

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4  
5 Approved

[S 49]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 40.1-29.1 as follows:**

8 **§ 40.1-29.1. Investigations of employers for nonpayment of wages.**

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

ENROLLED

SB49ER