# $\star \star \star \star \star \star \star$



# LaborLawCenter.com 1-800-745-9970 • Product ID: WV50

Please post in a conspicuous place. Date Posted: Labor laws change frequently. Contact your distributor to ensure that you are in full compliance with required State and Federal posting requirements at least once a year. © 2016 LaborLawCenter, Inc. All rights reserved.

advance notice of the need for FMLA leave. If it is not possible to

Employees do not have to share a medical diagnosis, but must

include informing an employer that the employee is or will be

medical treatment is necessary. Employees must inform the

was previously taken or certified. Employers can require a

leave. If the employer determines that the certification is

additional information is required.

designated as FMLA leave.

medical leave rights.

incomplete, it must provide a written notice indicating what

unable to perform his or her job functions, that a family member

give 30-days' notice, an employee must notify the employer as soon

as possible and, generally, follow the employer's usual procedures.

provide enough information to the employer so it can determine if

the leave qualifies for FMLA protection. Sufficient information could

cannot perform daily activities, or that hospitalization or continuing

employer if the need for leave is for a reason for which FMLA leave

**EMPLOYER RESPONSIBILITIES** Once an employer becomes aware

that an employee's need for leave is for a reason that may qualify

under the FMLA, the employer must notify the employee if he or

she is eligible for FMLA leave and, if eligible, must also provide a

employee is not eligible, the employer must provide a reason for

ineligibility. Employers must notify its employees if leave will be

Department of Labor, Wage and Hour Division, or may bring a private

lawsuit against an employer. The FMLA does not affect any federal or

law or collective bargaining agreement that provides greater family or

For additional information or to file a complaint:

TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division

1-866-4-USWAGE

state law prohibiting discrimination or supersede any state or local

designated as FMLA leave, and if so, how much leave will be

**ENFORCEMENT** Employees may file a complaint with the U.S.

notice of rights and responsibilities under the FMLA. If the

certification or periodic recertification supporting the need for

# **EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

WEST VIRGINIA

## EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious

discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship. **DISABILITY** Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. AGE The Age Discrimination in Employment Act of 1967, as amended, protects

applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment

**GENETICS** Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members. **RETALIATION** All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful

employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

#### **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS**

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based on 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. PAY SECRECY Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as amended, protects gualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise gualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with

disabilities at all levels of employment, including the executive level. PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. **RETALIATION** Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract

Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor. If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

#### RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

activities which receive Federal financial assistance. INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance. Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

# EMPLOYEE POLYGRAPH PROTECTION ACT

# EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

# 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

<u>\* \* \* \* \*</u> \*

Substantial abuse, misuse, destruction, or loss of public funds or resources designed to protect the public interest

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. Published and distributed by the West Virginia Division of Personnel; Revised November 2003

# WAGE PAYMENT AND COLLECTION ACT

#### THE WEST VIRGINIA WAGE PAYMENT AND COLLECTION ACT

This abstract must be placed in an area accessible to all employees terms or conditions of employment W. Va. Code St. R. §42-5-4.2.)). in accordance with the requirements of W. Va. Code §21-5-9. **REQUIRES THE EMPLOYER TO:** 

Pay employee wages at least twice a month, with no more than 19 days between paydays (W. Va. Code §21-5-3(a)).

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 (W. Va. Code §21-5-4(a)). 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 (W. Va. Code §21-5- 4(b))

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 (W. Va. Code §21-5-4(b)).

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 (W. Va. Code §21-5-9).

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

# WEST VIRGINIA MINIMUM WAGE

#### WEST VIRGINIA MINIMUM WAGE REQUIREMENTS Effective January 1, 2015

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. Required Minimum Wage Rates

1. Beginning July 1, 2008, employers must pay employees at least \$7.25 per hour.

2. Beginning January 1, 2015, employers must pay employees at least \$8.00 per hour

3. Beginning January 1, 2016, employers must pay employees at least \$8.75 per hour.

Required Minimum Training Wage Rates

1. An employer may pay an employee under the age of 20 years,

3. 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 1. Beginning January 1, 2015, employers may take up to a 70% credit, or \$5.60 per hour, against the required minimum wage rate for employees who customarily receive tips, resulting in a

reduced hourly wage rate of at least \$2.40 per hour. 2. 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.

