurring at least thirty (30) days after the receipt of such certification by the commissioner or the appropriate chief fiscal officer. (5) Forms which authorize such deductions for the payment of membership dues shall not be larger than eight and one-half inches (8 1/2") by eleven inches (11") nor smaller than three inches (3") by five inches (5"). (6) It is the responsibility of the employee association to prepare and deliver such forms to the payroll officers of the various state agencies. (7) The commissioner or the appropriate chief fiscal officer shall provide to an employee association a complete listing of all employees who have authorized deductions pursuant to this section. The information compiled under this subsection (c) shall not be used by the commissioner or respective chief fiscal officer for any other purpose except that described herein. (d) Retired employees of the state of Tennessee may, in writing, authorize deductions to be made from their retirement allowance to be paid to any employee association qualified under subsection (a). No such retired employee shall be considered in determining the total number of state employees in the executive branch or in determining the membership in an employee association for the purposes of subdivision (a)(2). (e) Any automatic deduction authorization form for the payment of membership dues filed with the various state agencies prior to May 24, 1984, which has not been revoked by the employee, shall be considered a valid authorization form for the purposes of this section, and the automatic payroll deduction from such employee's compensation shall be continued or shall resume immediately if such deductions have been stopped for reasons other than the employee's revocation. (f) The procedures governing the payroll deduction of membership dues pursuant to this section shall be in accordance with regulations promulgated by the commissioner in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. The procedures governing payroll deductions for the payment of membership dues in effect on June 1, 1983, shall be deemed fully and duly promulgated, except to the extent they conflict with this section, and shall remain in full force and effect unless altered or amended by the general assembly or the commissioner. (g) If an employee association receiving membership dues by payroll deduction becomes joined or affiliated through merger or otherwise with another employee or labor organization, any member of the employee association may revoke such member's automatic deduction authorization form immediately or at any other time of such member's choosing by notifying the department of finance and administration or the appropriate chief fiscal officer that such member wishes to revoke such member's authorization.

Texas

61.018 An employer may not withhold or divert any part of an employee's wages unless the employer: (1) is ordered to do so by a court of competent jurisdiction (2) is authorized to do so by state or federal law; or (3) has written authorization from the employee to deduct part of the wages for a lawful purpose.

155.001 (a) The commissioner's court, on the request of a county employee, may authorize a payroll deduction to be made from the employee's wages or salary for: (1) payment to a credit union; (2) payment of membership dues in a labor union or a bona fide employees association; (3) payment of fees for parking in a county-owned facility; or (4) payment to a charitable organization. (b) In this section, "charitable organization" has the meaning assigned by Section 659.131, Government Code.

101.004 A contract that permits or requires the retention of part of an employee's compensation to pay dues or assessments on the employee's part to a labor union is void unless the employee delivers to the employer the employee's written consent to the retention of those sums.

92.025 (a) A license holder may not charge a common worker for: (1) safety equipment, clothing, or accessories required

by the nature of the work, either by law, custom, or the requirements of the user of common workers; (2) uniforms, special clothing, or other items required as a condition of employment by the user of common workers; (3) the cashing of a check or voucher; or (4) the receipt by the worker of earned wages. (b) A license holder may not deduct or withhold any amount from the earned wages of a common worker except: (1) a deduction required by federal or state law; or (2) a reimbursement for a cash advance made to the worker during the same pay period.

Utah

34-28-3 (5) It is unlawful for an employer to withhold or divert part of an employee's wages unless: (a) the employer is required to withhold or divert the wages by: (i) court order; or (ii) state or federal law; (b) the employee expressly authorizes the deduction in writing; or (c) the employer presents evidence that in the opinion of the hearing officer or the administrative law judge would warrant an offset. (6) It is unlawful for an employer to require an employee to rebate, refund, offset, or return any part of the wage, salary, or compensation to be paid to the employee except as provided in Subsection (5). (7) An employer is not prohibited from pursuing legitimate claims of damages, offsets, or recoupments in a civil action against an employee.

34-32-1 (2) (a) An employee may direct, in writing, that an employer deduct from the employee's wages a specified sum for union dues, not to exceed 3% per month, to be paid to a labor organization designated by the employee. (b) An employer shall cease making deductions for union dues from the wages of an employee for the benefit of a labor organization when the employer receives a written communication from the employee directing that the deductions cease.

