

G.S. 150B-21.3A Report for 13 NCAC Chapter 12, WAGE AND HOUR

Agency - Department of Labor

Comment Period - 09/16/2015 through 11/16/2015

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0100 - GENERAL PROVISIONS	13 NCAC 12 .0102	STATE AND FEDERAL LAWS AND INTERPRETATIONS AVAILABLE	Eff. November 1, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0103	FEDERAL LAW AS GUIDE	Eff. November 1, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0200 - SUBMINIMUM WAGES	13 NCAC 12 .0202	DISABLED WORKER CERTIFICATION	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0300 - WAGES	13 NCAC 12 .0301	BOARD: LODGING OR OTHER FACILITIES	Eff. November 1, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0302	COMPUTATION OF REASONABLE COST	Eff. November 1, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0303	TIPS AND TIP CREDITS	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0304	WITHHOLDING OF WAGES	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0305	AUTHORIZATION FOR WITHHOLDING OF WAGES	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0306	VACATION PAY	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0307	BONUSES, COMMISSIONS AND OTHER FORMS OF WAGE CALCULATION	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0308	FINAL PAY FOR SEPARATED EMPLOYEES	Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0309	FORM OF PAYMENT OF WAGES	Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		13 NCAC 12 .0310	"OTHER AMOUNTS PROMISED" AS WAGES	Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0400 - YOUTH EMPLOYMENT	13 NCAC 12 .0401	CERTIFICATION OF YOUTHS	Amended Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0402	APPLICATION FOR A YOUTH EMPLOYMENT CERTIFICATE	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0403	REVIEW: ISSUANCE AND MAINTENANCE OF CERTIFICATES	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0404	WAIVER	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0405	REVOCATION	Amended Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0406	DETRIMENTAL OCCUPATIONS	Amended Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0407	DESIGNATION OF YOUTH EMPLOYMENT CERTIFICATE ISSUERS	Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0408	DEFINITIONS RELATIVE TO ABC RESTRICTIONS	Amended Eff. January 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0500 - JURISDICTION AND EXEMPTIONS	13 NCAC 12 .0501	EXEMPTIONS	Amended Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0600 - INVESTIGATION AND ENFORCEMENT	13 NCAC 12 .0601	COMPLAINTS	Amended Eff. May 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0602	INVESTIGATIONS	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		13 NCAC 12 .0604	ADMINISTRATIVE REMEDIES	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0700 - CIVIL MONEY PENALTIES	13 NCAC 12 .0701	CIVIL PENALTIES	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0702	CIVIL PENALTY ASSESSMENT	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0703	EXCEPTIONS TO CIVIL PENALTY	Amended Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0800 – RECORDKEEPING	13 NCAC 12 .0801	RECORDS TO BE MAINTAINED	Amended Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest
			RECORD RETENTION	Eff. November 1, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0802	RECORD RETENTION	Eff. November 1, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0803	SCOPE OF PROMISED WAGES	Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0804	NOTIFICATION AT TIME OF HIRING	Amended Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0805	NOTIFICATION DURING EMPLOYMENT	Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0806	MEANING OF "MAINTAINED IN A PLACE ACCESSIBLE"	Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0807	METHODS OF PROVIDING EMPLOYEES WITH ITEMIZED STATEMENT OF DEDUCTIONS	Eff. April 1, 1999	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0900 – E-VERIFY	13 NCAC 12 .0901	SCOPE AND ADDRESS	Eff. October 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0902	DEFINITIONS	Eff. October 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0903	PRESUMPTION OF COMPLIANCE	Eff. October 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0904	FILING OF COMPLAINTS	Eff. October 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0905	HEARINGS	Eff. October 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		13 NCAC 12 .0906	CIVIL PENALTIES	Eff. October 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest