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HOUSE BILL NO. 624**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on General Laws
on February 4, 2020)

(Patron Prior to Substitute—Delegate Hurst)

A *BILL to amend the Code of Virginia by adding in Article 4 of Chapter 5 of Title 2.2 a section numbered 2.2-520.1, relating to the Office of the Attorney General; Division of Human Rights; compensation discrimination information.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 5 of Title 2.2 a section numbered 2.2-520.1 as follows:

§ 2.2-520.1. *Discrimination in compensation on the basis of gender.*

A. As used in this section:

"Compensation" means any payments made to, or on behalf of, an employee or offered to an applicant as remuneration for employment, including salary, wages, overtime pay, shift differentials, bonuses, commissions, vacation and holiday pay, allowances, insurance and other benefits, and retirement.

"Employee" means the same as that term is defined in § 40.1-2.

"Employer" means the same as that term is defined in § 40.1-2.

B. Any company that employs 100 or more employees shall provide annually to the Division the following information for each employee: (i) gender, (ii) race, (iii) job title, (iv) department, (v) job grade or level, (vi) hire date, (vii) job location, (viii) hours worked over the past 52 weeks, (ix) base wage or salary, (x) overtime pay and bonuses or other forms of compensation, (xi) applicable performance scores or ratings, (xii) level of education, and (xiii) years of experience in the relevant field or industry.

C. By November 30 of each year, the Division shall develop a standard for how to evaluate discrimination in compensation on the basis of gender as prohibited by § 40.1-28.6. Such standard shall be developed utilizing the information received pursuant to subsection B.

2. That the Division of Human Rights shall provide recommendations regarding appropriate enforcement mechanisms, including causes of action and civil remedies, to address discrimination in compensation to the General Assembly by November 30, 2020.