

Virginia Employers Must Pay Domestic Workers Overtime

On April 22, 2026, Virginia [amended](#) its overtime wage laws by requiring employers to pay overtime to domestic workers. The amendment takes effect on **July 1, 2028**. However, the amendments will not become effective unless they are reenacted by the 2027 session of the Virginia General Assembly.

Background

The Virginia Overtime Wage Act (VOWA) follows federal overtime pay provisions set by the Fair Labor Standards Act. The VOWA requires employers to compensate their nonexempt employees at 1.5 times their average rate for any hours worked in excess of 40 hours in a workweek. However, certain workers are excluded from the VOWA's overtime pay requirements.

Overview

Under the amendment, employers are required to pay domestic workers 1.5 times their regular pay for all hours worked over 40 in a workweek. **Domestic worker** means an hourly or salaried employee, independent contractor or full- or part-time worker who provides domestic services for one or more employers. Domestic services mean services of a household nature performed by an individual in or about a private home on a permanent or temporary basis, including caring for a child; serving as a companion or caretaker for an elderly individual or an individual with an illness or disability; or housekeeping or house cleaning, cooking, providing food or butler services, parking vehicles, cleaning laundry, gardening and organizing personal affairs for an employer.

Next Steps for Employers

Virginia employers employing domestic workers should update their payroll processes and procedures by the amendment's effective date to comply with the VOWA. Employers should also monitor to see if the Virginia General Assembly reenacts the amendments in its 2027 session.

Highlights

April 22, 2026

Virginia amended the VOWA to extend overtime protections to domestic workers.

July 1, 2028

The amendments take effect unless the Virginia General Assembly fails to reenact the amendments in its 2027 session.