

Part A Highest Quarterly Wage	Part B Rate of Compensation	Part C Qualifying Wages	Part D Amount of Compensation
788-812	32	1280	960
813-837	33	1341	990
838-862	34	1403	1020
863-[or more]	35	1468	1050
888-912	36	1534	1080
913-937	37	1603	1110
938-962	38	1675	1140
963-987	39	1748	1170
988 or more	40	1825	1200

Section 12. The amendments to section 4 (w) (1), section 401 (a), section 402 (h) and section 404 shall take effect January one, one thousand nine hundred sixty; the amendments to section 4 (w) (2) shall be applicable to any individual who exhausts his benefits subsequent to the effective date of this act; otherwise this act shall be effective immediately. Effective dates.

APPROVED—The 17th day of December, A. D. 1959.

DAVID L. LAWRENCE

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No. 694

### AN ACT

Prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Equal Pay Law.

Section 1. Short Title.—This act shall be known and may be cited as the “Equal Pay Law.” Short Title.

Section 2. Definitions.—(a) The term “employee,” as used in this act, shall mean any person employed for hire in any lawful business, industry, trade or profession, or in any other lawful enterprise. Definitions.

(b) “Employer” includes any person acting, directly or indirectly, in the interest of any employer in relations with an employe.

(c) “To employ” shall mean to engage, suffer or permit to work.

(d) “Occupation” shall mean any industry, trade, business, profession or any other employment.

(e) "Secretary" shall mean the Secretary of Labor and Industry.

Section 3. Wage Rates.—No employer shall discriminate in any place of employment between employes on the basis of sex by paying wages to any employe at a rate less than the rate at which he pays wages to employes of the opposite sex for work *under* comparable conditions on jobs the performance of which requires comparable skills, except where such payment is made pursuant to a seniority training or merit increase system which does not discriminate on the basis of sex.

Section 4. Powers of Secretary.—(a) The secretary shall have the power, and it shall be his duty, to carry out and administer the provisions of this act.

(b) For this purpose, the secretary or his authorized representative shall have the power to enter the establishment of any employer to inspect and copy payrolls and other employment records, to compare character of work and operations on which persons employed by him are engaged, to question such persons and to obtain such other information as is reasonably necessary to the administration and enforcement of this act.

(c) The secretary shall have the power to issue such rules and regulations consistent with the purpose and provisions of this act as he deems necessary to make effective the provisions of this act.

Section 5. Collection of Unpaid Wages.—(a) An employer who wilfully and knowingly violates the provisions of section \*3 of this act shall be liable to the employe or employes affected in the amount of their unpaid wages and in addition, an equal amount as liquidated damages. Action to recover such wages and damages may be maintained in any court of competent jurisdiction by any one or more employes for and in behalf of himself or themselves and other employes similarly situated. Any agreement between the employer and an employe to work for less than the wage to which such employe is entitled under this act shall be no defense to such action. The court in such action shall, in addition to any wages and damages, allow a reasonable attorney's fee and costs of the action to the plaintiff. At the request of any employe paid less than the wage to which she is entitled under this act, the Secretary of Labor and Industry may take an assignment of such wage claim for collection and shall bring any legal action necessary to collect such claim. The secretary shall not be required to pay the filing fee or other costs in connection with such

\* "2" in original.

action. The secretary shall have power to join various claimants against the employer in one cause of action.

(b) Any action pursuant to the provisions of this act must be brought within one year from the date upon which the violation complained of occurs.

Section 6. Records and Reporting.—Every employer subject to this act shall make, keep and maintain such records of the wages and wage rates, job classifications and other terms and conditions of employment of the persons employed by him, and shall preserve such records for \* such period and shall make such reports therefrom, as the secretary shall prescribe.

Section 7. Abstracts.—The Department of Labor and Industry shall prepare an abstract of the provisions of this act; copies of the abstract shall be printed in accordance with the laws of the Commonwealth regulating printing and publishing, and the Department of Labor and Industry shall supply the same to all persons required to post them. Employers subject to the provisions of this act shall keep an abstract posted in a conspicuous place.

Section 8. Penalties.—(a) Any employer who wilfully and knowingly violates any provisions of this act, or who discharges or in any other manner discriminates against any employe because such employe has made any complaint to his employer, the secretary or any other person who instituted or caused to be instituted any proceeding under or related to this act, or has testified or is about to testify in any such proceedings, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), and, upon default in such fine and costs, shall undergo imprisonment for not less than thirty days nor more than sixty days. Each day such a violation continues shall constitute a separate offense.

(b) Any employer who fails to keep the records required under this act or to furnish such records to the secretary upon request, or who falsifies such records or who hinders, delays or otherwise interferes with the secretary or his authorized representatives in the performance of his duties in the enforcement of this act, or refuses such official entry into any establishment which he is authorized by this act to inspect, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), and, upon default in such fine and costs, shall undergo imprisonment for not

\* "a" in original.

less than thirty days nor more than sixty days. Each day such a violation continues shall constitute a separate offense.

**Specific repeal.** Section 9. The act of July 7, 1947 (P. L. 1401), entitled "An act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," is repealed.

**General repeal.** All other acts and parts of acts are repealed in so far as they are inconsistent herewith.

**Effective date.** Section 10. Effective Date.—This act shall become effective ninety days after the date of its final enactment.

APPROVED—The 17th day of December, A. D. 1959.

DAVID L. LAWRENCE

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No. 695

AN ACT

Relating to the legitimacy of children born of void or voidable marriages.

**Children.** The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

**Children born of void or voidable marriages deemed to be legitimate.** Section 1. In all cases where a supposed or alleged marriage is contracted, which is absolutely void by reason of one of the parties thereto having a spouse living at the time of the supposed or alleged marriage, or if for any other lawful reason, the said marriage was void or voidable when contracted, all children born to such parties shall be deemed the legitimate children of both parties for all purposes.

**Vested rights unaffected.** Section 2. The provisions of this act shall not affect any property rights that have vested prior to the effective date of this act.

APPROVED—The 17th day of December, A. D. 1959.

DAVID L. LAWRENCE

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No. 696

AN ACT

Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trus-