

WEST VIRGINIA



LABOR LAW POSTINGS

West Virginia Labor Law Postings

Thank you for using Paychex! Your order contains the following state posters:

Name of Poster	Poster Code	Posting Requirements	Agency Responsible
Unemployment Benefits	LWV01	All employers	Bureau of Employment Programs
Workers' Compensation*	LWV02	All employers	Workers' Compensation Division
Minimum Wage	LWV03	All employers	Division of Labor
The West Virginia Human Rights Act (Discrimination)	LWV04	All employers	Human Rights Commission
Wage Payment and Collection	LWV05	All employers	Division of Labor
Parental Leave	LWV06	Required for state & local government employers	Division of Labor
Fair Housing	LWV09	Recommended for all businesses engaged in the sale or rental of real property	Human Rights Commission
Whistleblower Law	LWV10	All Public Employers	Division of Personnel
E-Verify	LWV11	Required for public employers, federal contractors, and service providers with employees regularly employed on the grounds or in the buildings of the Capital Complex	Department of Homeland Security
Right to Work	LWV13	Required for public employers, federal contractors, and service providers with employees regularly employed on the grounds or in the buildings of the Capital Complex	Department of Justice
Right to Work (Spanish)	LWV14	Required for public employers, federal contractors, and service providers with employees regularly employed on the grounds or in the buildings of the Capital Complex	Department of Justice
Human Trafficking	LWV15	<p>The notice must be posted in each public restroom for the business or establishment, and either in a conspicuous place near the public entrance of the business or establishment or in another location in clear view of the public and employees, where similar notices are customarily posted. Businesses required to poster this are</p> <ol style="list-style-type: none"> (1) All locations licensed by the Alcohol Beverage Control Commissioner that permit on-premises consumption of alcoholic beverages, pursuant to § 60-7-1 et seq. of this code; (2) Exotic entertainment facilities, which are facilities featuring live nude dancing, nude service personnel, or live nude entertainment; (3) Primary airports; (4) Passenger rail stations; (5) Bus stations; (6) Locations where gasoline and diesel fuel are sold; (7) Emergency departments within hospitals; (8) Urgent care centers; (9) Locations at which farm labor contractors and day haulers work, if a physical facility is available at those locations upon or in which notice can be posted; (10) Privately operated job recruitment centers; (11) Rest areas located along interstate highways in this state, operated by the Division of Highways; (12) Hotels; and (13) Any other business or establishment that the director determines, by legislative rule, is an effective location to provide notice to victims of human trafficking. 	Division of Justice and Community Service

Name of Poster	Poster Code	Posting Requirements	Agency Responsible
Human Trafficking (Spanish)	LWV16	The notice must be posted in each public restroom for the business or establishment, and either in a conspicuous place near the public entrance of the business or establishment or in another location in clear view of the public and employees, where similar notices are customarily posted. Businesses required to poster this are (1) All locations licensed by the Alcohol Beverage Control Commissioner that permit on-premises consumption of alcoholic beverages, pursuant to § 60-7-1 et seq. of this code; (2) Exotic entertainment facilities, which are facilities featuring live nude dancing, nude service personnel, or live nude entertainment; (3) Primary airports; (4) Passenger rail stations; (5) Bus stations; (6) Locations where gasoline and diesel fuel are sold; (7) Emergency departments within hospitals; (8) Urgent care centers; (9) Locations at which farm labor contractors and day haulers work, if a physical facility is available at those locations upon or in which notice can be posted; (10) Privately operated job recruitment centers; (11) Rest areas located along interstate highways in this state, operated by the Division of Highways; (12) Hotels; and (13) Any other business or establishment that the director determines, by legislative rule, is an effective location to provide notice to victims of human trafficking.	Division of Justice and Community Service

* Paychex provides an informational memo describing the process for obtaining West Virginia's Workers' Compensation poster

Printing and Posting Instructions

All files are print ready, according to size requirements from the issuing agency (if any). To ensure compliance, print all posters as provided. Posters requiring different paper size and/or color print are noted below as exceptions. Please note: In some cases, individual posters are set up to print on multiple pages.

