

# 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

**Virginia needs balanced protections, not a litigation-driven system. Oppose HB 930.**

# 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.

## 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 reapplies, 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.**

