

HB1003/583528/1

BY: Delegate Grammer

AMENDMENTS TO HOUSE BILL 1003, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, after “identity” insert “or whether an employee has been granted a certain visa”; and in line 6, strike “or gender identity” and substitute “, gender identity, or whether an employee has been granted a certain visa”.

On page 2 of the bill, in line 7, after “work;” insert “authorizing a certain employee to bring a certain action for injunctive relief and to recover the difference paid between employees who have been granted certain visas and employees who are otherwise lawfully present in the United States who do work of a comparable nature or the same type of work;”.

AMENDMENT NO. 2

On page 3 of the bill, in line 12, strike “OR”; in line 13, after “(II)” insert “PAYING A WAGE TO EMPLOYEES WHO HAVE BEEN GRANTED AN H1-B OR L1 VISA BY THE U.S. CITIZENSHIP AND IMMIGRATION SERVICES AT A RATE LESS THAN THE RATE PAID TO EMPLOYEES WHO ARE OTHERWISE LAWFULLY PRESENT IN THE UNITED STATES IF BOTH EMPLOYEES WORK IN THE SAME ESTABLISHMENT AND PERFORM WORK OF COMPARABLE CHARACTER OR WORK ON THE SAME OPERATION, IN THE SAME BUSINESS, OR OF THE SAME TYPE; OR

(III)”;

in lines 14, 22 and 23, and 25, in each instance, strike “OR GENDER IDENTITY” and substitute “, GENDER IDENTITY, OR WHETHER AN EMPLOYEE HAS BEEN GRANTED AN H1-B OR L1 VISA BY THE U.S. CITIZENSHIP AND IMMIGRATION SERVICES”; and in line 15, after “(1)(I)” insert “AND (II)”.

(Over)

On page 7 of the bill, in line 4, after “subtitle” insert “WITH RESPECT TO SEX OR GENDER IDENTITY”; in line 10, after “(2)” insert “IF AN EMPLOYER VIOLATES § 3-304 OF THIS SUBTITLE WITH RESPECT TO AN EMPLOYEE WHO HAS BEEN GRANTED AN H1-B OR L1 VISA BY THE U.S. CITIZENSHIP AND IMMIGRATION SERVICES, AN AFFECTED EMPLOYEE MAY BRING AN ACTION AGAINST THE EMPLOYER FOR INJUNCTIVE RELIEF AND TO RECOVER THE DIFFERENCE BETWEEN WAGES PAID TO EMPLOYEES WHO HAVE BEEN GRANTED H1-B OR L1 VISAS BY THE U.S. CITIZENSHIP AND IMMIGRATION SERVICES AND THE WAGES PAID TO EMPLOYEES WHO ARE OTHERWISE LAWFULLY PRESENT IN THE UNITED STATES WHO DO WORK OF COMPARABLE NATURE OR THE SAME TYPE OF WORK AND AN ADDITIONAL EQUAL AMOUNT AS LIQUIDATED DAMAGES.”

(3)”;

and in line 13, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 3

On page 3 of the Economic Matters Committee Amendments (HB1003/453897/1), in line 5 of Amendment No. 2, strike “OR GENDER IDENTITY” and substitute “, GENDER IDENTITY, OR STATUS AS AN H1-B OR L1 VISA HOLDER”.

AMENDMENT NO. 4

On page 3 of the Economic Matters Committee Amendments, in line 5 of Amendment No. 3, strike “OR GENDER IDENTITY” and substitute “, GENDER IDENTITY, OR WHETHER AN EMPLOYEE HAS BEEN GRANTED AN H1-B OR L1 VISA BY THE U.S. CITIZENSHIP AND IMMIGRATION SERVICES”.