R610-3-18 The following sums shall constitute lawful deductions or offsets from wages due an employee: A. Sums deducted from wages pursuant to the Internal Revenue Code or other Federal tax provision; B. Sums deducted from wages pursuant to the Social Security Administration Act and Federal Insurance Contribution Act; C. Sums deducted from wages pursuant to any Utah city, county, or state tax; D. Sums deducted from wages as dues, contributions, or other fees to a labor, employee, professional, or other employer-related organization or association; and sums as contributions for an employee's participation or eligibility in a health, welfare, insurance, retirement, or other benefit plan or program, provided that the: 1. Employee has granted written authorization for the deductions; and 2. Deductions shall terminate upon the written revocation of the authorization; E. Sums deducted from wages as payments, repayments, contributions, deposits, to a credit union, banking, savings, loan, trust or other financial institution, provided that the: 1. Employee has granted written authorization for the deductions; and 2. Deductions shall terminate upon the written revocation of the authorization; F. Sums deducted from wages as payment for the purchase of goods or services by the employee from the employer, provided that the: 1. Employee has actual or constructive possession of the goods or services purchased; and 2. Employee's purchase is evidenced by the employee's written acknowledgment; G. Sums deducted from wages for damages suffered by the employer due to the employee's negligence: 1. A potential deduction shall meet the following pre-conditions: a. negligence and damages arise out of the course of employment; b. employer has not received payments, compensation, or any form of restitution for the same monetary loss from an insurer, assurer, surety, or guarantor to cover the injuries, losses, or damages; c. offset is reasonably related to the amount of the damage; and d. damage is over and above wear and tear reasonably expected in the normal course of business. 2. Methods of determining an employee's negligence and amount of damage are: a. by a judicial proceeding; b. by an employer's written and published procedures coupled with an employee's express authorization for the deduction in writing; or c. by any other provision allowed or required by law pursuant to Section 34-28-3 (5). H. Sums deducted from wages, in the proper amounts, for enforcement of a valid attachment or garnishment shall be honored by the Division; I. Sums deducted from wages as repayment to the employer by the employee of advances or loans made to the employee by the employer, provided that the: 1. Advance or loan to the employee occurred while the employee was in the employ of the employer; and 2. Employee's receipt of the advance or loan is evidenced by the employee's written acknowledgment; J. Sums deducted from wages as a result of loss or damage occurring from the criminal conduct of the employee against the property of the employer, provided that: 1. The employee has been adjudged guilty by a judicial proceeding of the specified crime committed against the property of the employer; 2. The crime occurred during the employment relationship or out of the employment relationship; and 3. The property of the employer cannot or has not been reunited with the employer; or 4. The employee willfully and through his own admission did in fact destroy company property. An offset against the earned wages may be allowed at the hearing officer's discretion. K. Sums deducted from the wages resulting from cash shortages, provided that the: 1. Employee gives written acknowledgment upon beginning employment that he or she shall be responsible for shortages; 2. Employee shall at the beginning of his or her work period be checked in or verified on the register or with the cash amount by the employer in the employee's presence and give written acknowledgment of the verification; 3. Employee at the end of the work period be checked out or verified on the register or with the cash amount by the employer in the employee's presence and give written acknowledgment of the verification; and 4. Employee be the sole and absolute user and have sole access to the register or cash amount from the time checked in under Subsection (2) until the time checked out under Subsection (3); L. Sums deducted from wages as payment for the purchase of goods, tools, equipment, or other items required for the employment of a person, provided that the: 1. Employee's purchase and receipt of the items is evidenced by a written acknowledgment; 2. Employee has actual or constructive possession of the goods or items; and 3. Employer repurchase the items from the employee at the employee's option upon the termination of employment at a fair and reasonable price; M. Sums deducted from wages as payment for goods, tools, equipment, or other items furnished and assigned to the employee by the employer, provided that: 1. The item was assigned during the employment of the employee; 2. The employee gave written acknowledgment of the receipt of the item; and 3. The item was not returned to the employer upon termination.

R610-3-21 A. Where the wearing of uniforms is a condition of employment, the employer shall furnish the uniforms free of charge. 1. The term "uniform" includes any article of clothing, footwear, or accessory of a distinctive design or color required by an employer to be worn by employees. 2. An article of clothing which is associated with a specific employer by

