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Bill Number: SB 1132   **Patron:** Boysko
Bill Title: Prospective employees; prohibiting employer seeking wage or salary history

Bill Summary: Prohibits a prospective employer from (i) seeking the wage or salary history of a prospective employee; (ii) relying on the wage or salary history of a prospective employee in determining the wages or salary the prospective employee is to be paid upon hire; (iii) relying on the wage or salary history of a prospective employee in considering the prospective employee for employment; (iv) refusing to interview, hire, employ, or promote a prospective employee or otherwise retaliating against a prospective employee for not providing wage or salary history; and (v) failing or refusing to disclose in each public and internal posting for each job, promotion, transfer, or other employment opportunity the wage, salary, or wage or salary range. The bill establishes a cause of action for an aggrieved prospective employee or employee and provides that an employer that violates such prohibitions is liable to the aggrieved prospective employee or employee for statutory damages between $1,000 and $10,000 or actual damages, whichever is greater, reasonable attorney fees and costs, and any other legal and equitable relief as may be appropriate.

Budget Amendment Necessary: No   **Items Impacted:** N/A

Explanation: This bill involves the Department of Labor and Industry (DOLI) and the courts, however no budget action is needed.

Fiscal Summary: It is anticipated that any fiscal impact resulting from this bill can be absorbed within existing resources.

Fiscal Analysis: DOLI generally enforces wage laws in Virginia, however this bill does not provide for enforcement by the agency. DOLI anticipate that any increase in calls resulting from this bill can be absorbed within existing resources.

The bill allows employees or prospective employees harmed by an employer's violation of the bill to bring a civil suit. Damages may be awarded in amounts ranging from $1,000 to $10,000, or actual damages if higher, in addition to attorney fees. It is anticipated that the courts can absorb any impact within existing resources.

Other: None