

Virginia Minimum Wage Act

MINIMUM WAGE \$12.77 PER HOUR

EFFECTIVE JANUARY 1, 2026

As required by law, effective January 1, 2026, the adjusted state hourly minimum wage has been established at \$12.77 per hour. This change is based on a calculation that includes the previous minimum wage rate (\$12.41 per hour) and the annual change in the Consumer Price Index (CPI-U) for 2024.

Annual adjustments to the Virginia minimum wage rate will continue in future years using the same methodology.

BUSINESS SIZE

The Virginia Minimum Wage Act does not exempt employees based on the size of their employer.

Note: Employees of small businesses must be paid at a rate of no less than \$12.77 per hour if they are not otherwise exempt under the Act.

TIPPED EMPLOYEES

Under the “tip credit” provisions of the Fair Labor Standards Act, tipped employees (those who regularly receive more than \$30.00 a month in tips) may be paid at the tipped minimum wage of \$2.13 per hour. However, an employee’s hourly wages plus tips **must** meet the Virginia minimum wage rate of \$12.77 per hour. If they do not, an employer **must** pay the difference to an employee so that they earn **at least** \$12.77 per hour.

Questions? Contact DOLI’s Division of Labor and Employment Law:

