

20103189D

**HOUSE BILL NO. 417**

Offered January 8, 2020

Prefiled January 3, 2020

A *BILL to amend the Code of Virginia by adding a section numbered 40.1-29.1, relating to employment; requiring employees to purchase or provide materials prohibited.*

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Patron—Cole, J.G.

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Referred to Committee on Labor and Commerce

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 40.1-29.1 as follows:****§ 40.1-29.1. Requiring employees to purchase or provide materials.****A. As used in this section:**

"Employer" includes the Commonwealth, its agencies, institutions, or political subdivisions, or any public body.

"Materials" includes any (i) tool, (ii) apparel, (iii) equipment, or (iv) substance or item in an unprocessed or partially processed state that is intended to be processed by an employee in the performance of the work for which he is hired.

**B. No employer shall:**

1. Require any employee to purchase from the employer or any other person, or otherwise to pay for, any material necessary or required for the employee to perform or complete the work for which he was hired;

2. Require any employee to furnish, use, or provide at the employee's expense any material necessary or required for the employee to perform or complete the work for which he was hired;

3. Withhold or deduct from an employee's wages or salary the cost or value of any materials necessary or required for the employee to perform or complete the work for which he was hired that are provided to the employee by the employer; or

4. Refuse to hire, fail to promote, discharge, or otherwise adversely affect any terms or conditions of employment of any employee or prospective employee who objects to an employer's violation of the provisions of this section.

C. Any waiver of the provisions of this section by any employee shall be deemed contrary to public policy and shall be void and unenforceable.

D. An employee who alleges any loss or injury as a result of a violation of this section may bring an action in a court of competent jurisdiction against the employer for such alleged violation. The court may, in its discretion, award actual or punitive damages, including back pay with interest at the judgment rate as provided in § 6.2-302, and reasonable attorney fees, or grant injunctive relief.

INTRODUCED

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