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educational institution.

$\star \star \star \star \star \star \star$ LABOR LAW POSTER $\star \star \star \star \star \star$

WEST VIRGINIA MINIMUM WAGE

WEST VIRGINIA DIVISION OF LABOR

1900 Kanawha Boulevard East - State Capitol Complex – Building 3, Room 200 - Charleston, WV 25305 Fax: (304)558-3797 Telephone: (304)558-7890 <u>labor.wv.gov</u>

MINIMUM WAGE REOUIREMENTS

the required minimum wage rate.

Permissible Minimum Wage Credit for Tipped Employees

must keep accurate records of employees' tips.

• Beginning January 1, 2016, employers may take up to a 70% credit, or \$6.13 per

receive tips, resulting in a reduced hourly wage rate of at least \$2.62 per hour.

hour, against the required minimum wage rate for employees who customarily

To qualify for the credit, employers must ensure that the employees' tips and the

reduced hourly wage rate equal at least the required minimum wage rate and

An employer employing 6 or more employees in any one separate, distinct and • Beginning with the 91st day of employment, an employer must pay the employee permanent location during any calendar week, including the State of West Virginia, and its agencies and departments, must comply with the state minimum wage law, §21-5C.

Required Minimum Wage Rate

code of ethics

• Beginning January 1, 2016, employers must pay employees at least \$8.75 per hour. Required Minimum Training Wage Rate

An employer may pay an employee under the age of 20 years, first hired on or after January 1, 2015, a training wage of at least \$6.40 per hour for the first 90 days of employment.

WHISTLE-BLOWERS' PROTECTION ACT

NOTICE: WEST VIRGINIA WHISTLE-BLOWER LAW

The West Virginia Whistle-blower Law protects public employees against discharge, discrimination, or retaliation when they, in good faith, report any instances of

WASTE Substantial abuse, misuse, destruction, or loss of public funds or resources To report any instance of waste or wrongdoing, as defined above, contact the designed to protect the public interest WRONGDOING Non-technical violations of any statute, regulation, ordinance, or

appropriate supervisory personnel in your office or agency, or other appropriate official. Published and distributed by the West Virginia Division of Personnel;

Revised November 2003

THE WEST VIRGINIA

Website:

Revised January 2018

Revised 06/14/2016

DISCRIMINATION

W. Va. Code § 6C-1-1

NOTICE

THE WEST VIRGINIA HUMAN RIGHTS ACT THE WEST VIRGINIA FAIR HOUSING ACT Prohibits Discrimination in Employment and PREGNANT WORKERS'FAIRNESS ACT Prohibits Discrimination in Housing Based On: Race, Places of Public Accommodations Based On: Prohibits Discrimination in Employment Based On Religion, Color, National Origin, Ancestry, Sex, Race, Religion, Color, National Origin, Ancestry, Sex, Pregnancy, Childbirth or Related Medical Conditions Age (40 or above), Blindness , or Disability Blindness, Disability , Familial Status For Further Information or to File a Complaint, Visit, Call or Write to the WV Human Rights Commission at:

WEST VIRGINIA

WV Human Rights Commission Phone: 304-558-2616 (Toll Free) 888-676-5546 Room 108 A, 1321 Plaza East, Charleston, WV 25301-1400 www.hrc.wv.gov

PARENTAL LEAVE ACT

WEST VIRGINIA DIVISION OF LABOR

1900 Kanawha Boulevard East - State Capitol Complex - Building 3, Room 200 - Charleston, WV 25305

Telephone: (304)558-7890 Fax: (304)558-3797 labor.wv.gov

PARENTAL LEAVE ACT

enacted in 1989, covers employees of all departments, divisions, boards, bureaus, agencies, commissions or other units of State Government and County Boards of Education

Under this law, an employee shall be entitled to a total of 12 weeks of unpaid Parental Leave following the exhaustion of all his or her annual and personal leave, during any 12-month period. The unpaid leave shall be granted to an employee for any of the following reasons:

- The birth of a son or daughter of the employee
- The placement of a son or daughter with the employee for adoption
- To care for the employee's son or daughter, spouse, parent, or dependent who has a serious health condition

The statute further states that in the case of a serious health condition, the leave may be taken intermittently when medically necessary.

If a leave of absence due to the birth or adoption of a child is foreseeable, the employee shall provide the employer with a two weeks written notice. If a leave of absence is foreseeable due to planned medical treatment or medical supervision, the employee shall make a reasonable effort to schedule the leave

PARENTAL LEAVE ACT - (W. Va. Code §21-5D-1, et. seq.). This legislation, of absence so as not to disrupt the operations of the employer, subject to the approval of the health care provider.

