

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: HB2083

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: Vivian E. Watts

3. Committee: Rules

4. Title: Policies against workplace harassment; legislative branch.

5. Summary: Requires each legislative branch agency to adopt and implement the Commonwealth Workplace Harassment Policy (the Policy) established by the Department of Human Resource Management. The bill provides that the Policy applies to legislative branch employees, including General Assembly members and members-elect, when undertaking meetings with other state employees, contract employees, applicants for employment, customers, vendors, members of the media, members of the public, volunteers, or lobbyists or conducting or performing election activities in the scope of official duties.

Under the bill, a victim of alleged workplace harassment will be able to file a complaint against a legislative branch employee, other than a member of the General Assembly, in accordance with the procedures of the Policy or with the Division of Human Rights in the Office of the Attorney General. The Division of Human Rights is authorized to investigate the complaint and use any other powers with regard to the complaint granted to it under law. The bill requires each house of the General Assembly to adopt rules governing procedures and disciplinary sanctions for General Assembly members and members-elect violating policies against workplace harassment.

The 2018 Session of the General Assembly enacted legislation requiring full-time legislative branch employees to complete a sexual harassment training course once every two calendar years beginning January 1, 2019. In addition to other differences, this bill broadens the scope of training for legislative branch employees and provides for punitive damages if a party complaining of workplace harassment demonstrates that the defendant engaged in a discriminatory practice with malice or reckless indifference. The bill has a delayed effective date of January 1, 2020.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No fiscal impact is expected to state agencies.

8. Fiscal Implications: The Attorney General and Department of Law, the Department of Human Resource Management, the House, and the Senate indicate that the bill presents no fiscal impact.

9. Specific Agency or Political Subdivisions Affected: General Assembly, Legislative Staff, Legislative Branch Agencies. Attorney General and Department of Law, Department of Human Resource Management.

10. Technical Amendment Necessary: No.

11. Other Comments: