

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

Agency - Department of Labor

Comment Period - September 26, 2025 - November 25, 2025

Date Submitted to APO - February 27, 2026

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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - GENERAL PROVISIONS	13 NCAC 12 .0102	STATE AND FEDERAL LAWS AND INTERPRETATIONS AVAILABLE	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0103	FEDERAL LAW AS GUIDE	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - SUBMINIMUM WAGES	13 NCAC 12 .0202	DISABLED WORKER CERTIFICATION	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - WAGES	13 NCAC 12 .0301	BOARD: LODGING OR OTHER FACILITIES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0302	COMPUTATION OF REASONABLE COST	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0303	TIPS AND TIP CREDITS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0304	WITHHOLDING OF WAGES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0305	AUTHORIZATION FOR WITHHOLDING OF WAGES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0306	VACATION PAY	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0307	BONUSES, COMMISSIONS AND OTHER FORMS OF WAGE CALCULATION	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0308	FINAL PAY FOR SEPARATED EMPLOYEES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0309	FORM OF PAYMENT OF WAGES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0310	"OTHER AMOUNTS PROMISED" AS WAGES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - YOUTH EMPLOYMENT	13 NCAC 12 .0401	CERTIFICATION OF YOUTHS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0402	APPLICATION FOR A YOUTH EMPLOYMENT CERTIFICATE	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0403	REVIEW: ISSUANCE AND MAINTENANCE OF CERTIFICATES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0404	WAIVER	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0405	REVOCAION	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0406	DETRIMENTAL OCCUPATIONS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		13 NCAC 12 .0407	DESIGNATION OF YOUTH EMPLOYMENT CERTIFICATE ISSUERS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0408	DEFINITIONS RELATIVE TO ABC RESTRICTIONS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 CFR 570	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - JURISDICTION AND EXEMPTIONS	13 NCAC 12 .0501	EXEMPTIONS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	Yes If yes, include the citation to the federal law	29 USC 213	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 - INVESTIGATION AND ENFORCEMENT	13 NCAC 12 .0601	COMPLAINTS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0602	INVESTIGATIONS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0604	ADMINISTRATIVE REMEDIES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - CIVIL MONEY PENALTIES	13 NCAC 12 .0701	CIVIL PENALTIES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0702	CIVIL PENALTY ASSESSMENT	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0703	EXCEPTIONS TO CIVIL PENALTY	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - RECORDKEEPING	13 NCAC 12 .0801	RECORDS TO BE MAINTAINED	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0802	RECORD RETENTION	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0803	SCOPE OF PROMISED WAGES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0804	NOTIFICATION AT TIME OF HIRING	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0805	NOTIFICATION DURING EMPLOYMENT	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0806	MEANING OF "MAINTAINED IN A PLACE ACCESSIBLE"	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0807	METHODS OF PROVIDING EMPLOYEES WITH ITEMIZED STATEMENT OF DEDUCTIONS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0900 - E-VERIFY	13 NCAC 12 .0901	SCOPE AND ADDRESS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0902	DEFINITIONS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0903	PRESUMPTION OF COMPLIANCE	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		13 NCAC 12 .0904	FILING OF COMPLAINTS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0905	HEARINGS	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		13 NCAC 12 .0906	CIVIL PENALTIES	Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt