



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF LABOR AND INDUSTRY**

**Gary G. Pan**  
COMMISSIONER

Brookfield Place  
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October 18, 2024

Division of Legislative Automated Systems (DLAS)  
Old City Hall  
1001 East Broad Street, Suite 210  
Richmond, Virginia 23219

Attention: Legislative Documents and Reports Processing

Attached is the Department of Labor and Industry *Annual Report on the State's Minimum Wage Program, Anti-Discrimination in Payment of Wage Program, Anti-Discrimination in Worker Misclassification Program, and the Prevailing Wage Rate Program*. The Appropriation Act – Item 349 B.1. (Special Session I, 2024) required the Department to make this report.

I am the contact person for this report. My contact information is:

Brittany Rawlinson  
804-786-4777  
brittany.rawlinson@doli.virginia.gov

Sincerely,

A handwritten signature in blue ink that reads "Brittany Rawlinson".

Brittany Rawlinson  
Legislative Liaison



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October 18, 2024

The Honorable L. Louise Lucas  
Chair, Senate Finance and Appropriations Committee  
General Assembly Building  
Room No: 1404  
Senate of Virginia  
P. O. Box 396  
Richmond, VA 23218

The Honorable Luke E. Torian  
Chair, House Appropriations Committee  
General Assembly Building  
201 North 9th Street,  
Richmond, Virginia 23219

Michael Maul  
Director, Department of Planning and Budget  
Department of Planning and Budget  
1111 East Broad Street, Room 5040  
Richmond, VA 23219-1922

Dear Senator Lucas, Delegate Torian, and Director Maul:

In accordance with Item 349 B.1. (Special Session I, 2024) the Department of Labor and Industry (The Department) is required to report on the state's minimum wage program, anti-discrimination in payment of wage program, anti-discrimination in worker misclassification program and the prevailing wage rate program:

*B.1. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's minimum wage program, including, but not limited to, the number of (i) customer contacts concerning minimum wage, (ii) minimum wage claims processed, (iii) cases with wages collected, (iv) cases with claims ruled invalid, (v) cases with final orders issued, and (vi) cases cleared within 90 days.*

2. *The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in payment of wage program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving payment of wage complaints or proceedings, (ii) payment of wage discrimination complaints processed, (iii) meritorious complaints with payment of wage discrimination resolved with either reinstatement or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.*

3. *The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in worker misclassification program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving worker misclassification, (ii) discrimination in worker misclassification claims processed, (iii) meritorious complaints with worker misclassification wage discrimination resolved with either reinstatement and/or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.*

4. *The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's prevailing wage rate program, including, but not limited to, the number of (i) contacts from state agencies to determine the proper prevailing wage, (ii) prevailing wage determinations for the involved planning district calculated using Davis-Bacon rates for the cities and counties within the planning district, and (iii) contractor provided scale of pay and fringe benefits certified and received.*

MINIMUM WAGE PROGRAM

B.1. asks for information regarding the Department's contacts and claims concerning minimum wage.

<b>Minimum Wage Enforcement</b>	
<b>Customer Contacts</b>	503
<b>Minimum Wage Claims processed</b>	9
<b>Cases with Wages Collected</b>	4
<b>Cases Ruled invalid</b>	5
<b>Cases with Final Orders issued</b>	0
<b>Cases cleared in 90 days</b>	4

ANTI-DISCRIMINATION IN PAYMENT OF WAGE PROGRAM

B.2. asks for information regarding the Department’s contacts and claims concerning the anti-discrimination in payment of wage program.

<b>Anti-Discrimination in Payment of Wage</b>	
<b>Customer Contacts</b>	222
<b>Complaints processed</b>	20
<b>Meritorious Complaints resolved</b>	
-Reinstatement	0
-Recovery of Lost Wages	0
<b>Non Meritorious Complaints</b>	19 (1 still under investigation)
<b>Cases Taken to Court</b>	0

ANTI-DISCRIMINATION IN WORKER MISCLASSIFICATION PROGRAM

B.3. asks for information regarding the Department’s contacts and claims concerning worker misclassification.

<b>Anti-Discrimination in Worker Misclassification</b>	
<b>Customer Contacts</b>	190
<b>Complaints Processed</b>	4
<b>Meritorious Complaints Resolved</b>	
-Reinstatement	0
-Recovery of Lost Wages	0
<b>Non Meritorious Complaints</b>	4
<b>Cases Taken to Court</b>	0

PREVAILING WAGE PROGRAM

B.4. asks for information regarding the Department’s monitoring of the prevailing wage program. The data reported below includes contacts from localities to determine the applicable prevailing wages.

<b>Prevailing Wage</b>	
<b>Contacts with State and Local Agencies to Determine Proper Prevailing Wage</b>	1,758
<b>Prevailing Wage Determinations</b>	943
<b>Certified Pay and Fringe Benefit Scales Received</b>	4,506

The Department remains committed to ensuring that Virginians are paid fairly and in accordance with the law.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gary G. Pan', with a long horizontal flourish extending to the right.

Gary G. Pan  
Commissioner