If an employee requests Parental Leave to care for a family member with a serious health condition, the employer may require the employee to provide certification by a health care provider of the family member's health condition and that the employee's assistance is necessary. The certification shall be sufficient if it contains the following:

- That the child, dependent, parent, or employee has a serious health condition
- The date the serious health condition commenced and its probable duration • The medical facts regarding the serious health condition, upon release by

the patient The position held by an employee immediately before the leave of absence shall be

held and the employee shall be returned to that position upon his or her return to work. However, the employer may hire a temporary employee to fill the position for the period of time the employee is off work.

No employer may, because an employee received *Parental Leave*, reduce or deny any employment benefit or seniority which accrued to the employee before his or her leave commenced Revised January 2018

UNEMPLOYMENT COMPENSATION

WORKFORCE West Virginia Notice To Employees — Unemployment Benefits

·You have filed for and served a waiting period of one week TOTAL UNEMPLOYMENT You are considered totally unemployed valid permit to work.

10. If you leave work voluntarily to attend school or other during your benefit year.

You have earned gross wages of less than your weekly benefit amount plus \$60 during the week for which you claim benefits. • You requalify on a new claim when you had a previous benefit year (must have earned eight times your old weekly benefit amount in covered employment after the beginning of your previous claim)

•You must participate in profiling and reemployment services when selected.

DISQUALIFICATIONS You may be disqualified from drawing benefits:

If you leave work voluntarily without good cause involving fault on the part of your employer. If you are discharged for misconduct.

If you fail without good cause to apply for available suitable work, to accept suitable work when offered, or to return to your

customary selfemployment when directed to do so. If you are unemployed due to a labor dispute.

5. Fór the week for which you receive wages in lieu of notice or Workers' Compensation for temporary total disability. 6. For the week for which you receive unemployment

compensation under the laws of another state or of the United States.

participate in sports or athletic events if there is reasonable assurance you will perform such services in the current or upcoming seasons.

you are an employee of an educational institution or educational service agency, for any week of unemployment which commences during: a paid sabbatical leave; a holiday or vacation period between two academic years or terms, if you perform services in the first academic year or term or prior to the beginning of a holiday or vacation period and there is a contract or a reasonable assurance that you will perform services in the second academic year or term or after a holiday or vacation period. (EXCEPTION: If you have sufficient nonschool wages in your base period to qualify for benefits based upon the non-school wages only, you may be entitled to 9. For any week on the basis of services performed as an alien,

unless you are lawfully residing in the United States and have a

a specified time that leaves your employer no other alternative but to suspend operations. 12. For the week in which you receive any annuity, pension, or other retirement pay from a base period employer, or from a

fund towards which a base period employer has contributed. If your remuneration is less than the unemployment benefits otherwise due you, your unemployment benefits will be reduced by the amount of your annuity, pension, etc. 13. For each week in which and for 52 weeks thereafter, if the

educational institution, or are waiting to enter school or an

request or that of your duly-authorized agent for a vacation at

11. For each week in which you are unemployed because of your

commissioner finds that you, within the preceding 24 months, knowingly made a false statement or failed to reveal a material fact in order to obtain or increase or attempt to obtain or increase a benefit; and you shall be considered guilty of a misdemeanor and may be subject to severe penalties

Neither the full effect nor the duration of a disqualification is given here in detail.

SOCIAL SECURITY NUMBER Bring your Social Security Card with you when you report to the local office. Your Social Security Number will only be printed on the most pertinent documents. VOLUNTARY INCOME TAX WITHHOLDING PROGRAM Unemployment compensation benefits are subject to Federal and State income tax and there are requirements relating to estimated tax payments. You may choose to have Federal and State income tax deducted and withheld from any unemployment benefits paid to you. CLAIMS OFFICES

These FULL-TIME CLAIMS OFFICES are operated Monday

anought maay each meena										
BECKLEY CHARLESTON	HUNTINGTON LOGAN	SOUTH BRANCH								
CLARKSBURG	MARTINSBURG	WEIRTON								
ELKINS FAIRMONT	MERCER COUNTY MORGANTOWN	WELCH WHEELING								
GREENBRIER	PARKERSBURG									
VALLEY										