3. 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

# FMLA - FAMILY AND MEDICAL LEAVE ACT

# **EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT**

employer can take up to 12 weeks of unpaid, job-protected leave in a employees.

To bond with a child (leave must be taken within 1 year of the child's birth or placement);

makes the employee unable to perform the employee's job; For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

leave:\* and

within 75 miles of the employee's worksite.

CHILD LABOR LAWS AGE SPECIFIC GUIDELINES FOR THE EMPLOYMENT OF CHILDREN IN WEST VIRGINIA SUMMER EMPLOYMENT May not work:

• 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

work hours unrestricted

may participate in volunteer fire activities

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

• may participate in fighting forest fires (as part of junior forest fire crew)

• prohibited from working in a bar or other establishment where the

Furnish each employee with a written itemized statement of deductions withheld from his or her wages each pay period (W. Va. Code §21-5-9)).

# **PREVENTS THE EMPLOYER FROM:**

Selling goods or supplies to employees at prices higher than the current market value (W. Va. Code §21-5-5). Deducting more than 25% of an employee's net earnings under a

WRONGDOING

Non-technical violations of any statute,

regulation, ordinance, or code of ethics

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) (W. Va. Code 21-5-3(e)). 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 (W. Va. Code 21-5-3(e)). Refusing to pay wages owed, up to \$800.00, to the relatives of a

> WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX BUILDING 6, ROOM 749B CHARLESTON, WEST VIRGINIA 25305 304.558.7890 wageandhour@wv.gov

www.wvlabor.com

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION \*Special "hours of service" requirements apply to airline flight crew **LEAVE ENTITLEMENTS** Eligible employees who work for a covered

12-month period for the following reasons: **REQUESTING LEAVE** Generally, employees must give 30-days'

The birth of a child or placement of a child for adoption or foster care;

To care for the employee's spouse, child, or parent who has a qualifying serious health condition;

For the employee's own qualifying serious health condition that

An eligible employee who is a covered servicemember's spouse, child,

**BENEFITS & PROTECTIONS** While employees are on FMLA leave,

ELIGIBILITY REQUIREMENTS An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

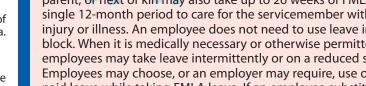
Have worked for the employer for at least 12 months;

Have at least 1,250 hours of service in the 12 months before taking 

June, 2015

WH1420a REV 04/16 回路回 近时期

Work at a location where the employer has at least 50 employees



13 year olds may

Deliver Newspapers

• Be an actor or performer

Work Permit Required

Nork restricted to non haza

Engage in agricultural activities

Baby sit

deceased employee (W. Va. Code 21-5-8a).

W. Va. Code § 6C-1-1

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.

**PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

**EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law

does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

#### THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE **EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**



# FEDERAL MINIMUM WAGE

# **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

# FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

**OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

**CHILD LABOR** An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to 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.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money

penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. ADDITIONAL INFORMATION

• Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

• Some state laws provide greater employee protections; employers must comply with both.

 Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

**WH** 

WH1088 REV 07/16

#### WAGE AND HOUR DIVISION ED STATES DEPARTMENT OF LABOR 1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd

# 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 Virginia, 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** 

**§4289.9 Rest Periods:** Rest Periods of short duration, running from (5) to (20) minutes, must be counted as hours worked.

**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. **ARTICLE 6: CHILD LABOR LAW** 

#### § 2167 Hours and days of labor by minors.

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

lired on or after July 1, 2006, a training wage of at least \$5.15 per hour for the first 90 days of employment. 2. 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.

records of employees' tips If you have any questions, please contact the West Virginia Division of Labor State Capitol Complex, Building 6, Room B-749, Charleston, WV 25305 telephone - 304.558.7890 email - wageandhour@wv.gov

# PAYDAY NOTICE

# **Regular Paydays for Employees of**

(Company Name) Shall be as follows.

Other Bi-Weekly Monthly

Title:

# WITHHOLDING STATUS

#### YOU MAY NEED TO CHECK YOUR WITHHOLDING

• Marry or divorce? • Gain or lose a dependent? Change your name?