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| | <p>virtue of an emblem (logo) or distinctive color scheme shall be considered a uniform. B. The employer may request an amount, not to exceed the actual cost of the uniform or \$20, whichever is less, as a deposit on each uniform required by the employer. The deposit shall be refunded to the employee at the time uniform is returned.</p> <p>34-33-11 It shall be unlawful for any person, firm, corporation or partnership to charge any person a medical fee for the physical examination of any applicant for employment with such person, firm, corporation or partnership, or to deduct the cost of such physical examination from the moneys earned by such employee or to make any charge for or to deduct from the earnings of such employee any medical fee for any physical examination upon the re-employment of any employee who may have discontinued such employment, or have been discharged or his employment otherwise terminated; nor shall any employer, as a condition of pre-employment, employment, or continued employment, require any employee or person applying for employment to submit to or obtain a physical examination, unless such employer shall pay all costs of such physical examination.</p> |
| <p>Vermont</p> | <p>301 It shall be unlawful for any employer, as defined in section 302 of this title, to require any employee or applicant for employment to pay the cost of a medical examination as a condition of employment.</p> <p>Min. Wage Order # 1 Where the employer requires an employee to wear a specific uniform, peculiar to his/her place of business, the cost of providing and maintaining same shall not be deducted from any covered employee's wages nor shall any other compensation pass to any employer from an employee for a uniform or the maintenance thereof.</p> |
| <p>Virginia</p> | <p>40.1-62 No employer shall require any person, as a condition of employment or continuation of employment, to pay any dues, fees or other charges of any kind to any labor union or labor organization.</p> <p>40.1-28 It shall be unlawful for any employer to require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any medical records required by the employer as a condition of employment.</p> <p>40.1-29 No employer shall withhold any part of the wages or salaries of any employee except for payroll, wage or withholding taxes or in accordance with law, without the written and signed authorization of the employee. An employer, upon request of his employee, shall furnish the latter a written statement of the gross wages earned by the employee during any pay period and the amount and purpose of any deductions therefrom.</p> |
| <p>Washington</p> | <p>49.48.010 When any employee shall cease to work for an employer, whether by discharge or by voluntary withdrawal, the wages due him on account of his employment shall be paid to him at the end of the established pay period: PROVIDED, HOWEVER, That this paragraph shall not apply when workers are engaged in an employment that normally involves working for several employers in the same industry interchangeably, and the several employers or some of them cooperate to establish a plan for the weekly payment of wages at a central place or places and in accordance with a unified schedule of payday providing for at least one payday each week; but this subsection shall not apply to any such plan until ten days after notice of their intention to set up such a plan shall have been given to the director of labor and industries by the employers who cooperate to establish the plan; and having once been established, no such plan can be abandoned except after notice of their intention to abandon such plan has been given to the director of labor and industries by the employers intending to abandon the plan: PROVIDED FURTHER, That the duty to pay an employee forthwith shall not apply if the labor-management agreement under which the employee has been employed provides otherwise. It shall be unlawful for any employer to withhold or divert any portion of an employee's wages unless the deduction is: (1) Required by state or federal law; or (2) Specifically agreed upon orally or in writing by the employee and employer; or (3) For medical, surgical or hospital care or service, pursuant to any rule or regulation: PROVIDED, HOWEVER, That the deduction is openly, clearly and in due course recorded in the employer's books and records. Paragraph *three of this section shall not be construed to affect the right of any employer or former employer to sue upon or collect any debt owed to said employer or former employer by his employees or former employees.</p> <p>49.52.010 All moneys collected by any employer from his or its employees and all money to be paid by any employer as his contribution for furnishing, either directly, or through contract, or arrangement with a hospital association, corporation, firm or individual, of medicine, medical or surgical treatment, nursing, hospital service, ambulance service, dental service, burial service, or any or all of the above enumerated services, or any other necessary service, contingent upon sickness, accident or death, are hereby declared to be a trust fund for the purposes for which the same are collected. The trustees (or their administrator, representative, or agent under direction of the trustees) of such fund are authorized to take such action as is deemed necessary to ensure that the employer contributions are made including, but not limited to filing actions at law, and filing liens against moneys due to the employer from the performance of labor or furnishing of materials to which the employees contributed their services. Such trust fund is subject to the provisions of *chapter 48.52 RCW.</p> <p>41.04.230 Any official of the state authorized to disburse funds in payment of salaries and wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct from the salaries or wages of the officers or employees, the amount or amounts of subscription payments, premiums, contributions, or continuation thereof, for payment of the following: (1) Credit union deductions: PROVIDED, That twenty-five or more employees of a single state agency or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same credit union. An agency may, in its own discretion, establish a minimum participation requirement of fewer than twenty-five employees. (2) Parking fee deductions: PROVIDED, That payment is made for parking facilities furnished by the agency or by the department of general administration. (3) U.S. savings bond deductions: PROVIDED,</p> |

