

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1250 Session of 2013

INTRODUCED BY DONATUCCI, BROWNLEE, MULLERY, SNYDER, KINSEY,
NEILSON, B. BOYLE, MCGEEHAN, ROZZI, O'BRIEN, BISHOP,
CALTAGIRONE, PAINTER, KOTIK, MUNDY, V. BROWN, YOUNGBLOOD,
COHEN, FRANKEL, SCHLOSSBERG, GINGRICH, THOMAS, CLAY AND
ROEBUCK, APRIL 23, 2013

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 23, 2013

AN ACT

1 Amending the act of December 17, 1959 (P.L.1913, No.694),
2 entitled "An act prohibiting discrimination in rate of pay
3 because of sex; conferring powers and imposing duties on the
4 Department of Labor and Industry; and prescribing penalties,"
5 further providing for collection of unpaid wages and for
6 penalties.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 5(b) of the act of December 17, 1959
10 (P.L.1913, No.694), known as the Equal Pay Law, amended July 31,
11 1968 (P.L.869, No.262), is amended to read:

12 Section 5. Collection of Unpaid Wages.--* * *

13 (b) Any action pursuant to the provisions of this act must
14 be brought within [two] three years from the date upon which the
15 violation complained of occurs.

16 Section 2. Section 8 of the act is amended to read:

17 Section 8. Penalties.--(a) Any employer who wilfully and
18 knowingly violates any provisions of this act, or who discharges

1 or in any other manner discriminates against any employee because
2 such employee has made any complaint to his employer, the
3 secretary or any other person who instituted or caused to be
4 instituted any proceeding under or related to this act, or has
5 testified or is about to testify in any such proceedings, shall,
6 upon conviction thereof in a summary proceeding, be sentenced to
7 pay a fine of not less than [fifty dollars (\$50) nor more than
8 two hundred dollars (\$200)] one thousand dollars (\$1,000) nor
9 more than twenty-five thousand dollars (\$25,000), and, upon
10 default in such fine and costs, shall undergo imprisonment for
11 not less than thirty days nor more than sixty days. [Each]
12 Discrimination against each individual employee and each day such
13 a violation continues shall constitute a separate offense.

14 (b) Any employer who fails to keep the records required
15 under this act or to furnish such records to the secretary upon
16 request, or who falsifies such records or who hinders, delays or
17 otherwise interferes with the secretary or his authorized
18 representatives in the performance of his duties in the
19 enforcement of this act, or refuses such official entry into any
20 establishment which he is authorized by this act to inspect,
21 shall, upon conviction thereof in a summary proceeding, be
22 sentenced to pay a fine of not less than [fifty dollars (\$50)
23 nor more than two hundred dollars (\$200)] one thousand dollars
24 (\$1,000) nor more than twenty-five thousand dollars (\$25,000),
25 and, upon default in such fine and costs, shall undergo
26 imprisonment for not less than thirty days nor more than sixty
27 days. Each day such a violation continues shall constitute a
28 separate offense.

29 Section 3. This act shall take effect in 60 days.