Were there major changes to...

Weekh

• Your family wage income (you or your spouse started or ended a job)?

#### Your itemized deductions? Your tax credits?

To any of these questions or you owed extra tax when you filed

W Clissening a Working West Virgipia

your last return, you may need to file a new form W-4.

# ANTI-DISCRIMINATION NOTICE

Department of the Treasury nternal Revenue Service www.irs.gov

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

# DISCRIMINATION

#### 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: n Piahts Commissio Website

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

# WORKERS' COMPENSATION

# **NOTICE TO EMPLOYEES**

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/occupational disease claims is one year. For a traumatic death, the claim must be filed within six months of death.

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

• Work for parents in their solely owned business

**Employment Requirements for 14 & 15 year olds** 

Entitled to a 30 minute lunch after five hours of work

No permits required \*excluded hazardous occupations

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

UNEMPLOYMENT COMPENSATION

# WORKFORCE WEST VIRGINIA **NOTICE TO EMPLOYEES - UNEMPLOYMENT BENEFITS**

3. If you fail without good cause to apply for

self-employment when directed to do so.

lieu of notice or Workers' Compensation for

athletic events if there is reasonable

institution or educational service agency, for

commences during: a paid sabbatical leave; a

services in the first academic year or term or

vacation period and there is a contract or a reasonable assurance that you will perform

services in the second academic year or term

(EXCEPTION: If you have sufficient non-school

holiday or vacation period between two

academic years or terms, if you perform

prior to the beginning of a holiday or

or after a holiday or vacation period.

this period.)

permit to work

wages in your base period to qualify for

benefits based upon the non-school wages

only, you may be entitled to benefits during

**UNEMPLOYMENT COMPENSATION BENEFIT RATE TABLE** 

Wages in

Weekly Maximum

the current or upcoming seasons.

any week of unemployment which

temporary total disability

available suitable work, to accept suitable work

#### TOTAL UNEMPLOYMENT

You are considered totally unemployed during any week in which you are totally separated your previous claim). from your employment, performing no services • You must participate in profiling and for which wages or other remuneration were paid to you. You must file your initial claim for DISQUALIFICATIONS total unemployment in person. Since a claim for You may be disgualified from drawing unemployment compensation is effective the Sunday of the week in which it is filed, you benefits: should file your claim immediately after you are 1. If you leave work voluntarily without good separated from your employment. You will be cause involving fault on the part of instructed on filing your continued claim. Your your employer. options for filing continued claims will include telephone or web filing. 2. If you are discharged for misconduct.

# PARTIAL UNEMPLOYMENT

Publication 213

Cat. No. 11047P

Revised 06/14/2016

www.hrc.wv.gov

(Rev. 8-2009)

You would be considered partially unemployed if when offered, or to return to your customary you have been working fulltime, but due to business being slow, a breakdown of equipment, 4. If you are unemployed due to a labor dispute. or similar reasons, your employer has to reduce your hours during the week. You may be entitled 5. For the week for which you receive wages in to partial unemployment benefits during this week if you earned less than what your weekly unemployment benefit amount would be plus 6. For the week for which you receive \$60. Under these conditions, your employer unemployment compensation under the laws should issue a Low Earnings Report for the week, of another state or of the United States. showing your gross wages. You must complete the claims portion of the Low Earnings Report 7. For any week you are training, participating, and file it with the local unemployment office as or preparing to participate in sports or directed on the form. assurance you will perform such services in

#### ELIGIBILITY REQUIREMENTS

o be monetarily eligible to receive 8. If you are an employee of an educational 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 guarters) 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.

Wages in

authorized • You regualify on a new claim when you had a specified tir previous benefit year (must have earned eight

Weekly

Maximum

#### times your old weekly benefit amount in 12. For the week in which you receive any covered employment after the beginning of 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 reemployment services when selected. 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.

Revised 10/07

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

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

Weekly Maximum

9. For any week on the basis of services performed as an alien, unless you are lawfully \*The days and hours for these **ITINERANT** residing in the United States and have a valid **POINTS** vary. For exact schedule, inquire at any

	claims office.	
10. If you leave work voluntarily to attend		
school or other educational institution, or	CLAY	PT. PLEASANT
are waiting to enter school or an	GREENBRIER VALLEY	SPENCER
educational institution.	KINGWOOD	WEBSTER SPRINGS
11. For each week in which you are unemployed	MARLINTON	WESTON
because of your request or that of your duly-	MONTGOMERY	WILLIAMSON
authorized agent for a vacation at a	NEW MARTINSVILLE	
specified time that leaves your employer no		
specified and clareaves your employer no	*ITINEDANT DOINTC	a subject to change

\*ITINERANT POINTS are subject to change. other alternative but to suspend operations.

Wages in

#### Since you last filed form W-4 with your employer did you... See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on • Your nonwage income (interest, dividends, capital gains, etc.)? the IRS web site.

**Employer**: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject. **IRS** 

#### If you can answer "YES"...



# **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. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your 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.

This poster is available free from OSHA.

# Contact OSHA. We can help.

**Employers must:** 

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

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



f 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

# WEST VIRGINIA FAMILY LEAVE ACT

## WEST VIRGINIA DIVISION OF LABOR

749-B Building 6, Capitol Complex - Charleston, West Virginia 25305 Phone (304) 558-7890x163 - Fax (304) 558-3797 - WWW.STATE.WV.US/LABOR

# PARENTAL LEAVE ACT NOTICE TO ALL EMPLOYEES

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. James R. Lewis, Commissioner DOL-PLA-89; Revised 1/2005 USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT \* 🕲 💿 🕲 🌐 🕁 🖈 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. REEMPLOYMENT RIGHTS **HEALTH INSURANCE PROTECTION** You have the right to be reemployed in your civilian job if you • If you leave your job to perform military service, you have leave that job to perform service in the uniformed service and: the right to elect to continue your existing employer-based • you ensure that your employer receives advance written or health plan coverage for you and your dependents for up to verbal notice of your service;

24 months while in the military. • Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

**ENFORCEMENT** • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its web site at: http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at: http://www.dol.gov/elaws/userra.htm. • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. • You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. The rights listed here may vary depending on the circumstances. This notice was prepared by VETS, and may be viewed on the internet at this address:

