

House Bill 828

By: Representatives Boddie of the 62<sup>nd</sup>, Schofield of the 60<sup>th</sup>, Park of the 101<sup>st</sup>, Nguyen of the 89<sup>th</sup>, Lim of the 99<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 1 of Chapter 7 of Title 34 of the Official Code of Georgia  
2 Annotated, relating to wages generally, so as to provide for payment of compensation to  
3 transitory employees upon separation within a certain time frame; to provide for definitions;  
4 to provide for payment of expenses and penalties for late payments; to provide for related  
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 1 of Chapter 7 of Title 34 of the Official Code of Georgia Annotated,  
9 relating to wages generally, is amended by adding a new subsection to Code Section 34-7-2,  
10 relating to payment of wages by lawful money, checks, or credit transfer, and selection of  
11 payment dates by employer, to read as follows:

12 "(e) Notwithstanding any provision of this Code section to the contrary, the payment of  
13 wages to transitory employees upon separation shall be made in compliance with Code  
14 Section 34-7-2.1. For purposes of this Code section, the term 'transitory employee' shall  
15 have the same meaning as provided in Code Section 34-7-2.1."

**SECTION 2.**

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Said part is further amended by adding a new Code section to read as follows:

"34-7-2.1.

(a) As used in this Code section, the term:

(1) 'Daily late penalty' means the average daily amount of the transitory employee's final compensation multiplied by two.

(2) 'Final compensation' means the wages earned by a transitory employee during his or her last pay period with the employer.

(3) 'Transitory employee' means an individual engaged in transitory employment.

(4) 'Transitory employment' means the provision of labor or services on a temporary project, including, but not limited to, land clearing, the production of forest products, and the construction, paving, repair, or maintenance of roadways and sewers, that requires the employee to reside in a camp or other temporary abode for the duration of such employment.

(b) An employer shall transmit to the transitory employee his or her final compensation within 24 hours of separation, regardless of whether the separation is voluntary or involuntary. If an employer fails to transmit such final compensation within 24 hours of separation, the employer shall be legally responsible for reimbursing the transitory employee's reasonable expenses associated with remaining in the camp or other temporary abode that are directly related to the employer's failure to timely transmit the transitory employee's final compensation. If such final compensation is not transmitted to the transitory employee within two business days after separation, the employer shall pay a daily late penalty for each business day from the date of separation until the payment of such final compensation or the reimbursement of such reasonable expenses, whichever later occurs."

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**SECTION 3.**

42 All laws and parts of laws in conflict with this Act are repealed.