- 1.) Print each of the posters listed above on 8.5"x11" paper.
- 2.) For multiple-page posters, we recommend taping the pages together before posting.
- 3.) Review each poster and posting instructions (above) carefully to check for special posting requirements that might apply to your business.
- 4.) Display all applicable posters in a conspicuous area accessible to all employees (such as an employee lounge, break room, or cafeteria).

WORKFORCE West Virginia

Notice To Employees - Unemployment Benefits

TOTAL UNEMPLOYMENT

You are considered totally unemployed during any week in which you are totally separated from your employment, performing no service 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 include telephone or web filing.

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 week. You may be entitled to partial unemployment benefits during this week if you earned less than what your weekly unemployment 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 REQUIREMENTS

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).

ELIGIBILITY REQUIREMENTS - OTHER

If you are unemployed, 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 doing what a reasonable, prudent person in your situation would do to find work.
- You have filed for and served a waiting period of one week 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:

1. If you leave work voluntarily without good cause involving fault on the part of your employer.
2. If you are discharged for misconduct.
3. If you fail without good cause to apply for available, suitable work, to accept suitable work when offered, or to return to your customary self-employment when directed to do so.
4. If you are unemployed due to a labor dispute.
5. For 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.
7. For any week you are training, participating, or preparing to participate in sports or athletic events if there is reasonable assurance you will perform such services in the current or upcoming seasons.
8. If 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 non-school wages in your base period to qualify for benefits based upon the non-school wages only, you may be entitled to benefits during this period.)
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 valid permit to work.
10. If you leave work voluntarily to attend school or other educational institution, or are waiting to enter school or an educational institution.
11. For each week in which you are unemployed because of your request or that of your duly-authorized agent for a vacation at 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 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 income tax and there are requirements relating to estimated tax payments. You may choose to have Federal income tax deducted and withheld from any unemployment benefits paid to you.

CLAIMS OFFICES

These **FULL-TIME CLAIMS OFFICES** are operated Monday through Friday each week:

BECKLEY	LOGAN	SOUTH BRANCH
CHARLESTON	MARTINSBURG	SUMMERSVILLE
CLARKSBURG	MERCER COUNTY	WEIRTON
ELKINS	MORGANTOWN	WELCH
FAIRMONT	PARKERSBURG	WHEELING
HUNTINGTON		

* The days and hours for these **ITINERANT POINTS** vary. For exact schedule, inquire at any claims office.

CLAY	PT. PLEASANT
GREENBRIER VALLEY	SPENCER
KINGWOOD	WEBSTER SPRINGS
MARLINTON	WESTON
MONTGOMERY	WILLIAMSON
NEW MARTINSVILLE	

* **ITINERANT POINTS** are subject to change.

Unemployment Compensation Benefit Rate Table

WAGE CLASS	WAGES IN BASE PERIOD	WEEKLY BENEFIT RATE	MAXIMUM BENEFIT RATE	WAGE CLASS	WAGES IN BASE PERIOD	WEEKLY BENEFIT RATE	MAXIMUM BENEFIT RATE	WAGE CLASS	WAGES IN BASE PERIOD	WEEKLY BENEFIT RATE	MAXIMUM BENEFIT RATE	WAGE CLASS	WAGES IN BASE PERIOD	WEEKLY BENEFIT RATE	MAXIMUM BENEFIT RATE
	Under \$2,200.00	Ineligible		64	11,650.00 - 11,799.99	124.00	3,224.00	128	21,250.00 - 21,399.99	225.00	5,850.00	192	30,850.00 - 30,999.99	327.00	8,502.00
1	\$2,200.00 - \$2,349.99	\$24.00	\$624.00	65	11,800.00 - 11,949.99	125.00	3,250.00	129	21,400.00 - 21,549.99	227.00	5,902.00	193	31,000.00 - 31,149.99	328.00	8,528.00
2	2,350.00 - 2,499.99	25.00	650.00	66	11,950.00 - 12,099.99	127.00	3,302.00	130	21,550.00 - 21,699.99	228.00	5,928.00	194	31,150.00 - 31,299.99	330.00	8,580.00
3	2,500.00 - 2,649.99	27.00	702.00	67	12,100.00 - 12,249.99	128.00	3,328.00	131	21,700.00 - 21,849.99	230.00	5,980.00	195	31,300.00 - 31,449.99	331.00	8,606.00
4	2,650.00 - 2,799.99	28.00	728.00	68	12,250.00 - 12,399.99	130.00	3,380.00	132	21,850.00 - 21,999.99	231.00	6,006.00	196	31,450.00 - 31,599.99	333.00	8,658.00
5	2,800.00 - 2,949.99	30.00	780.00	69	12,400.00 - 12,549.99	131.00	3,406.00	133	22,000.00 - 22,149.99	233.00	6,058.00	197	31,600.00 - 31,749.99	335.00	8,710.00
6	2,950.00 - 3,099.99	31.00	806.00	70	12,550.00 - 12,699.99	133.00	3,458.00	134	22,150.00 - 22,299.99	235.00	6,110.00	198	31,750.00 - 31,899.99	336.00	8,736.00
7	3,100.00 - 3,249.99	33.00	858.00	71	12,700.00 - 12,849.99	135.00	3,510.00	135	22,300.00 - 22,449.99	236.00	6,136.00	199	31,900.00 - 32,049.99	338.00	8,788.00
8	3,250.00 - 3,399.99	35.00	910.00	72	12,850.00 - 12,999.99	136.00	3,536.00	136	22,450.00 - 22,599.99	238.00	6,188.00	200	32,050.00 - 32,199.99	339.00	8,814.00
9	3,400.00 - 3,549.99	36.00	936.00	73	13,000.00 - 13,149.99	138.00	3,588.00	137	22,600.00 - 22,749.99	239.00	6,214.00	201	32,200.00 - 32,349.99	341.00	8,866.00
10	3,550.00 - 3,699.99	38.00	988.00	74	13,150.00 - 13,299.99	139.00	3,614.00	138	22,750.00 - 22,899.99	241.00	6,266.00	202	32,350.00 - 32,499.99	342.00	8,892.00
11	3,700.00 - 3,849.99	39.00	1,014.00	75	13,300.00 - 13,449.99	141.00	3,666.00	139	22,900.00 - 23,049.99	243.00	6,318.00	203	32,500.00 - 32,649.99	344.00	8,944.00
12	3,850.00 - 3,999.99	41.00	1,066.00	76	13,450.00 - 13,599.99	143.00	3,718.00	140	23,050.00 - 23,199.99	244.00	6,344.00	204	32,650.00 - 32,799.99	346.00	8,996.00
13	4,000.00 - 4,149.99	43.00	1,118.00	77	13,600.00 - 13,749.99	144.00	3,744.00	141	23,200.00 - 23,349.99	246.00	6,396.00	205	32,800.00 - 32,949.99	347.00	9,022.00
14	4,150.00 - 4,299.99	44.00	1,144.00	78	13,750.00 - 13,899.99	146.00	3,796.00	142	23,350.00 - 23,499.99	247.00	6,422.00	206	32,950.00 - 33,099.99	349.00	9,074.00
15	4,300.00 - 4,449.99	46.00	1,196.00	79	13,900.00 - 14,049.99	147.00	3,822.00	143	23,500.00 - 23,649.99	249.00	6,474.00	207	33,100.00 - 33,249.99	350.00	9,100.00
16	4,450.00 - 4,599.99	47.00	1,222.00	80	14,050.00 - 14,199.99	149.00	3,874.00	144	23,650.00 - 23,799.99	250.00	6,500.00	208	33,250.00 - 33,399.99	352.00	9,152.00
17	4,600.00 - 4,749.99	49.00	1,274.00	81	14,200.00 - 14,349.99	150.00	3,900.00	145	23,800.00 - 23,949.99	252.00	6,552.00	209	33,400.00 - 33,549.99	354.00	9,204.00
18	4,750.00 - 4,899.99	51.00	1,326.00	82	14,350.00 - 14,499.99	152.00	3,952.00	146	23,950.00 - 24,099.99	254.00	6,604.00	210	33,550.00 - 33,699.99	355.00	9,230.00
19	4,900.00 - 5,049.99	52.00	1,352.00	83	14,500.00 - 14,649.99	154.00	4,004.00	147	24,100.00 - 24,249.99	255.00	6,630.00	211	33,700.00 - 33,849.99	357.00	9,282.00
20	5,050.00 - 5,199.99	54.00	1,404.00	84	14,650.00 - 14,799.99	155.00	4,030.00	148	24,250.00 - 24,399.99	257.00	6,682.00	212	33,850.00 - 33,999.99	358.00	9,308.00
21	5,200.00 - 5,349.99	55.00	1,430.00	85	14,800.00 - 14,949.99	157.00	4,082.00	149	24,400.00 - 24,549.99	258.00	6,708.00	213	34,000.00 - 34,149.99	360.00	9,360.00
22	5,350.00 - 5,499.99	57.00	1,482.00	86	14,950.00 - 15,099.99	158.00	4,108.00	150	24,550.00 - 24,699.99	260.00	6,760.00	214	34,150.00 - 34,299.99	361.00	9,386.00
23	5,500.00 - 5,649.99	58.00	1,508.00	87	15,100.00 - 15,249.99	160.00	4,160.00	151	24,700.00 - 24,849.99	262.00	6,812.00	215	34,300.00 - 34,449.99	363.00	9,438.00
24	5,650.00 - 5,799.99	60.00	1,560.00	88	15,250.00 - 15,399.99	162.00	4,212.00	152	24,850.00 - 24,999.99	263.00	6,838.00	216	34,450.00 - 34,599.99	365.00	9,490.00
25	5,800.00 - 5,949.99	62.00	1,612.00	89	15,400.00 - 15,549.99	163.00	4,238.00	153	25,000.00 - 25,149.99	265.00	6,890.00	217	34,600.00 - 34,749.99	366.00	9,516.00
26	5,950.00 - 6,099.99	63.00	1,638.00	90	15,550.00 - 15,699.99	165.00	4,290.00	154	25,150.00 - 25,299.99	266.00	6,916.00	218	34,750.00 - 34,899.99	368.00	9,568.00
27	6,100.00 - 6,249.99	65.00	1,690.00	91	15,700.00 - 15,849.99	166.00	4,316.00	155	25,300.00 - 25,449.99	268.00	6,968.00	219	34,900.00 - 35,049.99	369.00	9,594.00
28	6,250.00 - 6,399.99	66.00	1,716.00	92	15,850.00 - 15,999.99	168.00	4,368.00	156	25,450.00 - 25,599.99	269.00	6,994.00	220	35,050.00 - 35,199.99	371.00	9,646.00
29	6,400.00 - 6,549.99	68.00	1,768.00	93	16,000.00 - 16,149.99	170.00	4,420.00	157	25,600.00 - 25,749.99	271.00	7,046.00	221	35,200.00 - 35,349.99	373.00	9,698.00
30	6,550.00 - 6,699.99	70.00	1,820.00	94	16,150.00 - 16,299.99	171.00	4,446.00	158	25,750.00 - 25,899.99	273.00	7,098.00	222	35,350.00 - 35,499.99	374.00	9,724.00
31	6,700.00 - 6,849.99	71.00	1,846.00	95	16,300.00 - 16,449.99	173.00	4,498.00	159	25,900.00 - 26,049.99	274.00	7,124.00	223	35,500.00 - 35,649.99	376.00	9,776.00
32	6,850.00 - 6,999.99	73.00	1,898.00	96	16,450.00 - 16,599.99	174.00	4,524.00	160	26,050.00 - 26,199.99	276.00	7,176.00	224	35,650.00 - 35,799.99	377.00	9,802.00
33	7,000.00 - 7,149.99	74.00	1,924.00	97	16,600.00 - 16,749.99	176.00	4,576.00	161	26,200.00 - 26,349.99	277.00	7,202.00	225	35,800.00 - 35,949.99	379.00	9,854.00
34	7,150.00 - 7,299.99	76.00	1,976.00	98	16,750.00 - 16,899.99	177.00	4,602.00	162	26,350.00 - 26,499.99	279.00	7,254.00	226	35,950.00 - 36,099.99	381.00	9,906.00
