AN ACT TO AMEND TITLE 19 RELATING TO THE WORKPLACE FRAUD ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 35 of Title 19 of the Delaware Code by renumbering §3514 as §3515 and inserting a
new §3514 as follows:

"§3514. Public posting of violators.

The Department shall annually post, on its website, a list of Employers who are the subject of a final
determination or decision that such Employer has violated this Chapter."

SYNOPSIS

This Bill requires that the Department of Labor publish the names of employers who have violated the Workplace Fraud Act, by misclassifying an employee as an independent contractor or otherwise. Publication will be via the internet.
SPONSOR: Rep. Jaques

HOUSE OF REPRESENTATIVES
146th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1
TO
HOUSE BILL NO. 222

1 AMEND House Bill No. 222 at line 5 by adding after the word “decision” and before the word “that”, the
2 following phrase: “, including all appeals,”.

SYNOPSIS

This amendment clarifies that the Department of Labor would not post the name of any employer that has violated
the Workplace Fraud Act until all appeals had been pursued and/or forfeited.
AMAEND House Bill No. 222 at line 4 by striking the word “annually” as it appears therein.

FURTHER AMAEND House Bill No. 222 at line 5 by inserting, after the sentence ending with “this Chapter.” and before the quotation mark, the following:

“The name of an Employer who violates this Chapter shall remain on the Department’s website for a period of three years from the date the final determination or decision was issued.”

SYNOPSIS

This amendment specifies the period of time - 3 years - that an Employer’s name would remain posted on the Department of Labor’s website after the Employer is found to have violated the Workplace Fraud Act.