

Virginia Overtime Wage Act

July 1, 2021, the Virginia Overtime Wage Act, Va. Code § 40.1-29.2, goes into effect. This law requires employers in the Commonwealth to pay an overtime wage rate of one and a half times the regular rate for all hours worked in excess of 40 hours in a workweek. Violations of this Act will be enforced by the Virginia Department of Labor and Industry. This law does not exempt small businesses from the Overtime Wage Act. Additionally the Commonwealth, its agencies, and localities are also subject to the Act.

The Department of Labor and Industry has prepared some materials to assist both workers and employers in the Commonwealth to understand this new law. For a list of Frequently Asked Questions, please visit our website. If an employee believes they are not being paid overtime wage rates beginning July 1, 2021 in violation of the law, they can file a claim for unpaid wages. Forms will be available on the website.

If you have any additional questions about the Virginia Overtime Wage Act, or any other labor and employment law-related questions, please to contact the Department of Labor and industry at laborlaw@doli.virginia.gov, or by phone at (804) 786-2706.