

West Virginia & Federal Employment Notices
OSHA Job Safety and Health IT'S THE LAW!
All workers have the right to:
- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions.
- Participate on your behalf with a representative (participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Contact OSHA. We can help.
Special Assistance to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

Federal Minimum Wage
EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT
The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employees must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

Pregnant Workers Fairness Act (PWFA)
The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 27, 2023, requires covered employers to provide "reasonable accommodations" to a qualified pregnant worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship." An undue hardship is defined as causing significant difficulty or expense.

Equal Employment Opportunity
Know Your Rights: Workplace Discrimination is Illegal
The EEOC prohibits employment discrimination against, and requires affirmative action by Federal contractors on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Child Labor Law
Age Specific Guidelines for the employment of children in West Virginia
Employment Requirements for the 14 & 15 year olds
Work Permit Requirements: 15-17 year olds
Hours limits in non-session
Summer Employment
May not work
Home schooled children are also restricted from working during normal school hours.

Wage Payment & Collection Act
WEST VIRGINIA DIVISION OF LABOR
1900 Kanawha Boulevard East - State Capitol Complex - Building 3, Room 200, Charleston, WV 25305
This abstract must be placed in an area accessible to all employees in accordance with the requirements of W. Va. Code §21-5-9.

Payday Notice
PAYDAY IS ON
MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY SUNDAY
PAY SCHEDULE IS
WEEKLY BI-WEEKLY SEMI-MONTHLY MONTHLY
PAYCHECKS ARE ISSUED ON THE _____ AND _____ OF THE MONTH

Emergency Notice
AMBULANCE: _____ FIRE-RESCUE: _____ HOSPITAL: _____ PHYSICIAN: _____ ALTERNATE: _____ POLICE: _____ HAZARDOUS MATERIAL: _____
The West Virginia Whistle-blower Law protects public employees against discharge, discrimination, or retaliation when they, in good faith, report any instances of

Waste Wrongdoing
Substantial abuse, misuse, destruction, or loss of public funds or resources
Non-technical violations of any statute, regulation, ordinance, or code of ethics that constitute a public interest
To report any instance of waste or wrongdoing, as defined above, contact the appropriate supervisory personnel in your office or agency, or your appropriate official.

Family Medical Leave Act
EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT
The FMLA allows an employee to take up to 12 workweeks of FMLA leave in a 12-month period for:
- The birth, adoption or foster placement of a child with you.
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- To care for your spouse, child or parent who is a military servicemember.
An eligible employee who is the spouse, child, parent or best friend of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

IRS Withholding
YOU MAY NEED TO CHECK YOUR WITHHOLDING
Since you last filed Form W-4 with your employer did you...
- Many or divorce?
- Gain or lose a dependent?
- Change your name?
- If you can answer "yes" to any of these or you owed extra tax when you filed your last return, you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

USERRA
FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS
YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT
USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Polygraph Protection
The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

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Unemployment Compensation Table
This table lists the unemployment compensation benefits payable to eligible claimants based on their wages and duration of unemployment. The table is organized into columns for different wage ranges and duration periods.

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 unpaid Parental Leave following the exhaustion of all of 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:

Meal Breaks
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.
Rest Periods:
- Periods of short duration, running from (5) to (20) minutes, must be counted as hours worked.

Unemployment Compensation
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 services for which wages or other remuneration were paid to you.

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Human Rights Act/Fair Housing/Pregnant Workers
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 HUMAN RIGHTS ACT
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State Minimum Wage
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, its agencies and departments, must comply with the state minimum wage law.
Required Minimum Wage Rates -
- Beginning July 1, 2008, employers must pay employees at least \$7.25 per hour.
- Beginning January 1, 2016, employers must pay employees at least \$8.00 per hour.
- Beginning January 1, 2016, employers must pay employees at least \$10.75 per hour.

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