

Virginia Employment Law Readiness Checklist

On July 1, 2026 three significant changes to Virginia employment law take effect. They apply to every employer in the Commonwealth, regardless of size, and they touch how you post jobs, how you pay people, and how you protect your workforce.

Most of what is changing requires operational work, not legal work. Compensation methodology, manager training, handbook updates, and process discipline. The companies that wait will spend the next 30 days reacting instead of preparing.

Compensation & Pay Transparency

Effective July 1, every Virginia employer must post a good-faith salary range on every job listing, including internal promotions. Asking candidates about salary history is prohibited. These are the changes with the biggest operational lift.

COMPENSATION STRUCTURE	In Place	Partial	Not Yet
We have documented salary ranges for every active role	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our ranges are supported by current market data (within the last 12 months)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have a written methodology explaining how ranges are set, including market sources, internal equity logic, and compensation compression considerations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our ranges are narrow enough to be defensible as "good faith," and not so wide they appear arbitrary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
HIRING PROCESS	In Place	Partial	Not Yet
Every active and template job posting includes a current salary range	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our applicant tracking system supports posting ranges without manual workarounds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Internal promotion postings include a range, even when not actively recruiting externally, and the range is the same as if it were posted externally	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our recruiters, hiring managers, and HR team have been trained on what they can and cannot ask candidates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have removed salary history questions from applications, screening calls, and recruiter scripts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have a standard response prepared for candidates who voluntarily share their current compensation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
INTERNAL READINESS	In Place	Partial	Not Yet
We have reviewed internal pay equity before posting ranges publicly (internally or externally)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have a plan for how to respond to current employees who see internal or external postings and ask questions about their own compensation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our handbook and compensation policy reflect the new requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

14-Day Wage Safe Harbor

Under HB 238, employers have 14 days from notice of a wage concern to fully cure. Miss the window and the good faith defense is gone, putting double damages on the table.

	In Place	Partial	Not Yet
Our managers and payroll team know that a paycheck complaint is a clock-starting event	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have a written wage dispute escalation protocol that triages complaints within 24 hours	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our handbook includes safe harbor language with the new Virginia standard, not just the federal version	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have a documented process for logging notice, investigating, and curing within 14 days, supported by accessible payroll records and trained responders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Non-Competes

Non-competes entered into, renewed, or amended after July 1 require paid cash severance. Healthcare professionals, including physicians, nurses, counselors, therapists, social workers, optometrists, and psychologists, cannot be subject to non-competes at all.

	In Place	Partial	Not Yet
We have audited which current employees are subject to non-compete and whether each role genuinely warrants one	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have removed non-competes from any healthcare professional contracts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
We have a defined severance amount or formula we will offer if we require a new, renewed or amended non-compete after July 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our confidentiality and non-solicitation provisions are in good shape as a fallback or amended non-compete after July 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
For PE-backed companies: restrictive covenants across the portfolio have been reviewed for consistency and post-July 1 compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How Did You Score?

Once something crosses into a legal claim, it belongs with counsel. But before it gets there, there is a significant opportunity to strengthen the underlying people, practices, and operational structure that help reduce risk and create consistency. That is where we tend to partner best with middle-market and PE-backed organizations.

If any part of this checklist raised questions or highlighted areas you may want to revisit, we are happy to connect and talk through it.

