

1 202229-1 : n : 05/29/2019 : ANS / FLOOR

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3 GUDGER AMENDMENT NO. 2 TO HB225, AS ENGROSSED  
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8 On page 1, after line 12, insert the following new  
9 Section 1. and renumber the remaining sections accordingly:

10 Section 1. This act shall be known as the  
11 Clarke-Figures Equal Pay Act.  
12

13 On page 1, delete lines 17 and 18 and insert in lieu  
14 thereof the following:

15 sex or race for equal work within the same  
16 establishment on jobs the performance of which requires equal  
17 skill, effort, education, experience, and responsibility, and  
18 performance under similar  
19

20 On page 1, after line 26, insert the following new  
21 subsection (b) and reletter the remaining subsections  
22 accordingly:

23 (b) An employer shall not refuse to interview, hire,  
24 promote, or employ an applicant for employment, or retaliate  
25 against an applicant for employment because the applicant does  
26 not provide wage history. Wage history means the wages paid to

1 an applicant for employment by the applicant's current or  
2 former employer.

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4 On page 2, line 1, after "(a)" insert the following:  
5 or (b)

6  
7 On page 2, line 4, after "violation" insert the  
8 following:

9 , or any other relief warranted

10  
11 On page 2, line 5, insert the following new  
12 subsection (c) and reletter the remaining subsections  
13 accordingly:

14 (c) An employee who files a claim against his or her  
15 employer for a violation of subsection (a) must plead with  
16 particularity in demonstrating the following:

17 (1) The employee was paid less than someone for  
18 equal work despite possessing equal skill, effort, education,  
19 experience, and responsibility.

20 (2) The applicable wage schedule at issue was or is  
21 not correlated to any conditions permissible under subsection  
22 (a).

23  
24 On page 2, line 22, delete "one year" and insert in  
25 lieu thereof the following:

26 two years

1                   On page 2, line 22, delete "the" and insert in lieu  
2           thereof the following:  
3                   an