UNEMPLOYMENT COMPENSATION BENEFIT RATE TABLE

	age Wages in Base		Weekly Benefit		timum enefit Class	Wage Bas			Weekly Benefit	Maximum Benefit	Wag		Wag Ba	es in se	Week Bene	,	Maximum Benefit
Cla	Period	ineligibl	Rate		Class 17,350.00 - 17,499.99	Peri 184.00	od	204	Rate 32,650.00 -	Rate	Clas 346.00	s 8996.00		iod	Rate	e	Rate
1	\$2,200.00 - 2,349.99	24.00	624.00	102	17,500.00 - 17,649.99	185.00		204	32,800.00 -	,		9022.00	307	,	- 48,249.99		13,234.00
2	2,350.00 - 2,499.99	25.00	650.00	104	17,650.00 - 17,799.99	187.00	4862.00	206	32,950.00 -	33,099.99	349.00	9074.00	308	48,250.00	- 48,399.99	511.00	13,286.00
3	2,500.00 - 2,649.99	27.00	702.00	105	17,800.00 - 17,949.99	189.00		207	33,100.00 -			9100.00	309		- 48,549.99		
4 5	2,650.00 - 2,799.99	28.00	728.00 780.00	106	17,950.00 - 18,099.99	190.00		208	33,250.00 -			9152.00 9204.00	310	,	- 48,699.99		13,364.00
5 6	2,800.00 - 2,949.99 2,950.00 - 3,099.99	30.00 31.00	780.00 806.00	107	18,100.00 - 18,249.99 18,250.00 - 18,399.99	192.00 193.00		209	33,400.00 - 33,550.00 -			9204.00 9230.00	311 312	,	- 48,849.99 - 48,999.99		13,390.00 13,442.00
7	3,100.00 - 3,249.99	33.00	858.00	109	18,400.00 - 18,549.99	195.00	5070.00	210	33,700.00 -			9282.00	313		- 49,149.99		13,494.00
8	3,250.00 - 3,399.99	35.00	910.00	110	18,550.00 - 18,699.99	196.00	5096.00	212	33,850.00 -			9308.00	314	,	- 49,299.99	520.00	
9	3,400.00 - 3,549.99	36.00	936.00	111	18,700.00 - 18,849.99	198.00	5148.00	213	34,000.00 -	34,149.99	360.00	9360.00	315	49,300.00	- 49,449.99	522.00	13,572.00
10	3,550.00 - 3,699.99	38.00	988.00	112	18,850.00 - 18,999.99	200.00		214	34,150.00 -			9386.00	316		- 49,599.99		13,598.00
11 12	3,700.00 - 3,849.99 3,850.00 - 3,999.99	39.00 41.00	1014.00 1066.00	113	19,000.00 - 19,149.99 19,150.00 - 19,299.99	201.00 203.00		215	34,300.00 - 34,450.00 -			9438.00 9490.00	317 318		- 49,749.99 - 49,899.99	525.00 526.00	13,650.00 13,676.00
13	4,000.00 - 4,149.99	43.00	1118.00	115	19,300.00 - 19,449.99	203.00		210	34,600.00 -			9490.00 9516.00	319		- 50,049.99	528.00	13,728.00
14	4,150.00 - 4,299.99	44.00	1144.00	116	19,450.00 - 19,599.99		5356.00	218	34,750.00 -		368.00	9568.00	320		- 50,199.99	530.00	13,780.00
15	4,300.00 - 4,449.99	46.00	1196.00	117	19,600.00 - 19,749.99	208.00	5408.00	219	34,900.00 -	35,049.99	369.00	9594.00	321	50,200.00	- 50,349.99	531.00	13,806.00
16	4,450.00 - 4,599.99	47.00	1222.00	118	19,750.00 - 19,899.99	209.00		220	35,050.00 -			9646.00	322		- 50,499.99		13,858.00
17 18	4,600.00 - 4,749.99 4,750.00 - 4,899.99	49.00 51.00	1274.00 1326.00	119	19,900.00 - 20,049.99 20,050.00 - 20,199.99	211.00 212.00		221 222	35,200.00 - 35,350.00 -			9698.00 9724.00	323 324		- 50,649.99 - 50,799.99	534.00 536.00	13,884.00 13,936.00
19	4,900.00 - 5,049.99	52.00	1352.00	120	20,200.00 - 20,349.99		5564.00	222	35,500.00 -	,		9724.00 9776.00	325				13,988.00
20	5,050.00 - 5,199.99	54.00	1404.00	122	20,350.00 - 20,499.99			224	35,650.00 -			9802.00	326		- 51,099.99		14,014.00
21	5,200.00 - 5,349.99	55.00	1430.00	123	20,500.00 - 20,649.99	217.00	5642.00	225	35,800.00 -	35,949.99	379.00	9854.00	327	51,100.00	- 51,249.99	541.00	14,066.00
22	5,350.00 - 5,499.99	57.00	1482.00	124	20,650.00 - 20,799.99	219.00		226	35,950.00 -			9906.00	328		- 51,399.99		14,092.00
