



## DHRM HR Highlights May

### Virginia Pay Transparency and Salary History Legislation Effective July 1, 2026

The General Assembly approved legislation (HB 636/SB 215) to establish pay transparency and salary history requirements for employers effective July 1, 2026.

Key provisions of the regulation include:

- ✓ **Salary range disclosure:** Include a good-faith salary or wage range in all job postings, both public and internal agency recruitments.
- ✓ **No salary history inquiries:** Do not ask for or use an applicant's past pay when determining compensation, unless the applicant voluntarily shares it to support a higher offer.
- ✓ **Anti-retaliation:** Applicants are protected from retaliation if they decline to share salary history or ask about the posted range.
- ✓ **Cure period:** Employers have 15 business days to correct posting errors related to salary ranges.
- ✓ **Enforcement:** The law allows private lawsuits within one year and authorizes civil penalties of \$1,000 for the first violation and \$5,000 for subsequent violations.

These key provisions align with established DHRM [Hiring Policy - 2.10](#) and [Compensation Policy - 3.05](#) requirements.

### Alignment With DHRM Policy

- **[Policy 2.10 – Hiring](#)** promotes fairness and transparency in recruitment. All job postings must include a hiring salary range. Agencies must make salary offers to selected candidates within the hiring range posted.
- **[Policy 3.05 – Compensation](#)** prohibits using salary history to determine starting pay. Use of the current salary pay factor is limited to pay actions related to demotions and downward role changes.

Agencies are encouraged to review Agency specific policies and practices to ensure they fully comply with both DHRM Policy and the new mandate.

### HR Action Items

- ✓ **Confirm job posting templates** include appropriate hiring salary or wage range.
- ✓ **Remind hiring teams, to include agency managers and supervisors**, not to ask about salary history and to handle voluntary disclosures correctly.
- ✓ **Review internal practices** to ensure postings and compensation decisions align with both DHRM policy and the new law.
- ✓ **Establish cure-period procedures** to promptly fix any posting oversights within the required timeframe.

This new legislation is likely a small adjustment for most agencies. However, it is an opportunity to review hiring practices to ensure all staff remain fully compliant and reinforce our shared commitment to transparent, equitable hiring and compensation practices across the Commonwealth.

Please reach out to the [DHRM Compensation Team](#) with any questions.

Thank you for your attention and continued support.