

EACH EMPLOYER SHALL KEEP POSTED CONSPICUOUSLY IN EACH PLACE OF EMPLOYMENT A COPY OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 100, § 55F.

In subsection (a) of this section, the reference to the "Commissioner" is substituted for the former reference to "the State", for clarity.

In subsection (b) of this section, the phrases "in each place of employment" are substituted for the former phrases "in or about the premises wherein any employee is employed", for brevity.

Also in subsection (b) of this section, the former limitation "subject to this subtitle" is deleted as surplusage, since the use of the defined term "employer" effectively limits the scope of subsection (b) to employers who are "subject to this subtitle".

Defined terms: "Commissioner" § 3-101

"Employer" § 3-301

3-307. ACTION AGAINST EMPLOYER BY OR FOR EMPLOYEE.

(A) ACTION BY EMPLOYEE.

(1) IF AN EMPLOYER VIOLATES THIS SUBTITLE, AN AFFECTED EMPLOYEE MAY BRING AN ACTION AGAINST THE EMPLOYER TO RECOVER THE DIFFERENCE BETWEEN THE WAGES PAID TO MALE AND FEMALE EMPLOYEES WHO DO THE SAME TYPE WORK AND AN ADDITIONAL EQUAL AMOUNT AS LIQUIDATED DAMAGES.

(2) AN EMPLOYEE MAY BRING AN ACTION ON BEHALF OF THE EMPLOYEE AND OTHER EMPLOYEES SIMILARLY AFFECTED.

(B) ASSIGNMENT OF CLAIMS.

ON THE WRITTEN REQUEST OF AN EMPLOYEE WHO IS ENTITLED TO BRING AN ACTION UNDER THIS SECTION, THE COMMISSIONER MAY:

(1) TAKE AN ASSIGNMENT OF THE CLAIM IN TRUST FOR THE EMPLOYEE;

(2) ASK THE ATTORNEY GENERAL TO BRING AN ACTION IN ACCORDANCE WITH THIS SECTION ON BEHALF OF THE EMPLOYEE; AND

(3) CONSOLIDATE 2 OR MORE CLAIMS AGAINST AN EMPLOYER.

(C) LIMITATIONS PERIOD.

AN ACTION UNDER THIS SECTION SHALL BE FILED WITHIN 3 YEARS OF THE ACT ON WHICH THE ACTION IS BASED.

(D) DEFENSE.