

Protecting Fair Workplaces and Responsible Employers: Why Virginia Should Reject HB 930

Why Virginia Should Oppose HB 930

Virginia already has strong whistleblower protections that safeguard employees who make good-faith reports through appropriate channels. HB 930 is not a targeted fix. It is a sweeping expansion that radically changes how ordinary workplaces function, exposing employers to liability for routine, legitimate personnel decisions and encouraging unnecessary litigation.

HB 930 turns everyday workplace management into legal risk.



Why HB 930 Matters to Everyday Virginians

HB 930 doesn't just affect corporations; it affects regular people and ordinary workplaces.

Under HB 930, that offhand comment can become a legally protected "report," triggering a retaliation lawsuit even when the termination had nothing to do with the comment.

Scenario: An employee casually tells a coworker, "I don't think this building is up to code." Months later, the employee is terminated for repeated tardiness and poor performance.

Casual conversations should not become lawsuits.



How HB 930 Breaks the System

HB 930 would:



Treat coworker conversations like formal complaints



Allow vague claims without citing any law or regulation



Undermine settlement agreements and no-rehire clauses



Impose a "clear and convincing" burden of proof on employers



Turn standard policies and handbooks into legal liabilities

The bill replaces balance with legal chaos.

Systemic Impacts on Employers, Employees, and Courts

HB 930 creates a system where:

- Performance management becomes litigation risk
- Employers must prove hypotheticals about decisions
- Settlement and resolution become impossible
- Courts become the default workplace dispute forum

Instead of protecting workers, HB 930:

- Discourages hiring
- Increases costs for employees and employers
- Overloads courts
- Rewards litigation over resolution

The Bottom Line for Virginia: Oppose HB 930

HB 930 is an overbroad, unworkable expansion of whistleblower law that:

- Turns ordinary workplace interactions into legal landmines
- Destroys the ability to resolve disputes

- Undermines fair performance management
- Creates instability for workers and business alike

Anticipated Outcomes of HB 930

HB 930 doesn't just change legal standards; it changes everyday workplace reality. These below real-world scenarios show how ordinary situations would turn into lawsuits under the bill.

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Casual Conversations Become Lawsuits

Scenario: An employee tells a coworker, "I don't think we're supposed to stack boxes this high. It feels like a code issue." Months later, the employee is terminated for repeated tardiness and poor performance.

Under HB 930, that offhand comment becomes a legally protected "report." The termination triggers a retaliation claim, even though the firing had nothing to do with the comment.



Vague Claims Create Permanent Legal Risk

Scenario: An employee on a performance improvement plan sends a vague email claiming the company is violating "a state law," without identifying any law or regulation. The company is fully compliant.

Under HB 930, the employee becomes a protected whistleblower. If terminated for failing to meet standards, the employer faces a retaliation lawsuit.



"Clear and Convincing" Makes Normal Layoffs Un-defendable

Scenario: A construction firm lays off workers due to an economic downturn. One worker had complained about a possible OSHA issue the week before.

Under HB 930, the employer must prove by clear and convincing evidence that the worker would have been laid off even if the complaint never occurred.



Standard Policies Become Legal Violations

Scenario: A company uses standard confidentiality and trade secret agreements to protect business operations. A disgruntled employee claims the language "impedes" their ability to report a perceived, even if non-existent, violation.

The existence of the policy itself can trigger legal liability, even when no retaliation occurs.



Settlement Becomes Impossible

Scenario: An employment dispute is resolved through a settlement agreement with a no-rehire clause. The employee receives severance and both sides move on. Years later, the former employee reappears, is rejected, and sues claiming "blacklisting."

Under HB 930, no-rehire clauses become legally risky. Settlements lose finality. Businesses are forced into litigation instead of resolution.

