

Senate Commerce Committee

Aaron Jones 271-4063

HB 258, permitting wage and hour records to be approved and retained electronically.

Hearing Date: March 23, 2021

Time Opened: 9:51 a.m.

Time Closed: 9:57 a.m.

Members of the Committee Present: Senators French, Gannon, Bradley, Soucy and Cavanaugh

Members of the Committee Absent : None

Bill Analysis: This bill permits wage and hour records to be approved and retained electronically.

Sponsors:
Rep. Yokela

Who supports the bill: Representative Josh Yokela, Representative Brian Seaworth, Representative Stephen Woodcock, Margaret Byrnes (NH Municipal Association), Nikki Fordey, Richard DeMark, Ruth Larson

Who opposes the bill: No one

Who is neutral on the bill: Deputy Commissioner Rudolph Ogden (NH DOL)

Summary of testimony presented in support:

Representative Josh Yokela

- This bill came at the request of a business manager who wanted to retain records electronically, particularly records that require a signature every time the work hours of an employee are changed. The existing statute doesn't specify whether this is permitted or not.
- Currently, the existing statute only states that "employers of employees should keep true and accurate records". Furthermore, labor regulations only require time records with altered entries to be signed or initialed by an employee.
- The New Hampshire Department of Labor didn't have an issue with electronic records.
- While some businesses are already retaining electronic records, Representative Yokela said that some businesses are wary to stray away from the law as it's written.

- This bill wouldn't substantively change policy. Instead, it would simply add language to clarify that required records under this statute may be signed, acknowledged, approved, and retained electronically.

Representative Brian Seaworth

- The House Labor, Industrial, & Rehabilitative Services Committee passed this bill unanimously and it was placed on the consent calendar.

Summary of testimony presented in opposition: None

Neutral Information Presented:

Rudolph Ogden, Deputy Commissioner, New Hampshire Department of Labor

- Deputy Commissioner Ogden agreed with Representative Yokela that this bill would clarify, not change existing practices.