23	5,500.00 - 5,649.99	58.00	1508.00	125	20,800.00 - 20,949.99	220.00		227	36,100.00 -			9932.00	329		- 51,549.99	544.00	14,144.00
24 25	5,650.00 - 5,799.99 5,800.00 - 5,949.99	60.00 62.00	1560.00 1612.00	126	20,950.00 - 21,099.99 21,100.00 - 21,249.99	222.00 223.00	5772.00 5798.00	228 229	36,250.00 - 36,400.00 -			9984.00 10010.00	330 331		- 51,699.99 - 51,849.99	546.00 547.00	14,196.00 14,222.00
25 26	5,950.00 - 5,949.99 5,950.00 - 6,099.99	63.00	1638.00	127	21,250.00 - 21,249.99	225.00		229	36,550.00 -				332	,	- 51,849.99	549.00	14,222.00
27	6,100.00 - 6,249.99	65.00	1690.00	120	21,400.00 - 21,549.99	227.00		231	36,700.00 -				333		- 52,149.99	550.00	14,300.0
28	6,250.00 - 6,399.99	66.00	1716.00	130	21,550.00 - 21,699.99	228.00	5928.00	232	36,850.00 -	,					- 52,299.99	552.00	14,352.0
9	6,400.00 - 6,549.99	68.00	1768.00	131	21,700.00 - 21,849.99	230.00		233	37,000.00 -	,			335		- 52,449.99		14,378.0
0 1	6,550.00 - 6,699.99 6,700.00 - 6,849.99	70.00 71.00	1820.00 1846.00	132	21,850.00 - 21,999.99 22,000.00 - 22,149.99	231.00 233.00	6006.00 6058.00	234 235	37,150.00 - 37,300.00 -				336 337		- 52,599.99 - 52,749.99		14,430.0 14,482.0
31 32	6,700.00 - 6,849.99 6,850.00 - 6,999.99	73.00	1846.00 1898.00	133	22,000.00 - 22,149.99 22,150.00 - 22,299.99	233.00		235	37,300.00 - 37,450.00 -				337		- 52,749.99	557.00	14,482.0 14,508.0
33	7,000.00 - 7,149.99	74.00	1924.00	135	22,300.00 - 22,449.99	236.00		237	37,600.00 -	,			339		- 53,049.99	560.00	14,560.0
4	7,150.00 - 7,299.99	76.00	1976.00	136	22,450.00 - 22,599.99		6188.00	238	37,750.00 -	,		10400.00	340	,	- 53,199.99	561.00	14,586.0
5	7,300.00 - 7,449.99	78.00	2028.00	137	22,600.00 - 22,749.99	239.00		239	37,900.00 -	,		10426.00	341	,	- 53,349.99	563.00	14,638.0
6 7	7,450.00 - 7,599.99	79.00 81.00	2054.00	138	22,750.00 - 22,899.99	241.00	6266.00 6318.00	240	38,050.00 -						- 53,499.99	565.00	,
87 88	7,600.00 - 7,749.99 7,750.00 - 7,899.99	81.00 82.00	2106.00 2132.00	139 140	22,900.00 - 23,049.99 23,050.00 - 23,199.99		6318.00 6344.00	241 242	38,200.00 - 38,350.00 -	,		10504.00		,	- 53,649.99 - 53,799.99		,
9	7,900.00 - 8,049.99	84.00	2132.00	141	23,200.00 - 23,349.99		6396.00	243	38,500.00 -	,		10608.00	345	,	- 53,949.99		14,794.0
0	8,050.00 - 8,199.99	85.00	2210.00	142	23,350.00 - 23,499.99	247.00	6422.00	244	38,650.00 -	38,799.99	409.00	10634.00	346		- 54,099.99		14,846.0
1	8,200.00 - 8,349.99	87.00	2262.00	143	23,500.00 - 23,649.99		6474.00	245	38,800.00 -	38,949.99	411.00	10686.00	347		- 54,249.99		
2	8,350.00 - 8,499.99	89.00	2314.00	144	23,650.00 - 23,799.99		6500.00	246	38,950.00 -	,					- 54,399.99		
3	8,500.00 - 8,649.99 8,650.00 - 8,799.99	90.00	2340.00	145	23,800.00 - 23,949.99	252.00		247	39,100.00 -						- 54,549.99		
4	8,650.00 - 8,799.99 8,800.00 - 8,949.99	92.00 93.00	2392.00 2418.00	146	23,950.00 - 24,099.99 24,100.00 - 24,249.99		6604.00 6630.00	248 249	39,250.00 - 39,400.00 -				350 351	,	- 54,699.99 - 54,849.99		15,002.0 15,054.0
+5 16	8,950.00 - 9,099.99	95.00 95.00	2478.00	147	24,250.00 - 24,399.99			249	39,550.00 -						- 54,999.99		
47	9,100.00 - 9,249.99	97.00	2522.00	149	24,400.00 - 24,549.99	258.00		251	39,700.00 -						- 55,149.99		- /
48	9,250.00 - 9,399.99	98.00	2548.00	150	24,550.00 - 24,699.99		6760.00	252	39,850.00 -						- 55,299.99	584.00	,
