

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: SB804

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

2. Patron: McClellan

3. Committee: Labor and Commerce

4. Title: Employment; domestic service.

5. Summary: Provides that individuals who are engaged in providing domestic service are not excluded from the definition of employee.

Additionally, this bill provides that the Secretary of Commerce and Trade shall convene a work group consisting of representatives from the Department of Labor and Industry, the Virginia Employment Commission, and the Workers' Compensation Commission to make recommendations, including any necessary statutory and regulatory changes, with regard to protecting domestic service employees from workplace harassment and discrimination, providing remedies for such employees for the nonpayment of wages, ensuring the safety and health of such employees in the workplace, and protecting such employees from loss of income as a result of unemployment or employment-related injury by including coverage of such employees in the Virginia Unemployment Compensation Act and the Virginia Workers' Compensation Act. The work group shall report its findings and recommendations to the Chairs of the Senate Committee on Commerce and Labor and the House Committee on Labor and Commerce by November 1, 2020.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary, see item 8.

8. Fiscal Implications: The Department of Labor and Industry (DOLI) anticipates that its Labor Law Division will be able to investigate minimum wage claims from domestic service workers, as it does not anticipate many minimum wage complaints due to the limited number of domestic service workers in Virginia not covered by the Fair Labor Standards Act.

The fiscal impact to the Virginia Employment Commission (VEC) is indeterminate as the bill lacks sufficient data regarding the parameters of the study in order to estimate the costs associated with the study. The agency cannot determine at this time how many staff hours will be needed to devote to the study; however, VEC does not anticipate hiring new staff for the study.

The Virginia Workers' Compensation Commission does not anticipate a fiscal impact as a result of this bill.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry; Virginia Employment Commission; Virginia Workers' Compensation Commission, Secretary of Commerce and Trade.

10. Technical Amendment Necessary: No.

11. Other Comments: None.