That a person within the particular agency shall be appointed to act as trustee. The trustee will receive all contributions; purchase and deliver all bond certificates; and keep such records and furnish such bond or security as will render full accountability for all bond contributions. (4) Board, lodging or uniform deductions when such board, lodging and uniforms are furnished by the state, or deductions for academic tuitions or fees or scholarship contributions payable to the employing institution. (5) Dues and other fees deductions: PROVIDED, That the deduction is for payment of membership dues to any professional organization formed primarily for public employees or college and university professors: AND PROVIDED, FURTHER, That twenty-five or more employees of a single state agency, or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same professional organization. (6) Labor or employee organization dues may be deducted in the event that a payroll deduction is not provided under a collective bargaining agreement under the provisions of RCW 41.06.150: PROVIDED, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same labor or employee organization: PROVIDED, FURTHER, That labor or employee organizations with five hundred or more members in state government may have payroll deduction for employee benefit programs. (7) Insurance contributions to the authority for payment of premiums under contracts authorized by the state health care authority. However, enrollment or assignment by the state health care authority to participate in a health care benefit plan, as required by RCW 41.05.065(5), shall authorize a payroll deduction of premium contributions without a written consent under the terms and conditions established by the public employees' benefits board. (8) Deductions to a bank, savings bank, or savings and loan association if (a) the bank, savings bank, or savings and loan association is authorized to do business in this state; and (b) twenty-five or more employees of a single agency, or fewer, if a lesser number is established by such agency, or a total of one hundred or more state employees of several agencies have authorized a deduction for payment to the same bank, savings bank, or savings and loan association. Deductions from salaries and wages of public officers and employees other than those enumerated in this section or by other law, may be authorized by the director of financial management for purposes clearly related to state employment or goals and objectives of the agency and for plans authorized by the state health care authority. (9) Contributions to the Washington state combined fund drive. The authority to make deductions from the salaries and wages of public officers and employees as provided for in this section shall be in addition to such other authority as may be provided by law: PROVIDED, That the state or any department, division, or separate agency of the state shall not be liable to any insurance carrier or contractor for the failure to make or transmit any such deduction.

49.52.050 Any employer or officer, vice principal or agent of any employer, whether said employer be in private business or an elected public official, who (1) Shall collect or receive from any employee a rebate of any part of wages theretofore paid by such employer to such employee; or (2) Willfully and with intent to deprive the employee of any part of his wages, shall pay any employee a lower wage than the wage such employer is obligated to pay such employee by any statute, ordinance, or contract; or (3) Shall willfully make or cause another to make any false entry in any employer's books or records purporting to show the payment of more wages to an employee than such employee received; or (4) Being an employer or a person charged with the duty of keeping any employer's books or records shall willfully fail or cause another to fail to show openly and clearly in due course in such employer's books and records any rebate of or deduction from any employee's wages; or (5) Shall willfully receive or accept from any employee any false receipt for wages; Shall be guilty of a misdemeanor.

49.12.450 (1) Notwithstanding the provisions of chapter 49.46 RCW or other provisions of this chapter, the obligation of an employer to furnish or compensate an employee for apparel required during work hours shall be determined only under this section. (2) Employers are not required to furnish or compensate employees for apparel that an employer requires an employee to wear during working hours unless the required apparel is a uniform. (3) As used in this section, "uniform" means:(a) Apparel of a distinctive style and quality that, when worn outside of the workplace, clearly identifies the person as an employee of a specific employer; (b) Apparel that is specially marked with an employer's logo;(c) Unique apparel representing an historical time period or an ethnic tradition; or (d) Formal apparel. (4) Except as provided in subsection (5) of this section, if an employer requires an employee to wear apparel of a common color that conforms to a general dress code or style, the employer is not required to furnish or compensate an employee for that apparel. For the purposes of this subsection, "common color" is limited to the following colors or light or dark variations of such colors: White, tan, or blue, for tops; and tan, black, blue, or gray, for bottoms. An employer is permitted to require an employee to obtain two sets of wearing apparel to accommodate for the seasonal changes in weather which necessitate a change in wearing apparel. (5) If an employer changes the color or colors of apparel required to be worn by any of his or her employees during a two-year period of time, the employer shall furnish or compensate the employees for the apparel. The employer shall be required to furnish or compensate only those employees who are affected by the change. The two-year time period begins on the date the change in wearing apparel goes into effect and ends two years from this date. The beginning and end of the two-year time period applies to all employees regardless of when the employee is hired. (6) The department shall utilize negotiated rule making as defined by RCW 34.05.310(2)(a) in the development and adoption of rules defining apparel that conforms to a general dress code or style. This subsection expires January 1, 2000. (7) For the purposes of this section, personal protective equipment required for employee protection under chapter 49.17 RCW is not deemed to be employee wearing apparel.