49	9,400.00 - 9,549.99		2600.00	151	24,700.00 - 24,849.99		6812.00	253	40,000.00 -	,					- 55,449.99		15,210.0
50 51	9,550.00 - 9,699.99 9,700.00 - 9,849.99		2626.00 2678.00	152 153	24,850.00 - 24,999.99 25,000.00 - 25,149.99	263.00 265.00		254 255	40,150.00 - 40,300.00 -						- 55,599.99 - 55,749.99		15,262.0 15,288.0
52	9,700.00 - 9,849.99 9,850.00 - 9,999.99		2078.00	155	25,150.00 - 25,299.99	265.00		255	40,300.00 -						- 55,899.99		,
53	10,000.00 - 10,149.99		2756.00	155	25,300.00 - 25,449.99	268.00		257	40,600.00 -						- 56,049.99		,
54	10,150.00 - 10,299.99	108.00	2808.00	156	25,450.00 - 25,599.99	269.00	6994.00	258	40,750.00 -	40,899.99	431.00	11,206.00			- 56,199.99		15,418.0
55	10,300.00 - 10,449.99	109.00	2834.00	157	25,600.00 - 25,749.99	271.00	7046.00	259	40,900.00 -	41,049.99	433.00	11,258.00	361	56,200.00	- 56,349.99	595.00	15,470.0
56	10,450.00 - 10,599.99		2886.00	158	25,750.00 - 25,899.99		7098.00	260	41,050.00 -						- 56,499.99		
57 58	10,600.00 -10,749.99 10,750.00 -10,899.99		2912.00 2964.00	159 160	25,900.00 - 26,049.99 26,050.00 - 26,199.99		7124.00 7176.00	261 262	41,200.00 - 41,350.00 -						- 56,649.99 - 56,799.99	598.00 599.00	
58 59	10,900.00 -11,049.99		3016.00	161	26,200.00 - 26,349.99		7202.00	263	41,500.00 -								15,574.0
60			3042.00	162	26,350.00 - 26,499.99		7254.00	264	41,650.00 -						- 57,099.99		15,678.0
	11,200.00 - 11,349.99		3094.00	163	26,500.00 - 26,649.99		7306.00	265	41,800.00 -						- 57,249.99		
	11,350.00 - 11,499.99		3120.00	164	26,650.00 - 26,799.99		7332.00	266	41,950.00 -						- 57,399.99		
	11,500.00 - 11,649.99		3172.00	165	26,800.00 - 26,949.99		7384.00	267	42,100.00 -						- 57,549.99	607.00	,
64 65	11,650.00 - 11,799.99 11,800.00 - 11,949.99		3224.00 3250.00	166	26,950.00 - 27,099.99 27,100.00 - 27,249.99		7410.00 7462.00	268 269	42,250.00 - 42,400.00 -						- 57,699.99 - 57,849.99		15,808.0 15,886.0
	11,950.00 - 12,099.99		3302.00	167	27,100.00 - 27,249.99		7462.00	270	42,400.00 -	,		,			- 57,849.99		
	12,100.00 - 12,249.99		3328.00	169	27,400.00 - 27,549.99		7540.00	271	42,700.00 -						- 58,149.99		
8	12,250.00 - 12,399.99		3380.00	170	27,550.00 - 27,699.99		7592.00	272	42,850.00 -						,		,
69 70	12,400.00 - 12,549.99		3406.00	171	27,700.00 - 27,849.99		7618.00	273	43,000.00 -						- 58,449.99		16,042.0
	12,550.00 - 12,699.99 12,700.00 - 12,849.99		3458.00 3510.00	172	27,850.00 - 27,999.99 28,000.00 - 28,149.99		7670.00 7696.00	274	43,150.00 - 43,300.00 -	,		,			- 58,599.99 - 58,749.99		16,094.0 16,120.0
	12,850.00 - 12,999.99		3536.00	173	28,150.00 - 28,299.99		7748.00	275	43,450.00 -								16,172.0
	13,000.00 - 13,149.99		3588.00	175	28,300.00 - 28,449.99		7800.00	277	43,600.00 -	,		,			- 59,049.99	623.00	
	13,150.00 - 13,299.99		3614.00	176	28,450.00 - 28,599.99		7826.00	278	43,750.00 -						- 59,199.99		16,328.0
	13,300.00 - 13,449.99		3666.00	177	28,600.00 - 28,749.99		7878.00	279	43,900.00 -						- 59,649.99		16,328.0
	13,450.00 - 13,599.99 13,600.00 - 13,749.99		3718.00 3744.00	178	28,750.00 - 28,899.99 28,900.00 - 29,049.99	304.00 306.00	7904.00 7956.00	280 281	44,050.00 - 44,200.00 -	,		12,116.00		,	- 59,499.99 - 59,649.99		16,328.0 16,380.0
