Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 2/3/2026 3:06 PM **ORIGINAL**

Bill Number: HB1216 **Patron:** Delaney
Bill Title: Retaliatory action against employee prohibited; remedies available.

Bill Summary: Provides that a violation of certain provisions regarding retaliatory action against employees may be alleged in a court of competent jurisdiction within two years after the employer's most recent prohibited retaliatory action. The bill states that in such a case, treble damages may be awarded if such violation was willful.

Budget Amendment Necessary: No **Items Impacted:** N/A
Explanation: This bill involves the Department of Labor and Industry (DOLI). No budget amendment is required. However, cumulative workload from this and similar bills may exceed existing agency capacity at DOLI.

Fiscal Summary: It is anticipated that, as a stand-alone bill, associated costs can be absorbed. See Fiscal Analysis.

Fiscal Analysis: This fiscal impact statement is preliminary and will be updated as additional information is received. This bill provides that a violation of certain provisions regarding retaliatory action against employees may be alleged in a court of competent jurisdiction within two years after the employer's most recent prohibited retaliatory action. Current law states that a person who alleges a violation of § 40.1-27.3, Code of Virginia, may bring a civil action in a court of competent jurisdiction within one year of the employer's prohibited retaliatory action. According to DOLI, this bill expands the agency's responsibilities related to providing technical assistance, guidance, and complaint screening for labor and employment law matters. This bill may result in an increase in workload due to a potential increase in the number of inquiries the agency receives and complaints the agency is required to investigate; however, this amount is indeterminate. It is anticipated that any fiscal impact on the agency resulting from this bill, considered in isolation, can be absorbed within existing resources. However, if multiple bills requiring expanded agency responsibilities for labor and employment law matters are enacted during the same period, the cumulative workload may exceed the agency's current capacity and could result in additional resource needs. Any funding provided can be allocated to Item 352 of HB30/SB30, as introduced.

Other: None.