



Virginia Employers Could See Big Changes in 2026: 7 Workplace Law Bills That Could Be Revived Under the New Administration

Insights

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Outgoing Republican Governor Glenn Youngkin vetoed some 400 bills passed by the Virginia legislature over the past four years, far more than any of his predecessors. Several of the vetoed bills would have directly impacted employers operating in the commonwealth, including bills aimed at raising the minimum wage and increasing protections for warehouse workers. With incoming Democratic Governor Abigail Spanberger at the helm and a Democratic-held legislature, several bills that Gov. Youngkin previously vetoed are now back in play and could become law in the coming years. Here are a few laws that Virginia employers should keep an eye on in 2026 and beyond.

House Bill 1928 – Minimum Wage Increase to \$15 per hour by 2027

This bill would have gradually raised Virginia's hourly minimum wage from roughly \$12.41 to \$13.50 in 2026 and \$15.00 in 2027. Gov. Youngkin vetoed it in 2024 and 2025, on the grounds that such a mandate would burden businesses. Raising the minimum wage remains a popular initiative among many Democrats and labor advocates, and it is likely to garner full support under the new administration. This bill has already been pre-filed for the upcoming January 2026 legislative session, indicating it is a top priority for incoming House Democrats.

House Bill 1921 – Paid Sick Leave for All Workers

This measure was intended to expand existing paid sick leave protections, which currently apply only to home health workers, to cover all employees of private businesses and state and local governments. Workers would earn one hour of paid sick leave for every 30 hours worked. The bill also would have established civil penalties for employers who violate the paid leave requirements. Paid sick leave has been a longstanding priority of the Democratic party and, this initiative, like the minimum wage bill, has been pre-filed as part of the House Democrats' ambitious preliminary legislative package.

House Bill 2094 – High-Risk Artificial Intelligence

This legislation was one of the nation's first state-level bills aimed at tackling potential bias when using AI in high-risk decision making. Under HB 2094, businesses using AI in high-risk decisions would be charged with taking reasonable care to prevent algorithmic bias when AI is the principal basis for the decision. Deployers of AI would need to conduct risk assessments, disclose AI usage

to individuals affected, and allow appeals of AI-driven adverse decisions. This bill was vetoed by Youngkin; however, in an exclusive interview with Fisher Phillips, State Delegate Michelle Maldonado (D), indicated that she will introduce a pared down version of that same bill targeting the healthcare sector as one of her first priorities of the 2026 legislative session.

House Bill 2531 – Paid Family and Medical Leave Insurance Program

This bill would have created a statewide paid family and medical leave (“PFML”) program, administered by the Virginia Employment Commission. The law would have required the payment of benefits at 80% of a worker’s average weekly wage in the event of a qualifying medical event for up to 12 weeks per year. The bill provided for funding for the program through tax premiums paid by employers and employees, which is ultimately why it was vetoed by Gov. Youngkin. The PFML would be one of the most significant worker-benefit expansions in Virginia in decades and remains controversial. The new political environment, however, increases the probability that the program, or something like it, may actually come to fruition.

House Bill 2561 — Strengthened Employee Wage Protections; Misclassification Enforcement

Despite the title, House Bill 2561 would do more than simply strengthen employee wage protections. This bill was intended to increase the penalties for employer violations of the Virginia wage laws by expanding the damages available to employees to include full back wages, liquidated damages equal to the wage amount (or triple that amount, if the violation was knowing), interest, and attorneys’ fees. The measure would also expand the filing window for discrimination complaints from 300 days to two years and extend the statute of limitations for misclassification actions to three years. This has been described as another high-priority bill for the Democrats, so it is likely to be revived in the coming year.

Senate Bill 1132 – Salary History Ban & Pay Transparency Requirements

More and more states and localities have taken measures to increase pay transparency for applicants and workers, and Senate Bill 1132 was intended to bring Virginia into the cadre. As vetoed, the measure would have prohibited employers from asking for, or relying on a job applicant’s wage or salary history. It also sought to bar employers from retaliating against individuals who refused to provide that history, and require companies to include a salary range in public or internal job postings. Senate Bill 1132 provided for significant damages of up to \$10,000 (or actual damages, whichever is greater), as well as attorneys’ fees and costs.

Senate Bill 967 – Warehouse Worker Protections; Minimum Wage & Overtime Enforcement

Virginia is home to many companies that employ significant numbers of warehouse employees. Senate Bill 967 was intended to target abusive warehouse productivity practices and strengthen wage-law enforcement in the industry sector. Per its terms, warehouse employers would have to provide written descriptions of all performance metrics and explain potential disciplinary actions.

The bill also sought to set civil penalties of up to \$5,000 per violation of wage, overtime, or warehouse-specific protections. Other states, such as California and New York, have already passed laws aimed at protecting warehouse workers, in large part motivated by increasing concerns about the demands placed on those workers and corresponding high injury rates.

Conclusion

While only time will tell what the swing in the political pendulum will mean for the Virginia, it is already clear that employers need to be prepared for substantial changes to the status quo. We will continue to monitor developments in Virginia throughout 2026, so make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. If you have questions about the proposed legislation, please contact your Fisher Phillips attorney, the authors of this Insight, or any of our [Virginia-licensed attorneys](#).

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