35	7,300.00 - 7,449.99	78.00	2,028.00	99	16,900.00 - 17,049.99	179.00	4,654.00	163	26,500.00 - 26,649.99	281.00	7,306.00	227	36,100.00 - 36,249.99	382.00	9,932.00
36	7,450.00 - 7,599.99	79.00	2,054.00	100	17,050.00 - 17,199.99	181.00	4,706.00	164	26,650.00 - 26,799.99	282.00	7,332.00	228	36,250.00 - 36,399.99	384.00	9,984.00
37	7,600.00 - 7,749.99	81.00	2,106.00	101	17,200.00 - 17,349.99	182.00	4,732.00	165	26,800.00 - 26,949.99	284.00	7,384.00	229	36,400.00 - 36,549.99	385.00	10,010.00
38	7,750.00 - 7,899.99	82.00	2,132.00	102	17,350.00 - 17,499.99	184.00	4,784.00	166	26,950.00 - 27,099.99	285.00	7,410.00	230	36,550.00 - 36,699.99	387.00	10,062.00
39	7,900.00 - 8,049.99	84.00	2,184.00	103	17,500.00 - 17,649.99	185.00	4,810.00	167	27,100.00 - 27,249.99	287.00	7,462.00	231	36,700.00 - 36,849.99	388.00	10,088.00
40	8,050.00 - 8,199.99	85.00	2,210.00	104	17,650.00 - 17,799.99	187.00	4,862.00	168	27,250.00 - 27,399.99	289.00	7,514.00	232	36,850.00 - 36,999.99	390.00	10,140.00
41	8,200.00 - 8,349.99	87.00	2,262.00	105	17,800.00 - 17,949.99	189.00	4,914.00	169	27,400.00 - 27,549.99	290.00	7,540.00	233	37,000.00 - 37,149.99	392.00	10,192.00
42	8,350.00 - 8,499.99	89.00	2,314.00	106	17,950.00 - 18,099.99	190.00	4,940.00	170	27,550.00 - 27,699.99	292.00	7,592.00	234	37,150.00 - 37,299.99	393.00	10,218.00
43	8,500.00 - 8,649.99	90.00	2,340.00	107	18,100.00 - 18,249.99	192.00	4,992.00	171	27,700.00 - 27,849.99	293.00	7,618.00	235	37,300.00 - 37,449.99	395.00	10,270.00
44	8,650.00 - 8,799.99	92.00	2,392.00	108	18,250.00 - 18,399.99	193.00	5,018.00	172	27,850.00 - 27,999.99	295.00	7,670.00	236	37,450.00 - 37,599.99	396.00	10,296.00
45	8,800.00 - 8,949.99	93.00	2,418.00	109	18,400.00 - 18,549.99	195.00	5,070.00	173	28,000.00 - 28,149.99	296.00	7,696.00	237	37,600.00 - 37,749.99	398.00	10,348.00
46	8,950.00 - 9,099.99	95.00	2,470.00	110	18,550.00 - 18,699.99	196.00	5,096.00	174	28,150.00 - 28,299.99	298.00	7,748.00	238	37,750.00 - 37,899.99	400.00	10,400.00
47	9,100.00 - 9,249.99	97.00	2,522.00	111	18,700.00 - 18,849.99	198.00	5,148.00	175	28,300.00 - 28,449.99	300.00	7,800.00	239	37,900.00 - 38,049.99	401.00	10,426.00
48	9,250.00 - 9,399.99	98.00	2,548.00	112	18,850.00 - 18,999.99	200.00	5,200.00	176	28,450.00 - 28,599.99	301.00	7,826.00	240	38,050.00 - 38,199.99	403.00	10,478.00
49	9,400.00 - 9,549.99	100.00	2,600.00	113	19,000.00 - 19,149.99	201.00	5,226.00	177	28,600.00 - 28,749.99	303.00	7,878.00	241	38,200.00 - 38,349.99	404.00	10,504.00
50	9,550.00 - 9,699.99	101.00	2,626.00	114	19,150.00 - 19,299.99	203.00	5,278.00	178	28,750.00 - 28,899.99	304.00	7,904.00	242	38,350.00 - 38,499.99	406.00	10,556.00
51	9,700.00 - 9,849.99	103.00	2,678.00	115	19,300.00 - 19,449.99	204.00	5,304.00	179	28,900.00 - 29,049.99	306.00	7,956.00	243	38,500.00 - 38,649.99	408.00	10,608.00
52	9,850.00 - 9,999.99	104.00	2,704.00	116	19,450.00 - 19,599.99	206.00	5,356.00	180	29,050.00 - 29,199.99	308.00	8,008.00	244	38,650.00 - 38,799.99	409.00	10,634.00
53	10,0														

