

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, ROEBUCK,
DAVIS, DEAN, MOLCHANY, DAVIDSON, BOBACK, M. DALEY, SIMS, HELM
AND WATSON, APRIL 23, 2013

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 19, 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 1. SECTION 8 OF THE ACT OF DECEMBER 17, 1959 <--

1 (P.L.1913, NO.694), KNOWN AS THE EQUAL PAY LAW, IS AMENDED TO
2 READ:

3 Section 8. Penalties.--(a) Any employer who wilfully and
4 knowingly violates any provisions of this act, or who discharges
5 or in any other manner discriminates against any employe because
6 such employe has made any complaint to his employer, the
7 secretary or any other person who instituted or caused to be
8 instituted any proceeding under or related to this act, or has
9 testified or is about to testify in any such proceedings, shall,
10 upon conviction thereof in a summary proceeding, be sentenced to
11 pay a fine of not less than [fifty dollars (\$50) nor more than
12 two hundred dollars (\$200)] ~~one thousand dollars (\$1,000) nor~~ <--
13 ~~more than twenty five thousand dollars (\$25,000)~~ FOUR HUNDRED <--
14 DOLLARS (\$400) NOR MORE THAN ONE THOUSAND SIX HUNDRED DOLLARS
15 (\$1,600), and, upon default in such fine and costs, shall
16 undergo imprisonment for not less than thirty days nor more than
17 sixty days. ~~[Each] Discrimination against each individual~~ <--
18 ~~employe and each~~ day such a violation continues shall constitute
19 a separate offense.

20 (b) Any employer who fails to keep the records required
21 under this act or to furnish such records to the secretary upon
22 request, or who falsifies such records or who hinders, delays or
23 otherwise interferes with the secretary or his authorized
24 representatives in the performance of his duties in the
25 enforcement of this act, or refuses such official entry into any
26 establishment which he is authorized by this act to inspect,
27 shall, upon conviction thereof in a summary proceeding, be
28 sentenced to pay a fine of not less than [fifty dollars (\$50)
29 nor more than two hundred dollars (\$200)] ~~one thousand dollars~~ <--
30 ~~(\$1,000) nor more than twenty five thousand dollars (\$25,000)~~

1 FOUR HUNDRED DOLLARS (\$400) NOR MORE THAN ONE THOUSAND SIX <--
2 HUNDRED DOLLARS (\$1,600), and, upon default in such fine and
3 costs, shall undergo imprisonment for not less than thirty days
4 nor more than sixty days. Each day such a violation continues
5 shall constitute a separate offense.
6 Section ~~3~~ 2. This act shall take effect in 60 days. <--