

## Department of Planning and Budget 2014 Fiscal Impact Statement

**1. Bill Number:** HB32

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Morrissey

**3. Committee:** Commerce and Labor

**4. Title:** Minimum wage; increases wage from its current federally mandated level.

**5. Summary:** Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$8.50 per hour effective July 1, 2014, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The act will expire at such time as the federal minimum wage equals or exceeds \$8.50 per hour.

**6. Budget Amendment Necessary:** Yes. Item 110 (HB30/SB30). See Item 8, below.

**7. Fiscal Impact Estimates:** Preliminary.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2014	0	0	general fund
2015	452,116	5	general fund
2016	452,116	5	general fund
2017	452,116	5	general fund
2018	452,116	5	general fund
2019	452,116	5	general fund
2020	452,116	5	general fund

**7b. Revenue Impact:** None.

**8. Fiscal Implications:** The federal Department of Labor's Wage and Hour Division enforces the federal minimum wage laws. If the minimum wage in Virginia is raised above the federal minimum wage, the Labor Law Division in the Department of Labor and Industry (DOLI) would have to begin enforcing the new minimum wage for Virginia employees beginning July 1, 2014, and would need four additional officer positions to conduct inspections and one assistant compliance officer to assist and support the inspection activities. Currently, the Labor Law Division conducts very few inspections into allegations of Virginia Minimum Wage law as the federal law covers almost all employees in the state.

Due to federal oversight of almost all employees in the state, the federal Wage and Hour Division conducts inspections of alleged violations of the minimum wage laws and averages about 750 inspections per year. If this bill is approved and increases the minimum wage above the federal mandate, then the Commonwealth will be responsible for minimum wage

compliance. DOLI anticipates it will have to conduct the same number of inspections as the federal Wage and Hour Division (750 inspections per year). In order to meet this workload, DOLI will need five (5) additional staff to enforce the increased minimum wage. The DOLI impact is for regulatory enforcement of the bill.

Based on data provided by the Department of Human Resource Management, the increase that would be effective on July 1, 2014, would affect approximately 264 salaried employees and have an expenditure impact of \$296,252. This estimate is based on current salaries for current employees. Estimates are not available for any effect the bill would have on wage employees. These estimates are not included in the Expenditure Impact table, above.

**9. Specific Agency or Political Subdivisions Affected:** Department of Labor and Industry, Labor Law Division; Department of Human Resource Management.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** HB536 and SB590 increase the minimum wage from its current federally mandated level of \$7.25 per hour to \$8.25 per hour effective July 1, 2014, and to \$9.25 per hour effective July 1, 2015, unless a higher minimum wage is required by the federal Fair Labor Standards Act.