

cretion of the court, reduce the amount of the liability provided for under section 2617(a)(1)(A) of this title to the amount and interest determined under clauses (i) and (ii), respectively, of such section.

(Pub. L. 103-3, title I, §108, Feb. 5, 1993, 107 Stat. 17; Pub. L. 103-382, title III, §394(e), Oct. 20, 1994, 108 Stat. 4027; Pub. L. 107-110, title X, §1076(v), Jan. 8, 2002, 115 Stat. 2093; Pub. L. 110-181, div. A, title V, §585(a)(3)(H), Jan. 28, 2008, 122 Stat. 131; Pub. L. 114-95, title IX, §9215(hh), Dec. 10, 2015, 129 Stat. 2175.)

Editorial Notes

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsec. (b), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see section 1400 of Title 20 and Tables.

The Civil Rights Act of 1964, referred to in subsec. (b), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241. Title VI of the Act is classified generally to subchapter V (§2000d et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

AMENDMENTS

2015—Subsec. (a)(1)(A). Pub. L. 114-95 made technical amendment to reference in original act which appears in text as reference to section 7801 of title 20.

2008—Subsecs. (c)(1), (d)(2), (3). Pub. L. 110-181 inserted “or under section 2612(a)(3) of this title” after “section 2612(a)(1) of this title”.

2002—Subsec. (a)(1)(A). Pub. L. 107-110 substituted “section 7801 of title 20” for “section 8801 of title 20”.

1994—Subsec. (a)(1)(A). Pub. L. 103-382 substituted “section 8801 of title 20” for “section 2891(12) of title 20”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of Title 20, Education.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of Title 20, Education.

EFFECTIVE DATE

Section effective 6 months after Feb. 5, 1993, except that, in the case of collective bargaining agreements in effect on that effective date, section applicable on the earlier of (1) the date of termination of such agreement, or (2) the date that occurs 12 months after Feb. 5, 1993, see section 405(b) of Pub. L. 103-3, set out as a note under section 2601 of this title.

§ 2619. Notice

(a) In general

Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a

notice, to be prepared or approved by the Secretary, setting forth excerpts from, or summaries of, the pertinent provisions of this subchapter and information pertaining to the filing of a charge.

(b) Penalty

Any employer that willfully violates this section may be assessed a civil money penalty not to exceed \$100 for each separate offense.

(Pub. L. 103-3, title I, §109, Feb. 5, 1993, 107 Stat. 19.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective 6 months after Feb. 5, 1993, except that, in the case of collective bargaining agreements in effect on that effective date, section applicable on the earlier of (1) the date of termination of such agreement, or (2) the date that occurs 12 months after Feb. 5, 1993, see section 405(b) of Pub. L. 103-3, set out as a note under section 2601 of this title.

§ 2620. Public health emergency leave

(a) Definitions

The following shall apply with respect to leave under section 2612(a)(1)(F) of this title:

(1) Application of certain terms

The definitions in section 2611 of this title shall apply, except as follows:

(A) Eligible employee

(i) In general

In lieu of the definition in sections 2611(2)(A) and 2611(2)(B)(ii) of this title, the term “eligible employee” means an employee who has been employed for at least 30 calendar days by the employer with respect to whom leave is requested under section 2612(a)(1)(F) of this title.

(ii) ¹ Rule regarding rehired employees

For purposes of clause (i), the term “employed for at least 30 calendar days”, used with respect to an employee and an employer described in clause (i), includes an employee who was laid off by that employer not earlier than March 1, 2020, had worked for the employer for not less than 30 of the last 60 calendar days prior to the employee’s layoff, and was rehired by the employer.

(ii) ¹ Special rule

For purposes of applying section 2612(a)(1)(F) of this title and this section under the Congressional Accountability Act of 1995 [2 U.S.C. 1301 et seq.], in lieu of the definition in section 202(a)(2)(B) of that Act (2 U.S.C. 1312(a)(2)(B)), the term “eligible employee” means a covered employee (as defined in section 101 of that Act (2 U.S.C. 1301)) who has been employed for at least 30 calendar days by the employing office (as so defined) with respect to whom leave is requested under section 2612(a)(1)(F) of this title.

(B) Employer threshold

Section 2611(4)(A)(i) of this title shall be applied by substituting “fewer than 500 em-

¹ So in original. Two cls. (ii) have been enacted.