

1.1 Senator moves to amend S.F. No. 2 as follows:

1.2 Page 1, line 20, delete everything before "data" and insert "The"

1.3 Page 1, line 21, after "(b)" insert "may be exchanged between the department and the
1.4 Department of Labor and Industry"

1.5 Page 6, line 15, delete the first period

1.6 Page 30, delete line 30, and insert "has been deemed eligible for benefits under this
1.7 chapter."

1.8 Page 31, delete lines 1 and 2

1.9 Page 33, delete subdivision 3 and insert:

1.10 "Subd. 3. **Waiver of rights as condition of employment prohibited.** No employer may
1.11 require any employee or applicant to waive or limit any right or benefit under this chapter
1.12 as a condition of employment."

1.13 Page 36, delete subdivision 8 and insert:

1.14 "Subd. 8. **Remedies.** (a) In addition to any other remedies available to an employee in
1.15 law or equity, an employee injured by a violation of this section may bring a civil action to
1.16 recover:

1.17 (1) any and all damages recoverable at law;

1.18 (2) reasonable interest on the amount of damages awarded;

1.19 (3) an additional amount as liquidated damages equal to the sum of the amount described
1.20 in clause (1), except that if an employer who has violated the provisions of this section
1.21 proves to the satisfaction of the court that the act or omission which violated the provisions
1.22 of this section was in good faith or that the employer had reasonable grounds for believing
1.23 that the act or omission was not a violation of the provisions of this section, the court may,
1.24 in the discretion of the court, reduce the amount of the liability to the amount determined
1.25 under clause (1); and

1.26 (4) such injunctive and other equitable relief as determined by a court or jury, including
1.27 employment, reinstatement, and promotion.

1.28 (b) An action to recover damages or equitable relief prescribed in paragraph (a) may be
1.29 maintained against any employer in any federal or state court of competent jurisdiction by
1.30 any one or more employees. Rule 23 of the Rules of Civil Procedure applies to this section.

2.1 (c) The court in an action under this section must, in addition to any judgment awarded
2.2 to the plaintiff or plaintiffs, allow a prevailing plaintiff reasonable attorney fees, reasonable
2.3 expert witness fees, and other costs of the action incurred by the plaintiff to be paid by the
2.4 defendant.

2.5 (d) Nothing in this section shall be construed to allow an employee to recover damages
2.6 from an employer for the denial of benefits under this chapter by the department, unless the
2.7 employer unlawfully interfered with the application for benefits under subdivision 2.

2.8 (e) An employee bringing a civil action under this section is entitled to a jury trial. An
2.9 employee cannot waive their right to a jury trial under this section including, but not limited
2.10 to, by signing an agreement to submit claims to arbitration."

2.11 Page 44, lines 23 and 26, delete "is" and insert "may be"

2.12 Page 44, after line 27, insert:

2.13 "(c) An employer shall not be subject to any penalty under this section upon a reasonable
2.14 showing that the employer's act or omission which violated the provisions of this chapter
2.15 was in good faith or that the employer had reasonable grounds for believing that the act or
2.16 omission was not a violation of the provisions of this section."

2.17 Page 53, line 17, delete "No employer having terminated an" and insert "It is not a
2.18 violation of this section to terminate an employee for obtaining benefits through intentional
2.19 misrepresentation."

2.20 Page 53, delete lines 18 and 19

2.21 Page 62, line 23, delete "subdivision" and insert "section"

2.22 Amend the title accordingly