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

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### Eligible employees who work for a covered employer can take up to 12 Employees may choose, or an employer may require, use of accrued

- weeks of unpaid, job-protected leave in a 12-month period for the · The birth of a child or placement of a child for adoption or foster To bond with a child (leave must be taken within 1 year of the
- To care for the employee's spouse, child, or parent who has a For the employee's own qualifying serious health condition that 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

single 12-month period to care for the servicemember with a serious An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave

parent, or next of kin may also take up to 26 weeks of FMLA leave in a

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.

paid leave while taking FMLA leave. If an employee substitutes accrued

While employees are on FMLA leave, employers must continue health

paid leave for FMLA leave, the employee must comply with the

nsurance coverage as if the employees were not on leave.

employer's normal paid leave policies.

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

 Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite. \*Special "hours of service" requirements apply to airline flight crew Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

certification is incomplete, it must provide a written notice indicating

Employees do not have to share a medical diagnosis, but must provide ough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include forming an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform is necessary. Employees must inform the employer if the need for leave The FMLA does not affect any federal or state law prohibiting is for a reason for which FMLA leave was previously taken or certified. discrimination or supersede any state or local law or collective Employers can require a certification or periodic recertification

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an supporting the need for leave. If the employer determines that the

For additional information or to file a complaint:

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

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

Ref.: 29 USC, Ch. 28, Sec. 2619

WH1420 REV 04/16

#### 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, ust also provide a notice of rights and responsibilities u<mark>nder th</mark>e FMLA. If the employee is not eligible, the employer must provide a Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA

pargaining agreement that provides greater family or medical leave

#### Permissible Minimum Wage Credit for Tipped Employees

state minimum wage law, §21-5C.

**Required Minimum Wage Rate** 

**Required Minimum Training Wage Rate** 

• 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.

• An employer may pay an employee under the age of 20 years, first hired on or after January 1, 2015, a

• Beginning with the 91st day of employment, an employer must pay the employee the required minimum

WEST VIRGINIA DIVISION OF LABOR

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

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

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

training wage of at least \$6.40 per hour for the first 90 days of employment.

• 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

# **EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT**

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

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.

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.

> employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic

> 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

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

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.



#### WEST VIRGINIA DIVISION OF LABOR

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

Telephone: (304)558-7890

Fax: (304)558-3797



#### **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 When an employee is discharged, quits, resigns, is laid off, or is on strike, pay the employee on or before the

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.

next regularly scheduled payday for all work he or she performed prior to his or her separation from

Notify employees in writing at the time of hire, or by a posted notice that is accessible to all employees, dentifying 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

Furnish each employee with a written itemized statement of deductions withheld from his or her wages each §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

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

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:

- Color
- **Disability**
- Ancestry

Fax:

**National Origin** Blindness Familial Status (Children)

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



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

**WV Human Rights Commission** 

304-558-2616 (Toll Free) 888-676-5546 304-558-0085

www.hrc.wv.gov Revised 06/09/2016



# 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 workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. 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.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the
- Post OSHA citations at or near the place of the alleged violations

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation



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

# 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, or 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:



**Room 108 A** 1321 Plaza East **Charleston, WV 25301-1400** 304-558-2616

**WV Human Rights Commission** 

(Toll Free) 888-676-5546 304-558-0085 www.hrc.wv.gov Revised 06/14/2016



# PAY DAY NOTICE

### PAY DAY IS ON:

☐ MONDAY ☐ TUESDAY

☐ FRIDAY ■ SATURDAY

**□** WEDNESDAY ☐ THURSDAY

□ SUNDAY

#### **PAY SCHEDULE IS:** □ WFFKI Y

**□** BIWEEKLY

W. Va. Code §21-5-9

☐ SEMI MONTHLY

**EMPLOYER'S WORK WEEK IS:** 

TO

**PAYCHECKS ARE ISSUED ON THE:** 

OF THE MONTH

**EMERGENCY NUMBERS CALL 911** 

POLICE: AMBULANCE: PHYSICIAN: HOSPITAL: FIRE DEPARTMENT:

POISON CONTROL: \_

### Attention West Virginia Employers

Re: Workers' Compensation Notice

"Every employer shall post a notice upon its premises in a conspicuous place identifying its workers' compensation insurer. The notice must include the name, business address and telephone number of the insurer and of the person to contact with questions about a claim. The employer shall at all times maintain the notice provided for the information of his or her employees.'

valid permit to work.

