

2021 SESSION

HOUSE SUBSTITUTE

20107213D

HOUSE BILL NO. 800

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Labor and Commerce
on January 30, 2020)

(Patron Prior to Substitute—Delegate Delaney)

A BILL to amend the Code of Virginia by adding a section numbered 40.1-29.1, relating to a requirement for disclosure of the terms of employment.

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. Disclosure of terms of employment.

A. For the purposes of this section, "employee" means any individual 18 years of age or older who works for daily wages or is employed to work on a project for a total of 10 days or less except the following:

1. Any person employed in domestic service or in or about a private home or in an eleemosynary institution primarily supported by public funds;

2. Any person engaged in the activities of an educational, charitable, religious, or nonprofit organization where the relationship of employer-employee does not, in fact, exist, or where the services rendered to such organizations are on a voluntary basis;

3. Any person confined in any penal or corrective institution of the state or any of its political subdivisions or admitted to a state hospital or training center operated by the Department of Behavioral Health and Developmental Services;

4. Students participating in a bona fide educational program;

5. Any person who is less than 24 years of age and who is currently enrolled on a full-time basis in any secondary school, institution of higher education, or trade school and is not employed more than 20 hours per week;

6. Any person of any age who is currently enrolled on a full-time basis in any secondary school, institution for higher education, or trade school and is in a work-study program or its equivalent at the institution at which he is enrolled as a student;

7. Any person who is less than 18 years of age and who is under the jurisdiction and the direction of a juvenile and domestic relations district court; and

8. Any person who works as a babysitter for fewer than 10 hours per week.

B. Every employer shall furnish to each employee, at the time of the employee's hiring, a written disclosure that shows:

1. The name of the employee;

2. The name of the employer, in addition to any trade name or assumed name under which the employer conducts business in the Commonwealth;

3. The street address and phone number of the employer's main office or principal location;

4. The rate of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or other basis, including overtime rate of pay;

5. For employees paid a piece rate, the applicable piece rate of pay and the number of pieces completed at each piece rate; and

6. The regular payday established by the employer as required by subdivision A 1 of § 40.1-29.

C. Every employer shall notify its employees in writing of any changes to the information set forth in subsection B at least seven calendar days prior to the time of such changes.

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