

AMENDMENTS TO HOUSE BILL NO. 2388

Sponsor: SENATOR L. WILLIAMS

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1 Amend Bill, page 6, by inserting between lines 20 and 21

2 Section 110-A. Protection from retaliation.

3 (a) General rule.--It shall be unlawful for a business  
4 operating under a waiver to the order to discharge, threaten or  
5 otherwise retaliate or discriminate against an  
6 individual employed by the business regarding compensation or  
7 other terms or conditions of employment because the individual:

8 (1) makes a complaint regarding the business' failure to  
9 comply with the mitigation measures defined by the Centers  
10 for Disease Control and Prevention or the order of the  
11 Secretary of Health directing public health and safety  
12 measures for businesses permitted to maintain in-person  
13 operations to the business or the Department of Community and  
14 Economic Development; or

15 (2) participates in an investigation regarding the  
16 business' failure to comply with the mitigation measures  
17 defined by the Centers for Disease Control and Prevention or  
18 the order of the Secretary of Health directing public health  
19 and safety measures for businesses permitted to maintain in-  
20 person operations.

21 (b) Actions.--An individual who suffers retaliation or  
22 discrimination in violation of this section may bring an action  
23 in a court of common pleas in accordance with established civil  
24 procedures of this Commonwealth. The action must be brought  
25 within three years from the date the individual knew of the  
26 retaliation or discrimination.

27 (c) Relief.--If an individual prevails in an action  
28 commenced under this section, the individual shall be entitled  
29 to the following relief:

30 (1) reinstatement of the individual as an employee, if  
31 applicable;

32 (2) restitution equal to three times the amount of the  
33 individual's wages and fringe benefits calculated from the  
34 date of the retaliation or discrimination;

35 (3) reasonable attorney fees and the cost of the action;  
36 and

37 (4) any other legal and equitable relief as the court  
38 deems appropriate.