



Virginia wage and hour cheat sheet

Minimum wage, overtime, breaks, final pay, and record retention on one sheet. Rates verified August 2026.

Minimum wage

\$12.77/hr (effective Jan 1, 2026). Statewide single rate; no local minimums and no employer-size variant. Annually CPI-adjusted (up from \$12.41 in 2025). Above the federal \$7.25.

Overtime

1.5x the regular rate for hours over 40 in a workweek. Virginia follows the federal FLSA weekly-40 standard (Va. overtime provisions align with the FLSA).

Daily overtime

None. Virginia has no daily overtime and no double-time requirement; overtime is calculated on a weekly (over-40) basis only.

Meal break

No state meal-break requirement for adult employees (16 and older). Employees aged 14-15 must get a 30-minute break after 5 consecutive hours. If an employer voluntarily provides a bona fide meal period (typically 30+ min, employee relieved of duties), it may be unpaid.

Rest break

No state rest-break requirement for adults. If an employer voluntarily offers short breaks (20 minutes or less), federal law requires they be paid.

Final paycheck

Next regular payday. Under Va. Code § 40.1-29(B), final wages must be paid on or before the date the employee would have been paid had employment not ended. Same rule whether the worker quits or is terminated. No accelerated deadline.

How long to keep time records

Federal law requires keeping time cards 2 years and payroll records 3 years, and some states go longer. Keep the records where you can produce them; a wage claim is decided on whoever has the better records.

Rates verified August 2026. The \$12.77 rate is CPI-adjusted and runs through December 31, 2026; the Commissioner sets the next adjustment by October 1, 2026 to take effect January 1, 2027. HB5, Virginia's paid sick leave law, was signed May 20, 2026 and phases in by employer size, starting July 1, 2027 for employers with 50 or more employees, with smaller employers following in 2028 and 2029. This is general information, not legal or payroll advice. Check the Virginia labor department for the current rules, and talk to a professional for your situation.

Primary source: <https://doli.virginia.gov/2025/07/29/virginia-minimum-wage-rate-increasing-effective-january-1-2026/>. Full list of sources: getclox.com/blog/virginia-time-tracking.