	13,750.00 - 13,899.99			179	28,900.00 - 29,049.99 29,050.00 - 29,199.99				44,200.00 - 44,350.00 -	,		,		,	,		,
	13,900.00 - 14,049.99		3822.00	181	29,200.00 - 29,349.99			283	44,500.00 -						- 59,949.99		16,458.0
80	14,050.00 - 14,199.99		3874.00	182	29,350.00 - 29,499.99			284	44,650.00 -					,	- 60,099.99		16,484.0
31	14,200.00 - 14,349.99		3900.00	183	29,500.00 - 29,649.99			285	44,800.00 -					,	- 60,249.99		16,536.0
32 33	14,350.00 - 14,499.99 14,500.00 - 14,649.99		3952.00 4004.00	184	29,650.00 - 29,799.99 29,800.00 - 29,949.99			286 287	44,950.00 - 45,100.00 -					,	- 60,399.99 - 60,549.99		16,588.0 16,614.0
4	14,650.00 - 14,799.99		4004.00	185	29,800.00 - 29,949.99 29,950.00 - 30,099.99			287	45,100.00 - 45,250.00 -					,	- 60,549.99		16,666.0
	14,800.00 - 14,949.99		4082.00	187	30,100.00 - 30,249.99			289	45,400.00 -						- 60,849.99		16,692.0
36	14,950.00 - 15,099.99		4108.00	188	30,250.00 - 30,399.99		8320.00	290	45,550.00 -					60,850.00	- 60,999.99	644.00	16,744.0
	15,100.00 - 15,249.99		4160.00	189	30,400.00 - 30,549.99		8372.00	291	45,700.00 -	,					- 61,149.99		16,770.0
38	15,250.00 - 15,399.99		4212.00	190	30,550.00 - 30,699.99		8398.00	292							- 61,299.99		16,822.0
	15,400.00 - 15,549.99 15,550.00 - 15,699.99		4238.00 4290.00	191 192	30,700.00 - 30,849.99 30,850.00 - 30,999.99		8450.00 8502.00	293 294	46,000.00 - 46,150.00 -						- 61,449.99 - 61,599.99		16,874.0 16,900.0
	15,700.00 - 15,849.99		4290.00	192	31,000.00 - 31,149.99		8528.00	294	46,300.00 -					,	- 61,749.99		16,900.0
91	15,850.00 - 15,999.99		4368.00	194	31,150.00 - 31,299.99		8580.00	296	46,450.00 -						- 61,899.99		16,978.0
		170.00	4420.00	195	31,300.00 - 31,449.99	331.00	8606.00	297	46,600.00 -	,		,		61,900.00	- 62,049.99	655.00	17,030.0
92	16,000.00 - 16,149.99		1116 00	196	31,450.00 - 31,599.99	333.00	8658.00	298	46,750.00 -	46,899.99	495.00	12,870.00	400	62,050.00	- 62,199.99	657.00	17,082.0
92 93 94	16,150.00 - 16,299.99	171.00					-										
92 93 94 95	16,150.00 - 16,299.99 16,300.00 - 16,449.99	173.00	4498.00	197	31,600.00 - 31,749.99	335.00	8710.00	299	46,900.00 -				401	62,200.00	- 62,349.99	658.00	
92 93 94 95 96	16,150.00 - 16,299.99 16,300.00 - 16,449.99 16,450.00 - 16,599.99	173.00 174.00	4498.00 4524.00	197 198	31,600.00 - 31,749.99 31,750.00 - 31,899.99	335.00 336.00	8736.00	299 300	47,050.00 -	47,199.99	498.00	12,948.00	401 402	62,200.00 62,350.00	- 62,349.99 - 62,499.99	658.00 660.00	17,160.0
2 3 4 5 6 7	16,150.00 - 16,299.99 16,300.00 - 16,449.99	173.00 174.00 176.00	4498.00	197	31,600.00 - 31,749.99	335.00 336.00 338.00		299		47,199.99 47,349.99	498.00 500.00	12,948.00 13,000.00	401 402 403	62,200.00 62,350.00 62,500.00	- 62,349.99	658.00 660.00 661.00	17,160.0 17,186.0
92 93 94 95 96 97 98	16,150.00 - 16,299.99 16,300.00 - 16,449.99 16,450.00 - 16,599.99 16,600.00 - 16,749.99	173.00 174.00 176.00 177.00	4498.00 4524.00 4576.00	197 198 199 200	31,600.00 - 31,749.99 31,750.00 - 31,899.99 31,900.00 - 32,049.99	335.00 336.00 338.00 339.00	8736.00 8788.00	299 300 301 302	47,050.00 - 47,200.00 -	47,199.99 47,349.99 47,499.99	498.00 500.00 501.00	12,948.00 13,000.00 13,026.00	401 402 403 404	62,200.00 62,350.00 62,500.00	- 62,349.99 - 62,499.99 - 62,649.99	658.00 660.00 661.00	17,186.0