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.

**OVERTIME PAY** At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

estrictions. Different rules apply in agricultural employment.

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

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based or

per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combiner

with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the

The FLSA requires employers to provide reasonable break time for a pursing 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

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

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in

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 immediatley after you are separated from your employment. You will be instructed

TOTAL UNEMPLOYMENT

NURSING

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

unemployment benefit amount would be plus \$60. Under these

conditions, your employer should issue a Low Earnings Report for the

week, showing your gross wages. You must complete the claims

portion of the Low Earnings Report and file it with the local

unemployment office as directed on the form. 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

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.

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

You have registered for work with the Job Service Office and

(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

You may be disqualified from drawing benefits: If you leave work voluntarily without good cause involving fault

on the part of your employer. If you are discharged for misconduct. If you fail without good cause to apply for available suitable work, to accept suitable work when offered, or to return to your customary self-employment when directed to do so. If you are unemployed due to a labor dispute.

Workers' Compensation for temporary total disability.

compensation under the laws of another state or of the United 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. 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- ELKINS school wages only, you may be entitled to benefits during this period.) For any week on the basis of services performed as an alien.

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

If you leave work voluntarily to attend school or other

educational institution, or are waiting to enter school or an educational institution. For each week in which you are unemployed because of your MARLINTON request or that of your duly-authorized agent for a vacation at a MONTGOMERY specified time that leaves your employer no other alternative but NEW MARTINSVILLE 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

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

given here in detail. For the week for which you receive wages in lieu of notice or Bring your Social Security Card with you when you report to the local

> **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

> These FULL-TIME CLAIMS OFFICES are operated Monday through Friday each week: SOUTH BRANCH BECKLEY CHARLESTON MARTINSBURG SUMMERSVILLE CLARKSBURG MERCER COUNTY