Attention Employer:

Regulations in the state of West Virginia require distribution of workers' compensation posters and information through specific sources. If your company is participating in the Paychex HR Solutions –PEO sponsored workers' compensation insurance your HR representative will provide you with the required workers' compensation poster for your state and policy information.

If your company is not participating in the Paychex HR Solutions-PEO sponsored workers' compensation insurance, please contact your carrier directly for more information and a copy of your West Virginia workers' compensation required poster.

Thank You.

WEST VIRGINIA DIVISION OF LABOR

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

Telephone: (304) 558-7890

labor.wv.gov

Fax: (304) 558-3797



MINIMUM WAGE REQUIREMENTS

An employer employing 6 or more employees in any one separate, distinct and 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

- 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.
- Beginning with the 91st day of employment, an employer must pay the employee the required minimum wage rate.

Permissible Minimum Wage Credit for Tipped Employees

- Beginning January 1, 2016, employers may take up to a 70% credit, or \$6.13 per hour, against the required minimum wage rate for employees who customarily receive tips, resulting in a reduced hourly wage rate of at least \$2.62 per hour.
- 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 must keep accurate records of employees' tips.

Revised January 2018

NOTICE

THE WEST VIRGINIA HUMAN RIGHTS ACT

**Prohibits Discrimination in Employment and Places of Public Accommodations Based On:
Race, Religion, Color, National Origin, Ancestry, Sex, Age (40 or above), Blindness or Disability**

THE WEST VIRGINIA FAIR HOUSING ACT

**Prohibits Discrimination in Housing Based On:
Race, Religion, Color, National Origin, Ancestry, Sex, Blindness, Disability , Familial Status**

THE WEST VIRGINIA PREGNANT WORKERS' FAIRNESS ACT

**Prohibits Discrimination in Employment Based On:
Pregnancy , Childbirth or Related Medical Conditions**

**For Further Information or to File a Complaint, Visit, Call or
Write to the WV Human Rights Commission at:**



**WV Human Rights Commission
Room 108 A
1321 Plaza East
Charleston, WV 25301-1400**

**Phone: 304-558-2616
(Toll Free) 888-676-5546
Fax: 304-558-0085
Website: www.hrc.wv.gov**

Revised 6-14-2016

WEST VIRGINIA DIVISION OF LABOR

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

Telephone: (304) 558-7890

labor.wv.gov

Fax: (304) 558-3797



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

WEST VIRGINIA DIVISION OF LABOR

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

Telephone: (304) 558-7890

labor.wv.gov

Fax: (304) 558-3797



PARENTAL LEAVE ACT

PARENTAL LEAVE ACT – (W. Va. Code §21-5D-1, *et. seq.*). This legislation, 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 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

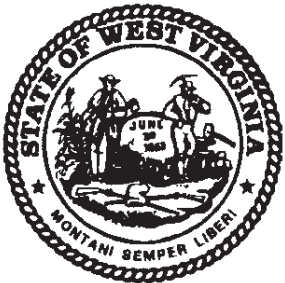
FAIR HOUSING

YOUR BASIC RIGHT- RIGHT NOW!

If you feel you have been discriminated against in the rental, sale or mortgage financing of housing because of:

- Race
- Color
- Disability
- Religion
- Ancestry
- Sex
- National Origin
- Blindness
- Familial Status (Children)

Visit, Call or Write to the WV Human Rights Commission at:



**WV Human Rights Commission
Room 108 A
1321 Plaza East
Charleston, WV 25301-1400**

**Phone: 304-558-2616
(Toll Free) 888-676-5546
Fax: 304-558-0085
Website: www.hrc.wv.gov**

Revised 6-14-2016



West Virginia

NOTICE

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

WRONGDOING

Non-technical violations of
any statute, regulation, ordinance,
or code of ethics designed to
protect the public interest

W. Va. Code § 6C-1-1

To report any instance of waste
or wrongdoing, as defined above,
contact the appropriate supervisory
personnel in your office or agency,
or other appropriate official.