West Virginia

21-5-1 (g) The term "deductions" includes amounts required by law to be withheld, and amounts authorized for union or club dues, pension plans, payroll savings plans, credit unions, charities and hospitalization and medical insurance.

12-3-13b Any officer or employee of the state of West Virginia may authorize that a voluntary deduction from his net wages be made for the payment of membership dues or fees to an employee association. Voluntary deductions may also be

authorized by an officer or employee for any supplemental health and life insurance premium, subject to prior approval by the auditor. Such deductions shall be authorized on a form provided by the auditor of the state of West Virginia and shall state: (a) The identity of the employee; (b) the amount and frequency of such deductions; and (c) the identity and address of the association or insurance company to which such dues shall be paid. Upon execution of such authorization and its receipt by the office of the auditor, such deductions shall be made in the manner specified on the form and remitted to the designated association or insurance company on the tenth day of each month: Provided, That voluntary other deductions, as approved and authorized by the auditor, may be made in accordance with rules proposed by the auditor pursuant to article three, chapter twenty-nine-a of this code: Provided, however, That deductions shall be made either once or twice monthly at the option of the employee. Deduction authorizations may be revoked at any time thirty days prior to the date on which the deduction is regularly made and on a form to be provided by the office of the state auditor: Provided further, That nothing in this section shall interfere with or remove any existing arrangement for dues deduction between an employer or any political subdivision of the state and its employees.

21-3-17 (a) The term "employer," as used in this section, shall mean and include an individual, a partnership, an association, a corporation, a legal representative, a trustee, receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, air or express company doing business in or operating within the state.(b) The term "employee" shall mean and include every person who may be permitted, required or directed by any employer, as defined in subsection (a), in consideration of direct or indirect gain or profit, to engage in any employment.(c) It shall be unlawful for any employer, as defined in subsection (a) to require any employee or applicant for employment to pay the cost of a medical examination as a condition of employment.(d) Any employer who violates the provisions of this section shall be liable to a penalty of not more than one hundred dollars for each and every violation. It shall be the duty of the commissioner of labor to enforce this section.

42-8-10 If nature of the employers business requires use of a uniform, the employer shall be responsible for the costs of uniforms and their laundering, and may not be included as a credit in computing wages.

Wisconsin

111.06(1)(i) It shall be an unfair labor practice for an employer individually or in concert with others: to deduct labor organization dues or assessments from an employee's earnings, unless the employer has been presented with an individual order therefore, signed by the employee personally, and terminable at the end of any year of its life by the employee giving at least thirty days' written notice of such termination unless there is an all-union, fair-share or maintenance of membership agreement in effect. The employer shall give notice to the labor organization of receipt of such notice of termination.

103.455 No employer may make any deduction from the wages due or earned by any employee, who is not an independent contractor, for defective or faulty workmanship, lost or stolen property or damage to property, unless the employee authorizes the employer in writing to make that deduction or unless the employer and a representative designated by the employee determine that the defective or faulty workmanship, loss, theft or damage is due to the employee's negligence, carelessness, or willful and intentional conduct, or unless the employee is found guilty or held liable in a court of competent jurisdiction by reason of that negligence, carelessness, or willful and intentional conduct. If any deduction is made or credit taken by any employer that is not in accordance with this section, the employer shall be liable for twice the amount of the deduction or credit taken in a civil action brought by the employee. Any agreement entered into between an employer and employee that is contrary to this section shall be void. In case of a disagreement between the 2 parties, the department shall be the 3rd determining party, subject to any appeal to the court. Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding to recover a deduction under this section.

103.34 (b) An employer may deduct from a traveling sales crew worker's compensation the cost to the employer of furnishing board, lodging, or other facilities to the worker if the board, lodging, or other facilities are customarily furnished by the employer to the traveling sales crew workers of the employer; the amount deducted does not exceed the fair market value of the board, lodging, or other facilities and does not include any profit to the employer; and the traveling sales crew worker has previously authorized the deduction by signing a written disclosure statement under sub. (5) (a) that includes a description of the board, lodging, and other facilities to be provided and any costs to be charged to the worker for those facilities.

103.37(2m) No employer may require any employee or applicant for employment to pay the cost of a medical examination required by the employer as a condition of employment.

Wyoming

27-4-116 (a) No employer shall withhold money from an employee's wages for accepting a check on behalf of the employer which is not paid because the check is dishonored unless: (i) The employer has provided written instructions as to procedures for accepting checks and the employee fails to follow the procedures; or (ii) The employer reasonably believes that the employee has been a party to a fraud or other wrongdoing in taking a dishonored check. (b) Every employer who violates this section is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00).