

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 951

An Act to amend the Code of Virginia by adding in Article 2 of Chapter 3 of Title 40.1 a section numbered 40.1-33.1, relating to prohibiting employers from discriminating against employees for instituting proceedings for nonpayment of wages.

[S 48]

Approved April 9, 2020

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 3 of Title 40.1 a section numbered 40.1-33.1 as follows:

§ 40.1-33.1. Discriminatory actions prohibited.

A. An employer shall not discharge or in any other manner discriminate against an employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under § 40.1-29, or has testified or is about to testify in any such proceeding.

B. Any employee who is discharged or in any other manner discriminated against in a manner prohibited by this section may file a complaint with the Commissioner, and the Commissioner, with the written and signed consent of an employee, may institute proceedings on behalf of an employee for appropriate remedies for such action, including reinstatement of the employee and recovering lost wages and an additional amount equal to the lost wages as liquidated damages.