This Organization Participates in E-Verify

Esta Organización Participa en E-Verify



This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.

If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.

Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

E-Verify Works for Everyone

For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU.

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo.

Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9.

E-Verify Funciona Para Todos

Para más información sobre E-Verify, o si usted cree que su empleador ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.

888-897-7781
dhs.gov/e-verify



E-VERIFY IS A SERVICE OF DHS AND SSA

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IF YOU HAVE THE RIGHT TO WORK



DON'T LET ANYONE TAKE IT AWAY

If you have the skills, experience, and legal right to work, your citizenship or immigration status shouldn't get in the way. Neither should the place you were born or another aspect of your national origin. A part of U.S. immigration laws protects legally-authorized workers from discrimination based on their citizenship status and national origin. You can read this law at 8 U.S.C. § 1324b.

The Immigrant and Employee Rights Section (IER) may be able to help if an employer treats you unfairly in violation of this law.

The law that IER enforces is 8 U.S.C. § 1324b. The regulations for this law are at 28 C.F.R. Part 44.

Call IER if an employer:

Does not hire you or fires you because of your national origin or citizenship status (this may violate a part of the law at 8 U.S.C. § 1324b(a)(1))

Treats you unfairly while checking your right to work in the U.S., including while completing the Form I-9 or using E-Verify (this may violate the law at 8 U.S.C. § 1324b(a)(1) or (a)(6))

Retaliates against you because you are speaking up for your right to work as protected by this law (the law prohibits retaliation at 8 U.S.C. § 1324b(a)(5))

The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

Immigrant and Employee Rights Section (IER)

1-800-255-7688

TTY 1-800-237-2515

www.justice.gov/ier

IER@usdoj.gov



U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section, January 2019

This guidance document is not intended to be a final agency action, has no legally binding effect, and has no force or effect of law. The document may be rescinded or modified at the Department's discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent. For more information, see "Memorandum for All Components: Prohibition of Improper Guidance Documents," from Attorney General Jefferson B. Sessions III, November 16, 2017.



SI USTED TIENE DERECHO A TRABAJAR



NO DEJE QUE NADIE SE LO QUITÉ

Si usted dispone de las capacidades, experiencia y derecho legal a trabajar, su estatus migratorio o de ciudadanía no debe representar un obstáculo, ni tampoco lo debe ser el lugar en que usted nació o ningún otro aspecto de su nacionalidad de origen. Existe una parte de las leyes migratorias de los EE. UU. que protegen a los trabajadores que cuentan con la debida autorización legal para trabajar de la discriminación por motivos de su estatus de ciudadanía o nacionalidad de origen. Puede consultar esta ley contenida en la Sección 1324b del Título 8 del Código de los EE. UU.

Es posible que la Sección de Derechos de Inmigrantes y Empleados (IER, por sus siglas en inglés) pueda ayudar si un empleador lo trata de una forma injusta, en contra de esta ley.

La ley que hace cumplir la IER es la Sección 1324b del Título 8 del Código de los EE. UU. Los reglamentos de dicha ley se encuentran en la Parte 44 del Título 28 del Código de Reglamentos Federales.

Este documento de orientación no tiene como propósito ser una decisión definitiva por parte de la agencia, no tiene ningún efecto jurídicamente vinculante y puede ser rescindido o modificado a la discreción del Departamento, conforme a las leyes aplicables. Los documentos de orientación del Departamento, entre ellos este documento de orientación, no establecen responsabilidades jurídicamente vinculantes más allá de lo que se requiere en los términos de las leyes aplicables, los reglamentos o los precedentes jurídicamente vinculantes. Para más información, véase «Memorándum para Todos Los Componentes: La Prohibición contra Documentos de Orientación Impropias», del Fiscal General Jefferson B. Sessions III, 16 de noviembre del 2017.

Llame a la IER si un empleador:

No lo contrata o lo despiden a causa de su nacionalidad de origen o estatus de ciudadanía (esto podría representar una vulneración de parte de la ley contenida en la Sección 1324b(a)(1) del Título 8 del Código de los EE. UU.)

