

**HB 1506 - H AMD 310**

By Representative Pike

NOT ADOPTED 03/08/2017

1 On page 4, beginning on line 34, strike all of sections 7 and 8  
2 and insert the following:

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4 "NEW SECTION. Sec. 7. Any employee aggrieved by a violation of  
5 this chapter may recover in a civil action the employee's lost  
6 wages, including interest thereon, and costs and reasonable  
7 attorneys' fees. If an employee receiving less than the wage to  
8 which the employee is entitled under this chapter shows that the  
9 action of the employer was deliberate and in bad faith, the employee  
10 may additionally recover statutory damages equal to the actual  
11 damages incurred. A civil action to recover wages under this section  
12 may be commenced no later than two years after the cause of action  
13 occurs."

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15 Renumber the remaining sections consecutively and correct any  
16 internal references accordingly.

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EFFECT:

- Strikes the administrative remedies.
- Modifies the private cause of action to: allow damages for lost wages, rather than actual damages; provide that statutory damages are available only if the employer's action was deliberate and in bad faith and are equal to the actual damages (rather than the greater of \$5,000 or the actual damages); specify a statute of limitations of two years and strike the provision that wages and interest are calculated from the first date wages were owed; strike rate of interest; and strike court's authority to order reinstatement and injunctive relief.

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