week. You may be entitled to partial unemployment benefits during this week if you earned less than what your weekly unemployment benefit amount would be plus \$60. Under these conditions, your employer should issue a Low Earnings Report for the week, showing your gross wages. You must complete the claims portion of the Low Earnings Report and file it with the local unemployment office as directed on the form.

ELIGIBILITY RÉQUIREMENTS To be monetarily eligible to receive unemployment benefits you must have earned \$2200 gross wages in covered employment during two or more calendar quarters of your regular base period (first four of the last five completed calendar quarters) or alternative base period (the last four quarters immediately preceding the first day of the individual's benefit year).

during any week in which you are totally separated from your

employment, performing no services for which wages or other

remuneration were paid to you. You must file your initial claim for

total unemployment in person. Since a claim for unemployment

compensation is effective the Sunday of the week in which it is

filed, you should file your claim immediately after you are

separated from your employment. You will be instructed on filing

your continued claim. Your options for filing continued claims will

PARTIAL UNEMPLOYMENT You would be considered partially

unemployed if you have been working full- time, but due to

business being slow, a breakdown of equipment, or similar

reasons, your employer has to reduce your hours during the

clude telephone or web filing.

you shall be eligible to receive benefits only if: •You have made a claim for benefits at a local unemployment

office. · You have registered for work with the Job Service Office and

continue to report as directed. • You are able to work and available for full-time work for which

you are fitted by prior training or experience

You are actively seeking full-time work by completing four (4) work search activities each week.

search activities and providing them to WorkForce WV upon request by the agency.

You are documenting and retaining proof of your four (4) work

benefits during this period.)

7. For any week you are training, participating, or preparing to

ELIGIBILITY REQUIREMENTS - OTHER If you are unemployed,



WEST VIRGINIA DIVISION OF LABOR

WAGE PAYMENT AND COLLECTION ACT

1900 Kanawha Boulevard East - State Capitol Complex - Building 3, Room 200 - Charleston, WV 25305 Telephone: (304)558-7890 Fax: (304)558-3797 labor.wv.gov

WEST VIRGINIA WAGE PAYMENT AND COLLECTION ACT

This abstract must be placed in an area accessible to all employees in accordance with the requirements of W. Va. Code §21-5-9.

§21-5 REQUIRES THE EMPLOYER TO:

Pay employee wages at least twice a month, with no more than 19 days between paydays.

Compensate employees for services rendered by cash, check, direct deposit, or money order, and make arrangements with a bank convenient to the place of employment for employees to have immediate access to their wages.

When an employee is discharged, quits, resigns, is laid off, or is on strike, pay the employee on or before the next regularly scheduled payday for all work he or she performed prior to his or her separation from employment.

On separation from employment, pay an employee the fringe benefits due and payable according to the time, terms, and conditions of an employer-employee

agreement, whether verbal or written, if any. Notify employees in writing at the time of hire, or by a posted notice that is accessible to all employees, identifying the employer's established work week, pay periods, regularly scheduled pay days, and employment practices and policies

regarding vacation, sick leave and other fringe benefits, if any. Provide employees with at least 1 full pay period's written notice before making any changes to an employee's rate of pay, fringe benefits, the time and place for meeting payroll, or any other existing terms or conditions of employment. Furnish each employee with a written itemized statement of deductions withheld from his or her wages each pay period.

§21-5 PREVENTS THE EMPLOYER FROM:

Selling goods or supplies to employees at prices higher than the current market value. Deducting more than 25% of an employee's net earnings under a wage assignment (excluding amounts required by law to be withheld or paid for union or club dues, pension plans, payroll savings plans, credit unions, charities, and hospitalization and medical insurance).

Accepting a wage assignment that does not contain the employee's notarized signature, specify the total amount due and the amount to be deducted, and state that 75% of the employee's net wages are exempt from assignment

Refusing to pay wages owed, up to \$800.00, to the relatives of a deceased employee.

