



Labor Committee

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LRB096 20650 RLC 39788 a

1 AMENDMENT TO SENATE BILL 3568

2 AMENDMENT NO. _____. Amend Senate Bill 3568 on page 6,
3 line 22, by replacing "Any employer" with "In addition to the
4 remedies provided in subsections (a), (b), and (c) of this
5 Section, any ~~Any~~ employer"; and

6 by replacing lines 19 through 26 on page 7 and lines 1 through
7 16 on page 8 with the following:

8 "(b) Any employer who has been demanded or ordered by the
9 Department ~~Director of Labor~~ or ordered by the court to pay
10 wages, final compensation, or wage supplements due an employee
11 shall be required to pay a non-waivable administrative fee of
12 \$250 to the Department of Labor. Any employer who has been so
13 demanded or ordered by the Department or ordered by a court to
14 pay such wages, final compensation, or wage supplements and who
15 fails to seek timely review of such a demand or order as
16 provided for under this Act and who fails to comply within 15
17 calendar days after such demand or within 35 days of an

1 administrative or court order is entered shall also be liable
2 to pay a penalty to the Department of Labor of 20% of the
3 amount found owing and a penalty to the employee of 1% per
4 calendar day of the amount found owing for each day of delay in
5 paying such wages to the employee. All moneys recovered as fees
6 and civil penalties under this Act, except those owing to the
7 affected employee, shall be deposited into the Wage Theft
8 Enforcement Fund, a special fund which is hereby created in the
9 State treasury. Moneys in the Fund may be used only for
10 enforcement of this Act. ~~and who shall fail to do so within 15~~
11 ~~days after such demand or order is entered shall be liable to~~
12 ~~pay a penalty of 1% per calendar day to the employee for each~~
13 ~~day of delay in paying such wages to the employee up to an~~
14 ~~amount equal to twice the sum of unpaid wages due the employee.~~
15 ~~Such employer shall also be liable to the Department of Labor~~
16 ~~for 20% of such unpaid wages.~~

17 (b-5) Penalties and fees under this Section may be assessed
18 by the Department and recovered in a civil action brought by
19 the Department Director in any circuit court or in any
20 administrative adjudicative proceeding under this Act. In any
21 such civil action or administrative adjudicative proceeding
22 under this Act ~~this litigation,~~ the Department Director ~~of~~
23 ~~Labor~~ shall be represented by the Attorney General."