Wa	ge Wages in	Weekly	Maximum	Wage	Wages in	Weekly	Maximum	Wage	Wages in	Weekly	Maximum
Cla	Base	Benefit	Benefit	Class	Base	Benefit	Benefit	Class	Dase	Benefit	Benefit
	Period	Rate	Rate		Period	Rate	Rate		Period	Rate	Rate
	Under \$2,200	ineligible		85 14	1,800.00 - 14,949.99	157.00	4,082.00	170 2	27,550.00 - 27,699.99	292.00	7,592.00
1	\$2,200.00 - 2,349.99	24.00	624.00	86 14	1,950.00 - 15,099.99	158.00	4,108.00	171 2	27,700.00 - 27,849.99	293.00	7,618.00
2	2,350.00 - 2,499.99	25.00	650.00		5,100.00 - 15,249.99	160.00	4,160.00		27,850.00 - 27,999.99	295.00	7,670.00
3	2,500.00 - 2,649.99	27.00	702.00		5,250.00 - 15,399.99	162.00	4,212.00		28,000.00 - 28,149.99	296.00	7,696.00
4	2,650.00 - 2,799.99	28.00	728.00		5,400.00 - 15,549.99	163.00	4,238.00	1	28,150.00 - 28,299.99	298.00	7,748.00
5	2,800.00 - 2,949.99	30.00	780.00		5,550.00 - 15,699.99	165.00	4,290.00		28,300.00 - 28,449.99	300.00	7,800.00
6	2,950.00 - 3,099.99	31.00	806.00		5,700.00 - 15,849.99	166.00	4,316.00		28,450.00 - 28,599.99	301.00	7,826.00
7	3,100.00 - 3,249.99	33.00	858.00		5,850.00 - 15,999.99	168.00	4,368.00	1	28,600.00 - 28,749.99	303.00	7,878.00
, 8	3,250.00 - 3,399.99	35.00	910.00		5,000.00 - 16,149.99	170.00	4,420.00		28,750.00 - 28,899.99	304.00	7,904.00
9	3,400.00 - 3,549.99	36.00	936.00		5,150.00 - 16,299.99	171.00	4,446.00		28,900.00 - 29,049.99	306.00	7,956.00
10	3,550.00 - 3,699.99	38.00	988.00		5,300.00 - 16,449.99	173.00	4,498.00		29,050.00 - 29,199.99	308.00	8,008.00
11	3,700.00 - 3,849.99	39.00	1,014.00		5,450.00 - 16,599.99	174.00	4,524.00	1	29,200.00 - 29,349.99	309.00	8,034.00
12	3,850.00 - 3,999.99	41.00	1,066.00		5,600.00 - 16,749.99	176.00	4,576.00		29,350.00 - 29,499.99	311.00	8,086.00
13	4,000.00 - 4,149.99	43.00	1,118.00		5,750.00 - 16,899.99	177.00	4,602.00		29,500.00 - 29,649.99	312.00	8,112.00
14	4,150.00 - 4,299.99	44.00	1,144.00		5,900.00 - 17,049.99	179.00	4,654.00		29,650.00 - 29,799.99	314.00	8,164.00
15	4,300.00 - 4,449.99	46.00	1,196.00		7,050.00 - 17,199.99	181.00	4,706.00		29,800.00 - 29,949.99	315.00	8,190.00
16	4,450.00 - 4,599.99	47.00	1,222.00		7,200.00 - 17,349.99	182.00	4,732.00	1	29,950.00 - 30,099.99	317.00	8,242.00
17	4,600.00 - 4,749.99	49.00	1,274.00		7,350.00 - 17,499.99	184.00	4,784.00		30,100.00 - 30,249.99	319.00	8,294.00
18	4,750.00 - 4,899.99	51.00	1,326.00		7,500.00 - 17,649.99	185.00	4,810.00		30,250.00 - 30,399.99	320.00	8,320.00
19	4,900.00 - 5,049.99	52.00	1,352.00		7,650.00 - 17,799.99	187.00	4,862.00		30,400.00 - 30,549.99	322.00	8,372.00
20	5,050.00 - 5,199.99	54.00	1,404.00		7,800.00 - 17,949.99	189.00	4,914.00		30,550.00 - 30,699.99	323.00	8,398.00
21	5,200.00 - 5,349.99	55.00	1,430.00		7,950.00 - 18,099.99	190.00	4,940.00		30,700.00 - 30,849.99	325.00	8,450.00
22	5,350.00 - 5,499.99	57.00	1,482.00		3,100.00 - 18,249.99	192.00	4,992.00		30,850.00 - 30,999.99	327.00	8,502.00
23	5,500.00 - 5,649.99	58.00	1,508.00		3,250.00 - 18,399.99	193.00	5,018.00		31,000.00 - 31,149.99	328.00	8,528.00
24	5,650.00 - 5,799.99	60.00	1,560.00		3,400.00 - 18,549.99	195.00	5,070.00		31,150.00 - 31,299.99	330.00	8,580.00
25	5,800.00 - 5,949.99	62.00	1,612.00		3,550.00 - 18,699.99	196.00	5,096.00		31,300.00 - 31,449.99	331.00	8,606.00
26	5,950.00 - 6,099.99	63.00	1,638.00		3,700.00 - 18,849.99	198.00	5,148.00	1	31,450.00 - 31,599.99	333.00	8,658.00
27	6,100.00 - 6,249.99	65.00	1,690.00		3,850.00 - 18,999.99	200.00	5,200.00	1	31,600.00 - 31,749.99	335.00	8,710.00
