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HOUSE BILL NO. 1481
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Commerce and Labor
on _____)
(Patron Prior to Substitute—Delegate Keys-Gamarra)

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 40.1 a section numbered 40.1-28.7:12, relating to labor and employment; notice of right to file a charge or complaint of discrimination.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 3 of Title 40.1 a section numbered 40.1-28.7:12 as follows:

§ 40.1-28.7:12. Employers to provide notice of right to file a charge or complaint of discrimination.

A. For the purposes of this section, "employer" means any employer as defined in § 40.1-2 that employs 15 or more employees, and notwithstanding the provisions of § 40.1-2.1, "employer" includes the Commonwealth and its agencies, institutions, and political subdivisions.

B. At each of the following times, an employer or such employer's designee shall provide to each employee a written notification of such employee's right to file (i) a charge of discrimination with the U.S. Equal Employment Opportunity Commission within 300 days after the occurrence of an alleged unlawful discriminatory practice and (ii) a complaint of an alleged unlawful discriminatory practice with the Office of the Attorney General under the Virginia Human Rights Act (§ 2.2-3900 et seq.):

- 1. As part of any new employee training provided to such employee at the commencement of employment;*
- 2. During any anti-discrimination training, including anti-harassment training, provided to such employee; and*
- 3. Upon such employer's receipt of an employee complaint alleging sexual assault, harassment, or any other form of discrimination for which such employee may seek enforcement by the U.S. Equal Employment Opportunity Commission or the Office of the Attorney General.*

2. That no later than January 1, 2027, the Office of Civil Rights of the Department of Law shall publish a standard written notice for employers to provide to employees pursuant to § 40.1-28.7:12 of the Code of Virginia, as created by this act. Such notice shall include the time period for an employee's right to file (i) a charge of discrimination with the U.S. Equal Employment Opportunity Commission within 300 days after the occurrence of an alleged unlawful discriminatory practice and (ii) a complaint of an alleged unlawful discriminatory practice with the Office of Civil Rights of the Department of Law

33 under § 2.2-3907 or 2.2-3909 of the Code of Virginia. The office of Civil Rights of the Department of
34 Law shall update such notice as necessary to maintain accuracy with the Virginia Human Rights Act
35 (§ 2.2-3900 et seq. of the Code of Virginia) and the Equal Employment Opportunity Act of 1972 (42
36 U.S.C. §§ 2000e et seq.).

37 3. That the provisions of the first enactment of this act shall become effective on January 1, 2027.