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Any employee who is affected by a violation of this subsection may bring an action in any court of competent jurisdiction for such relief (including relief against the State of the United States) as may be appropriate to effectuate the purposes of this chapter, including without limitation judgments compelling employment, reinstatement or promotion, or enforcing the liability for amounts deemed to be unpaid minimum wages or unpaid overtime compensation under this section. Such employee shall be entitled to all relief permissible under sections 216 and 217 of this title [sections 16 and 17 of the Fair Labor Standards Act of 1938, as amended], except that such court shall have no power to order the payment to the employee of unpaid minimum wages or unpaid overtime compensation and the court shall have no authority to order such payment to the employee if such employer shows to the satisfaction of the court that the act or omission giving rise to such action was in good faith and that he had reasonable grounds for believing that his act or omission was not a violation of the Fair Labor Standards Act of 1938. If the Secretary obtains relief under this section, any employee who may be injured by reason of such failure, or the representative of such employees, might bring an action against the Secretary in the United States district court for the district in which the imminent danger is alleged to exist or the employer has its principal office, or for the District of Columbia, for a writ of mandamus to compel the Secretary to seek such an order and for such further relief as may be appropriate. If the Secretary arbitrarily or capriciously fails to seek such an order, any employee who may be injured by reason of such failure, or the representative of such employees, might bring an action against the Secretary in the United States district court for the district in which the imminent danger is alleged to exist or the employer has its principal office, or for the District of Columbia, for a writ of mandamus to compel the Secretary to seek such an order and for such further relief as may be appropriate.

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