

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: SB1080

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Wexton

3. Committee: Commerce and Labor

4. Title: Equal pay irrespective of sex.

5. Summary: Amends the existing law requiring equal pay for equal work irrespective of sex to (i) prohibit unequal provision of benefits and privileges; (ii) prohibit employers from punishing employees for sharing salary information with their coworkers; and (iii) authorize a court to award reasonable attorney fees and costs to an employee who substantially prevails on the merits in an action for wrongful withholding of wages, benefits, or privileges. The measure also removes the exemption for employers covered by the federal Fair Labor Standards Act from the Commonwealth's prohibition on discrimination in the payment of wages on the basis of sex.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: The fiscal impact for the Department of Human Resource Management is indeterminate as data on the number of employees who may be impacted by this bill are unavailable. There are no known statistics on equal pay findings in the state.

It is anticipated that this bill will not result in a fiscal impact to the Department of Labor and Industry, as the agency is not responsible for enforcement. An employee whose wages have been wrongfully withheld in violation has a right of action to recover damages.

Any impact to the court system as a result of the provisions of this bill can be absorbed within the normal course of operations.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry; Department of Human Resource Management; all state agencies; court system.

10. Technical Amendment Necessary: No.

11. Other Comments: None.