



COMMONWEALTH of VIRGINIA
DEPARTMENT OF LABOR AND INDUSTRY

Gary G. Pan
COMMISSIONER

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October 16, 2025

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 Chairwoman Lucas, Chairman Torian, and Director Maul:

In accordance with the Appropriation Act, Chapter 725, Item 349 B.1-4. (2025), 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.

Minimum Wage Enforcement	
Customer Contacts	363
Minimum Wage Claims processed	63
Cases with Wages Collected	8
Cases Ruled invalid	55
Cases with Final Orders issued	0
Cases cleared in 90 days	61

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.

Anti-Discrimination in Payment of Wage	
Customer Contacts	219
Complaints processed	20
Meritorious Complaints resolved	
-Reinstatement	0
-Recovery of Lost Wages	0
Non Meritorious Complaints	21*
Cases Taken to Court	0

*One (1) pending complaint from 2024 was resolved and determined to be non-meritorious during 2025.

ANTI-DISCRIMINATION IN WORKER MISCLASSIFICATION PROGRAM

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

Anti-Discrimination in Worker Misclassification	
Customer Contacts	164
Complaints Processed	5
Meritorious Complaints Resolved	
-Reinstatement	0
-Recovery of Lost Wages	0
Non Meritorious Complaints	5
Cases Taken to Court	0

PREVAILING WAGE RATE 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.

Prevailing Wage	
Contacts with State and Local Agencies to Determine Proper Prevailing Wage	1,874
Prevailing Wage Determinations	1,105
Certified Pay and Fringe Benefit Scales Received	8,368

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