

EMPLOYMENT SELECTION PROCEDURES ACT AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 21, 2019 5:43 PM

Representative **Mark A. Wheatley** proposes the following amendments:

1. Page 3, Lines 77 through 84:

77 (ii) in violation of Part 4, Prohibition on Inquiry into Compensation History, the
78 division shall ~~{order that the employer pay a penalty of}~~ ;
79 (A) for the first offense ~~{, \$1,000; and}~~ , issue a warning;
80 (B) for the second ~~{or subsequent}~~ offense, ~~{ \$5,000. }~~ order that the employer pay a
penalty of \$500; and
(C) for the third or subsequent offense, order that the employer pay a penalty of \$1,500.
81 (b) The division shall:
82 (i) retain ~~{40%}~~ 50% of a penalty payment described in Subsection (3)(a)(ii); and
83 (ii) pay ~~{60%}~~ 50% of a penalty payment described in Subsection (3)(a)(ii) to the aggrieved
84 individual.

2. Page 4, Lines 112 through 113:

112 (1) An employer may not seek information regarding an applicant's compensation
113 history from the applicant ~~{or anyone connected with}~~ , the applicant's current or former
employer , or an employee of the applicant's current or former employer .