

Section 3 would require an employer maintain a “standby” list of employees who may be asked to work additional hours and would establish the conditions allowing an employer to request an employee work additional hours. The employer shall notify employees in writing that the standby list is voluntary and they are not required to accept additional hours.

Section 4 would require that employers post an employee’s written work schedule at least 7 calendar days before the first day of the schedule, in a conspicuous location, in English and in the language the employer typically uses to communicate with the employee. An employee may decline to work a shift not included in the employee’s written schedule.

Section 5 would establish required rest periods following a work shift during which an employee may not be required to work, and would require that an employer compensate an employee for each hour or portion of an hour the employee works during a rest period at 1.5 times the employee’s regular rate of pay.

Section 7 would require that an employer pay an employee, in addition to regular pay, an extra hour’s pay if the employer, without notice, increases the number of hours an employee shall work or changes the start or end time of a shift with no loss of hours. An employer shall pay the employee ½ the employee’s regular pay for hours **not** worked if the employer, without notice, takes action resulting in reduced work hours for an employee. Section 7 establishes exceptions to the extra compensation requirements.

Section 9 would establish a civil penalty of \$500 to \$2000 for violation of HB 121.

HB 121 would likely have a **minimal negative fiscal impact on local governments**. In work places impacted there would likely be additional administrative costs for record keeping, posting of information, perhaps for dealing with an increase in labor complaints, paying fines, and personnel costs (paying time-and-a-half in instances when overtime would not otherwise be applicable, paying overtime due to a lack of available standby employees, paying ½ wages for hours not worked). Treating employees in the identified work places different from other local government employees could lead to unforeseen difficulties.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II, above, pertains to the bill as introduced.

Data Source(s): Kentucky League of Cities; LRC staff

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 1/7/20