28	6,250.00 - 6,399.99	66.00	1,716.00		9,000.00 - 19,149.99	201.00	5,226.00	1	31,750.00 - 31,899.99	336.00	8,736.00
29	6,400.00 - 6,549.99	68.00	1,768.00		9,150.00 - 19,299.99	203.00	5,278.00	1	31,900.00 - 32,049.99	338.00	8,788.00
30	6,550.00 - 6,699.99	70.00	1,820.00	115 19	,300.00 - 19,449.99	204.00	5,304.00	200 3	32,050.00 - 32,199.99	339.00	8,814.00
31	6,700.00 - 6,849.99	71.00	1,846.00	116 19	,450.00 - 19,599.99	206.00	5,356.00	201 3	32,200.00 - 32,349.99	341.00	8,866.00
32	6,850.00 - 6,999.99	73.00	1,898.00	117 19	9,600.00 - 19,749.99	208.00	5,408.00	202 3	32,350.00 - 32,499.99	342.00	8,892.00
33	7,000.00 - 7,149.99	74.00	1,924.00		9,750.00 - 19,899.99	209.00	5,434.00		32,500.00 - 32,649.99	344.00	8,944.00
34	7,150.00 - 7,299.99	76.00	1,976.00		9,900.00 - 20,049.99	211.00	5,486.00	204 3	32,650.00 - 32,799.99	346.00	8,996.00
35	7,300.00 - 7,449.99	78.00	2,028.00	120 20	),050.00 - 20,199.99	212.00	5,512.00	205 3	32,800.00 - 32,949.99	347.00	9,022.00
36	7,450.00 - 7,599.99	79.00	2,054.00	121 20	),200.00 - 20,349.99	214.00	5,564.00	206 3	32,950.00 - 33,099.99	349.00	9,074.00
37	7,600.00 - 7,749.99	81.00	2,106.00	122 20	),350.00 - 20,499.99	216.00	5,616.00	207 3	33,100.00 - 33,249.99	350.00	9,100.00
38	7,750.00 - 7,899.99	82.00	2,132.00	123 20	),500.00 - 20,649.99	217.00	5,642.00	208 3	33,250.00 - 33,399.99	352.00	9,152.00
39	7,900.00 - 8,049.99	84.00	2,184.00	124 20	),650.00 - 20,799.99	219.00	5,694.00	209 3	33,400.00 - 33,549.99	354.00	9,204.00
40	8,050.00 - 8,199.99	85.00	2,210.00	125 20	),800.00 - 20,949.99	220.00	5,720.00	210 3	33,550.00 - 33,699.99	355.00	9,230.00
41	8,200.00 - 8,349.99	87.00	2,262.00	126 20	),950.00 - 21,099.99	222.00	5,772.00	211 3	33,700.00 - 33,849.99	357.00	9,282.00
42	8,350.00 - 8,499.99	89.00	2,314.00	127 21	,100.00 - 21,249.99	223.00	5,798.00	212 3	33,850.00 - 33,999.99	358.00	9,308.00
43	8,500.00 - 8,649.99	90.00	2,340.00	128 21	,250.00 - 21,399.99	225.00	5,850.00	213 3	34,000.00 - 34,149.99	360.00	9,360.00
44	8,650.00 - 8,799.99	92.00	2,392.00	129 21	,400.00 - 21,549.99	227.00	5,902.00	214 3	34,150.00 - 34,299.99	361.00	9,386.00
45	8,800.00 - 8,949.99	93.00	2,418.00	130 21	,550.00 - 21,699.99	228.00	5,928.00	215 3	34,300.00 - 34,449.99	363.00	9,438.00
46	8,950.00 - 9,099.99	95.00	2,470.00	131 21	,700.00 - 21,849.99	230.00	5,980.00	216 3	34,450.00 - 34,599.99	365.00	9,490.00
47	9,100.00 - 9,249.99	97.00	2,522.00		,850.00 - 21,999.99	231.00	6,006.00		34,600.00 - 34,749.99	366.00	9,516.00
48	9,250.00 - 9,399.99	98.00	2,548.00	133 22	2,000.00 - 22,149.99	233.00	6,058.00	218 3	34,750.00 - 34,899.99	368.00	9,568.00
49	9,400.00 - 9,549.99	100.00	2,600.00	134 22	2,150.00 - 22,299.99	235.00	6,110.00	219 3	34,900.00 - 35,049.99	369.00	9,594.00
50	9,550.00 - 9,699.99	101.00	2,626.00	135 22	2,300.00 - 22,449.99	236.00	6,136.00	220 3	35,050.00 - 35,199.99	371.00	9,646.00
51	9,700.00 - 9,849.99	103.00	2,678.00		2,450.00 - 22,599.99	238.00	6,188.00		35,200.00 - 35,349.99	373.00	9,698.00
52	9,850.00 - 9,999.99	104.00	2,704.00		2,600.00 - 22,749.99	239.00	6,214.00		35,350.00 - 35,499.99	374.00	9,724.00
53	10,000.00 - 10,149.99	106.00	2,756.00		2,750.00 - 22,899.99	241.00	6,266.00		35,500.00 - 35,649.99	376.00	9,776.00
54	10,150.00 - 10,299.99	108.00	2,808.00		2,900.00 - 23,049.99	243.00	6,318.00		35,650.00 - 35,799.99	377.00	9,802.00
55	10,300.00 - 10,449.99	109.00	2,834.00		3,050.00 - 23,199.99	244.00	6,344.00		35,800.00 - 35,949.99	379.00	9,854.00
