

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB325

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. **Patron:** Thomas

3. **Committee:** Labor and Commerce

4. **Title:** Minimum wage and overtime wages; civil actions.

5. **Summary:** Provides that an employer that violates minimum wage or overtime provisions is liable to the employee for the applicable remedies, damages, or other relief available in an action brought pursuant to the civil action provisions currently available for the nonpayment of wages. Such provisions currently available provide that an employee may bring an action in a court of competent jurisdiction to recover payment of the wages, and the court is required to award the wages owed, an additional equal amount as liquidated damages, plus prejudgment interest thereon, and reasonable attorney fees and costs. If the court finds that the employer knowingly failed to pay wages to an employee, the court is required award the employee an amount equal to triple the amount of wages due and reasonable attorney fees and costs. Such actions are required to be commenced within three years after the cause of action accrued.

6. **Budget Amendment Necessary:** No

7. **Fiscal Impact Estimates:** Preliminary

8. **Fiscal Implications:** It is anticipated that the Department of Labor and Industry will be able to absorb any increase in inquiries as a result of this bill with existing resources.

The provisions of this bill would be applicable to the Commonwealth as an employer. The Department of Human Resource Management coordinates wage policies for state agencies and does not anticipate a fiscal impact as a result of this bill.

9. **Specific Agency or Political Subdivisions Affected:** Department of Labor and Industry, Department of Human Resource Management, courts

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None