Lo trata de una manera injusta a la forma de comprobar su derecho a trabajar en los EE. UU., incluyendo al completar el Formulario I-9 o utilizar E-Verify (esto podría representar una vulneración de la ley contenida en la Sección 1324b(a)(1) o (a)(6) del Título 8 del Código de los EE. UU.)

Toma represalias en su contra por haber defendido su derecho a trabajar al amparo de esta ley (la ley prohíbe las represalias, según se indica en la Sección 1324b(a)(5) del Título 8 del Código de los EE. UU.)

Esta ley puede ser complicada. Llame a la IER para más información sobre las protecciones existentes contra la discriminación por motivos del estatus de ciudadanía o la nacionalidad de origen.

Sección de Derechos de Inmigrantes y Empleados (IER)

1-800-255-7688

TTY 1-800-237-2515

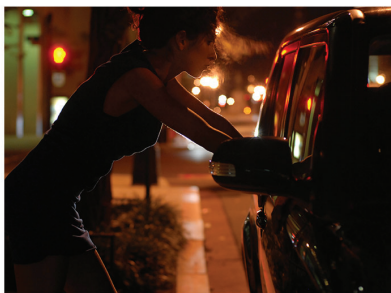
www.justice.gov/crt-espanol/ier

IER@usdoj.gov



Departamento de Justicia de los EE. UU., División de Derechos Civiles, Sección de Derechos de Inmigrantes y Empleados, enero del 2019





NATIONAL HUMAN TRAFFICKING HOTLINE

Human trafficking is modern-day slavery,
and it's happening right here in the United States.

You can help.

1-888-373-7888

CONFIDENTIAL | TOLL-FREE | 24/7

www.HumanTraffickingHotline.org

Interpreters available

CALL THE HOTLINE TO:

- ① Get help.
- ② Report a tip.
- ③ Find services.
- ④ Learn about your options.

Victims are forced to provide labor or commercial sex in many situations, including the following venues/industries:

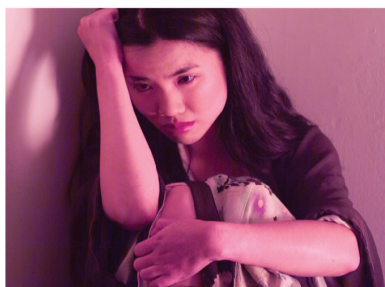
SEX TRAFFICKING

Hotel-Based Commercial Sex
Fake Massage Businesses
Street-Based Commercial Sex
Residential Brothels
Truck Stops
Escort Services

LABOR TRAFFICKING

Domestic Work
Agriculture
Travelling Sales Crew
Health & Beauty Services
Restaurants
Construction

This publication was made possible in part through Grant Number 90ZV0102 from the Office on Trafficking in Persons, Administration for Children and Families, U.S. Department of Health and Human Services (HHS). Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Office on Trafficking in Persons, Administration for Children and Families, or HHS.



NATIONAL HUMAN TRAFFICKING HOTLINE

LÍNEA NACIONAL CONTRA LA TRATA DE PERSONAS

La trata de personas es la esclavitud moderna,
y está sucediendo aquí en los Estados Unidos.

1-888-373-7888

INFORMACIÓN CONFIDENCIAL | NÚMERO GRATUÍTO
24 HORAS AL DÍA, 7 DÍAS A LA SEMANA

www.HumanTraffickingHotline.org

help@humantraffickinghotline.org

Intérpretes Disponibles

LLAME PARA:

- 1 Obtener ayuda.
- 2 Reportar un caso posible.
- 3 Conectar con servicios.
- 4 Conocer sus opciones.

Las víctimas son forzadas a trabajar o prostituírse en distintos ámbitos como:

TRATA SEXUAL

Hoteles
Salones de Masaje
Prostitución Forzada en la Calle
Burdeles Residenciales
Paradas de Camiones
Servicios de acompañamiento

TRATA LABORAL

Trabajo Doméstico
Agricultura
Venta Ambulante (como grupos de venta de revistas)
Servicios de salud o belleza
Restaurantes
Construcción

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