

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB221

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: McEachin

3. Committee: Commerce and Labor

4. Title: Equal pay irrespective of sex.

5. Summary: Amends existing law requiring equal pay for equal work irrespective of sex to (i) increase the penalty for a violation from double unpaid wages to triple unpaid wages plus reasonable attorney fees; (ii) prohibit employers from punishing employees for sharing salary information with their coworkers; and (iii) prohibit unequal provision of benefits and privileges. The measure also deletes the exemption for employers covered by the federal Fair Labor Standards Act from the Commonwealth's prohibition on discrimination in the payment of wages on the basis of sex.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: The fiscal impact for the Department of Human Resource Management is indeterminate as data on the number of employees who may be impacted by this bill are unavailable. There are no known statistics on equal pay findings in the state.

It is anticipated that this bill will not result in a fiscal impact to the Department of Labor and Industry as the agency is not responsible for enforcement. The employee whose wages have been wrongfully withheld in violation has a right of action to recover damages.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry; Department of Human Resource Management; all state agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: [None.](#)