

2023 SESSION

INTRODUCED

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HOUSE BILL NO. 2148

Offered January 11, 2023

Prefiled January 10, 2023

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 40.1 a section numbered 40.1-28.7:10, relating to employment discrimination; employee notification of federal and state statute of limitations.*

Patrons—Guzman, Clark, Hope, Kory, Maldonado, Shin and Simon

Referred to Committee on Commerce and Energy

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 3 of Title 40.1 a section numbered 40.1-28.7:10 as follows:

§ 40.1-28.7:10. Employers to notify employees of federal and state statute of limitations.

A. For the purposes of this section, "employer" means any employer as defined in § 40.1-2 and, notwithstanding the provisions of 40.1-2.1, "employer" includes the Commonwealth and its agencies, institutions, and political subdivisions.

B. An employer shall include as part of any new employee training provided at the commencement of employment and at any time anti-discrimination training, including anti-harassment training, is provided to an employee a written notification of the right to file a charge of discrimination with the U.S. Equal Employment Opportunity Commission or the Office of the Attorney General within 300 days after an alleged unlawful discriminatory practice occurred.

C. An employer that receives an employee complaint alleging sexual assault, harassment, or any other form of discrimination for which the employee may seek enforcement by the U.S. Equal Employment Opportunity Commission or the Office of the Attorney General shall notify such employee in writing that a charge may be filed with the U.S. Equal Employment Opportunity Commission or the Office of the Attorney General within 300 days after an alleged unlawful discriminatory practice occurred.

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