Revised January 2018

CHILD LABOR LAWS

May not work:

AGE SPECIFIC GUIDELINES FOR THE EMPLOYMENT OF CHILDREN IN WEST VIRGINIA

13 year olds may

 Baby sit Engage in agricultural activities Deliver Newspapers Be an actor or performe • Work for parents in their solely owned business No permits required *excluded hazardous occupations ovment Requirements for 14 & 15 year olds

Work Permit Required

Entitled to a 30 minute lunch after five hours of work Work restricted to non hazardous occupations Prohibited from working in a bar or other establishment where the primary business activity involves selling, dispensing or serving alcohol Work Hours Limited WHILE SCHOOL IS IN SESSION May not work:

more than 3 hrs per day more than 18 hrs per week

before 7:00 am or after 7:00 pm (without supervision permit)

during normal school hours
SUMMER EMPLOYMENT

• more than 8 hrs per day • more than 40 hrs per week • before 7:00 am or after 9:00 pm (without supervision permit) Home schooled children are also restricted from working during normal school hours. 16 & 17 year olds

Age certificates may be required by employer, Not a requirement of law • an age certificate may be required by the employer as proof of age work hours unrestricted

• may participate in volunteer fire activities

• may participate in fighting forest fires (as part of junior forest fire crew) • prohibited from working in a bar or other establishment where the primary business activity involves the selling, dispensing or serving of alcohol • may not drive a motor vehicle as a principal part of their employment or for delivery purposes

• work limited to age appropriate non hazardous occupations (as determined by the Commissioner of Labor

For additional information contact:

The West Virginia Division of Labor, Capitol Complex Building 6, Room 749B, Charleston, WV 25305 • (304) 558-7890 Revised 10/07

H.B. 4140 MEAL BREAKS



ENROLLED - H.B. 4140

(By Delegate S. Cook) - (Passed March 11, 1994; in effect ninety days from passage)

AN ACT to amend three, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section ten-a, relating to the safety and welfare of employees; and establishing a guaranteed meal break for all employees. Be it enacted by the Legislature of West Virginia: That article three, chapter twenty-one of the code of west Virainia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section ten-a, to read as follows:

ARTICLE 3. SAFETY AND WELFARE OF EMPLOYEES §21310a Meal Breaks.

During the course of a workday of six or more hours. All employers shall make available at least twenty minutes for meal breaks, at times reasonably designated by the employer. This provision shall be required in all situations where employees are not afforded necessary breaks and/or permitted to eat while working. TITLE 42, SERIES 8: MINIMUM WAGE AND MAXIMUM HOUR STANDARDS

TITLE 42, SERIES 5: WAGE PAYMENT AND COLLECTION ACT §4252 Definitions 2.6 "Break Periods and/or Rest Periods" means when authorized by an employer, break

periods and/or rest periods which do not exceed (20) minutes duration must be counted as hours worked.

§4289.9 Rest Periods: Rest Periods of short duration, running from (5) to (20)

RTICLE 6: CHILD LABOR LAW § 2167 Hours and days of labor by minors.

minutes, must be counted as hours worked.

No child under the age of sixteen years shall be employed or permitted to work for more than five hours continuously without an interval of at least thirty minutes for a lunch period. and no period of less than thirty minutes shall, for the purposes of this section, be deemed to interrupt a continuous period of work.

Revised 10/07

WORKERS' COMPENSATION

You are entitled to medical benefits and possibly wage replacement benefits in the event of an occupational injury or disease arising out of employment. When a traumatic injury or death occurs or an occupational disease is contracted in the course of your employment, you must notify your employer immediately. Failure to immediately give notice to your employer of the injury shall weigh against a finding of compensability and will dilute the credibility and reliability of your claim. Notice provided to your employer within two (2) working days of the injury shall be deemed immediate notice. You are responsible for filing the application for workers' compensation benefits within six months from the date of injury. The time limit on occupational pneumoconiosis and disease claims is three years from the date of last exposure. The time limit to file fatal occupational pneumoconiosis/

NOTICE TO EMPLOYEES occupational disease claims is one year. For a traumatic death, the claim must be

filed within six months of death. If you are currently receiving Permanent Total Disability benefits, you are hereby notified that it is your responsibility to inform the Workers' Compensation Commission, P. O. Box 431, Charleston, West Virginia 25322-0431, of your employment. In accordance with Section 23-4-25 of the Workers' Compensation statute, your Permanent Total Disability benefits shall be offset as long as you are employed. It is a criminal offense to file a false claim or to furnish false information in support of a claim.

Bureau of Employment Program - Charleston, West Virginia 25301

WC-E761 - Rev. 6-05