56	10,450.00 - 10,599.99	111.00	2,886.00		3,200.00 - 23,349.99	246.00	6,396.00		35,950.00 - 36,099.99	381.00	9,906.00
57	10,600.00 -10,749.99	112.00	2,912.00		3,350.00 - 23,499.99	247.00	6,422.00		36,100.00 - 36,249.99	382.00	9,932.00
58	10,750.00 -10,899.99	114.00	2,964.00		3,500.00 - 23,649.99	249.00	6,474.00		36,250.00 - 36,399.99	384.00	9,984.00
59 60	10,900.00 -11,049.99	116.00	3,016.00		3,650.00 - 23,799.99	250.00	6,500.00		36,400.00 - 36,549.99	385.00	10,010.00
60	11,050.00 - 11,199.99	117.00	3,042.00		3,800.00 - 23,949.99	252.00	6,552.00		36,550.00 - 36,699.99	387.00	10,062.00
	11,200.00 - 11,349.99	119.00	3,094.00		3,950.00 - 24,099.99	254.00	6,604.00		36,700.00 - 36,849.99	388.00	10,088.00
	11,350.00 - 11,499.99	120.00	3,120.00		1,100.00 - 24,249.99	255.00	6,630.00		36,850.00 - 36,999.99	390.00	10,140,00
	11,500.00 - 11,649.99	122.00	3,172.00		1,250.00 - 24,399.99	257.00	6,682.00		37,000.00 - 37,149.99	392.00	10,192.00
64 67	11,650.00 - 11,799.99	124.00	3,224.00		1,400.00 - 24,549.99	258.00	6,708.00		37,150.00 - 37,299.99	393.00	10,218.00
65 66	11,800.00 - 11,949.99	125.00	3,250.00		1,550.00 - 24,699.99	260.00	6,760.00		37,300.00 - 37,449.99	395.00 396.00	10,270.00
	11,950.00 - 12,099.99	127.00	3,302.00		1,700.00 - 24,849.99	262.00	6,812.00		37,450.00 - 37,599.99	396.00 398.00	10,296.00 10,348.00
	12,100.00 - 12,249.99	128.00	3,328.00		1,850.00 - 24,999.99	263.00	6,838.00 6,890.00		37,600.00 - 37,749.99 37,750.00 - 37,899.99	398.00 400.00	10,348.00
	12,250.00 - 12,399.99	130.00	3,380.00		5,000.00 - 25,149.99 5,150.00 - 25,299.99	265.00	6,890.00 6,916.00		37,750.00 - 37,899.99 37,900.00 - 38,049.99	400.00 401.00	10,400.00
69 70	12,400.00 - 12,549.99 12,550.00 - 12,699.99	131.00 133.00	3,406.00 3,458.00			266.00 268.00	6,916.00 6,968.00	1	37,900.00 - 38,049.99 38,050.00 - 38,199.99	401.00 403.00	10,426.00 10,478.00
70 71	12,700.00 - 12,849.99	133.00	3,458.00 3,510.00		5,300.00 - 25,449.99 5,450.00 - 25,599.99	268.00 269.00	6,968.00 6,994.00		38,050.00 - 38,199.99 38,200.00 - 38,349.99	403.00 404.00	10,478.00 10,504.00
	12,700.00 - 12,849.99	135.00 136.00	3,510.00		5,450.00 - 25,599.99 5,600.00 - 25,749.99	269.00 271.00	6,994.00 7,046.00		38,200.00 - 38,349.99 38,350.00 - 38,499.99	404.00 406.00	10,504.00 10,556.00
	12,850.00 - 12,999.99	136.00	3,536.00 3,588.00		5,000.00 - 25,749.99 5,750.00 - 25,899.99	271.00 273.00	7,046.00 7,098.00		38,500.00 - 38,499.99 38,500.00 - 38,649.99	408.00 408.00	10,556.00 10,608.00
	13,150.00 - 13,149.99	138.00	3,588.00 3,614.00		5,900.00 - 25,899.99 5,900.00 - 26,049.99	273.00 274.00	7,098.00 7,124.00		38,500.00 - 38,649.99 38,650.00 - 38,799.99	408.00 409.00	10,608.00
74 75	13,150.00 - 13,299.99	139.00	3,614.00 3,666.00		5,900.00 - 26,049.99 5,050.00 - 26,199.99	274.00 276.00	7,124.00 7,176.00		38,850.00 - 38,799.99	409.00 411.00	10,634.00 10,686.00
	13,450.00 - 13,599.99	141.00	3,718.00		5,200.00 - 26,349.99	278.00	7,202.00		38,950.00 - 39,099.99	411.00	10,712.00
	13,600.00 - 13,749.99	143.00	3,744.00		5,200.00 - 26,349.99 5,350.00 - 26,499.99	277.00	7,202.00		39,100.00 - 39,249.99	412.00	10,712.00
	13,750.00 - 13,899.99	146.00	3,796.00		5,500.00 - 26,649.99 5,500.00 - 26,649.99	279.00	7,234.00		39,250.00 - 39,399.99	414.00	10,790.00
	13,900.00 - 14,049.99	146.00	3,822.00		5,500.00 - 26,649.99 5,650.00 - 26,799.99	281.00	7,332.00		39,230.00 - 39,399.99	415.00	10,790.00
	13,900.00 - 14,049.99										

