§848. Judicial enforcement

1. Injunction and damages. A civil action may be brought in the appropriate court by an employee against any employer to enforce this subchapter. The court may enjoin any act or practice that violates or may violate this subchapter and may order any other equitable relief that is necessary and appropriate to redress the violation or to enforce this subchapter. The court also may:

A. Award damages equal to the wages, salary, employment benefits or other compensation denied or lost to the employee by reason of the violation; or [PL 2005, c. 228, §1 (NEW).]

B. Order the employer to pay liquidated damages of $100 to the employee for each day that the violation continued. [PL 2005, c. 228, §1 (NEW).]

[PL 2005, c. 228, §1 (NEW).]

2. Additional damages. The court also may order the employer to pay an additional amount as liquidated damages equal to the amount awarded under subsection 1 if the employee proves to the satisfaction of the court that the employer's violation was willful.

[PL 2005, c. 228, §1 (NEW).]

3. Attorney's fees. In any action brought pursuant to this section, in addition to any judgment awarded to the employee, the court shall award reasonable attorney's fees and other costs of the action to be paid by the employer.

[PL 2005, c. 228, §1 (NEW).]

SECTION HISTORY

PL 1987, c. 661 (NEW). PL 2005, c. 228, §1 (RPR).

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