VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 205

An Act to amend the Code of Virginia by adding a section numbered 40.1-29.1, relating to the authority of the Department of Labor and Industry to investigate employers for failure to pay wages.

[S 49]

Approved March 10, 2020

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. Investigations of employers for nonpayment of wages.

If in the course of an investigation of a complaint of an employer's failure or refusal to pay wages in accordance with the requirements of § 40.1-29, the Commissioner acquires information creating a reasonable belief that other employees of the same employer may not have been paid wages in accordance with such requirements, the Commissioner shall have the authority to investigate whether the employer has failed or refused to make any required payment of wages to other employees of the employer as required by § 40.1-29. If the Commissioner finds in the course of such investigation that the employer has violated a provision of § 40.1-29, the Commissioner may institute proceedings on behalf of any employee against his employer. Such proceedings shall be undertaken in accordance with the provisions of § 40.1-29, except that the Commissioner shall not require a written complaint of the violation or the written and signed consent of any employee as a condition of instituting such proceedings.