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assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

U.S. Department of Justice U.S. Department of Labor 1-866-487-2365

In addition, an employer may not retaliate against anyone

• you have five years or less of cumulative service in the

discharge or under other than honorable conditions.

been absent due to military service or, in some cases, a

• are a past or present member of the uniformed service;

• have applied for membership in the uniformed service; or

IGHT TO BE FREE FROM DISCRIMINATION AND

• are obligated to serve in the uniformed service;

then an employer may not deny you:

manner after conclusion of service; and

comparable job.

RETALIATION

initial employment;

because of this status.

retention in employment

Publication Date-October 2008

any benefit of employment

reemployment;

promotion; or

f you:

uniformed services while with that particular employer;

you return to work or apply for reemployment in a timely

you have not been separated from service with a disqualifying

If you are eligible to be reemployed, you must be restored to

the job and benefits you would have attained if you had not

http://www.dol.gov/vets/programs/userra/poster.htm Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

Office of Special Counsel

80 14,050.00 - 14,199.99 149.00 3,874.00 165 26,800.00 - 26,949.99 284.00 7,384.00 250 39,550.00 - 39,699.99 419.00 10,894.00 81 14,200.00 - 14,349.99 150.00 3,900.00 166 26,950.00 - 27,099.99 285.00 7,410.00 251 39,700.00 - 39,849.99 420.00 10,920.00 82 14,350.00 - 14,499.99 152.00 3,952.00 167 27,100.00 - 27,249.99 287.00 7,462.00 252 39,850.00 - 39,999.99 422.00 10,972.00 83 14,500.00 - 14,649.99 154.00 4,004.00 168 27,250.00 - 27,399.99 289.00 7,514.00 253 40,000.00 - 40,149.99 423.00 10,998.00 84 14,650.00 - 14,799.99 155.00 4,030.00 169 27,400.00 - 27,549.99 290.00 7,540.00 25440,150.00 - and above 424.00 11,024.00

WVUC-B-59, effective July 1, 2013

WV-1015-A2-F02