

VIRGINIA ANTI-RETALIATION LAW FOR
NON-PAYMENT OF WAGE CLAIMS IS IN EFFECT

On July 1, 2020, a new law went into effect that grants employees new rights in disputes with their employers over payment of wage issues.

VA Code § 40.1-33.2 makes it illegal for an employer to discharge or “in any other manner discriminate against an employee” because the employee filed a complaint or initiated a proceeding alleging that the employer has violated Virginia’s prohibition against nonpayment of wages (VA Code § 40.1-29). The law also prevents retaliation against an employee who has testified or assisted in an investigation of nonpayment of wage claims.

If an employee is discharged or otherwise punished for filing a nonpayment of wage complaint, they may file a complaint with the Commissioner, who may initiate proceedings on behalf of the employee with the employee’s consent. The remedies for such a proceeding may include reinstatement of the employee, recovering lost wages, and liquidated damages equaling the amount of lost wages.

If you have any questions or believe that you were retaliated against for filing a complaint for nonpayment of wage, please contact the please contact Compliance Officer Steve Harlow with the Anti-Retaliation Unit at (540) 248-9280, ext. 15.