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

	Unemp	loyment	Comper	<b>1</b> Sa	ation	<b>Benefit Rate</b>	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
1	Under \$2200 \$2,200.00-2,349.99	ineligible \$24.00	\$624.00		128 129	21,250.00-21,399.99 21,400.00-21,549.99		5,850.00 5,902.00
2	2,350.00-2,499.99	25.00	650.00		130	21,550.00-21,699.99	9 228.00	5,928.00
3 4	2,500.00-2,649.99 2,650.00-2,799.99	27.00 28.00	702.00 728.00		131 132	21,700.00-21,849.99 21,850.00-21,999.99		5,980.00 6,006.00
5	2,800.00-2,949.99	30.00	780.00		133	22,000.00-22,149.99	9 233.00	6,058.00
6 7	2,950.00-3,099.99 3,100.00-3,249.99	31.00 33.00	806.00 858.00		134 135	22,150.00-22,299.99 22,300.00-22,449.99		6,110.00 6,136.00
8	3,250.00-3,399.99	35.00	910.00		136	22,450.00-22,599.99	9 238.00	6,188.00
9 10	3,400.00-3,549.99 3,550.00-3,699.99	36.00 38.00	936.00 988.00		137 138	22,600.00-22,749.99 22,750.00-22,899.99		6,214.00 6,266.00
11	3,700.00-3,849.99	39.00	1,014.00		139	22,900.00-23,049.99	9 243.00	6,318.00
12 13	3,850.00-3,999.99 4,000.00-4,149.99	41.00 43.00	1,066.00 1,118.00		140 141	23,050.00-23,199.99 23,200.00-23,349.99		6,344.00 6,396.00
14	4,150.00-4,149.99	44.00	1,144.00		141	23,350.00-23,499.99		6,422.00
15 16	4,300.00-4,449.99 4,450.00-4,599.99	46.00 47.00	1,196.00 1,222.00		143 144	23,500.00-23,649.99 23,650.00-23,799.99		6,474.00 6,500.00
17	4,600.00-4,749.99	49.00	1,274.00		145	23,800.00-23,949.99		6,552.00
18 19	4,750.00-4,899.99 4,900.00-5,049.99	51.00 52.00	1,326.00 1,352.00		146 147	23,950.00-24,099.99 24,100.00-24,249.99		6,604.00 6,630.00
20	5,050.00-5,199.99	54.00 54.00	1,404.00		147	24,250.00-24,399.99		6,682.00
21 22	5,200.00-5,349.99	55.00 57.00	1,430.00		149 150	24,400.00-24,549.99		6,708.00
23	5,350.00-5,499.99 5,500.00-5,649.99	58.00	1,482.00 1,508.00		150	24,550.00-24,699.99 24,700.00-24,849.99		6,760.00 6,812.00
24 25	5,650.00-5,799.99 5,800.00-5,949.99	60.00 62.00	1,560.00 1,612.00		152 153	24,850.00-24,999.99 25,000.00-25,149.99		6,838.00 6,890.00
26	5,950.00-6,099.99	63.00	1,638.00		154	25,150.00-25,299.99		6,916.00
27 28	6,100.00-6,249.99 6,250.00-6,399.99	65.00 66.00	1,690.00 1,716.00		155 156	25,300.00-25,449.99 25,450.00-25,599.99		6,968.00 6,994.00
29	6,400.00-6,549.99	68.00	1,768.00		157	25,600.00-25,749.99		7,046.00
30 31	6,550.00-6,699.99 6,700.00-6,849.99	70.00 71.00	1,820.00 1,846.00		158 159	25,750.00-25,899.99 25,900.00-26,049.99		7,098.00 7,124.00
32	6,850.00-6,999.99	73.00	1,898.00		160	26,050.00-26,199.99	9 276.00	7,176.00
33 34	7,000.00-7,149.99 7,150.00-7,299.99	74.00 76.00	1,924.00 1,976.00		161 162	26,200.00-26,349.99 26,350.00-26,499.99		7,202.00 7,254.00
35	7,300.00-7,449.99	78.00	2,028.00		163	26,500.00-26,649.99	9 281.00	7,306.00
36 37	7,450.00-7,599.99 7,600.00-7,749.99	79.00 81.00	2,054.00 2,106.00		164 165	26,650.00-26,799.99 26,800.00-26,949.99		7,332.00 7,384.00
38	7,750.00-7,899.99	82.00	2,132.00		166	26,950.00-27,099.99	9 285.00	7,410.00
39 40	7,900.00-8,049.99 8,050.00-8,199.99	84.00 85.00	2,184.00 2,210.00		167 168	27,100.00-27,249.99 27,250.00-27,399.99		7,462.00 7,514.00
41	8,200.00-8,349.99	87.00	2,262.00		169	27,400.00-27,549.99	9 290.00	7,540.00
42 43	8,350.00-8,499.99 8,500.00-8,649.99	89.00 90.00	2,314.00 2,340.00		170 171	27,550.00-27,699.99 27,700.00-27,849.99		7,592.00 7,618.00
44	8,650.00-8,799.99	92.00	2,392.00		172	27,850.00-27,999.99	9 295.00	7,670.00
45 46	8,800.00-8,949.99 8,950.00-9,099.99	93.00 95.00	2,418.00 2,470.00		173 174	28,000.00-28,149.99 28,150.00-28,299.99		7,696.00 7,748.00
47	9,100.00-9,249.99	97.00	2,522.00		175	28,300.00-28,449.99	300.00	7,800.00
48 49	9,250.00-9,399.99 9,400.00-9,549.99	98.00 100.00	2,548.00 2,600.00		176 177	28,450.00-28,599.99 28,600.00-28,749.99		7,826.00 7,878.00
50	9,550.00-9,699.99	101.00	2,626.00		178	28,750.00-28,899.99	304.00	7,904.00
51 52	9,700.00-9,849.99 9,850.00-9,999.99	103.00 104.00	2,678.00 2,704.00		179 180	28,900.00-29,049.99 29,050.00-29,199.99		7,956.00 8,008.00
53	10,000.00-10,149.99	106.00	2,756.00		181	29,200.00-29,349.99	309.00	8,034.00
54 55	10,150.00-10,299.99 10,300.00-10,449.99	108.00 109.00	2,808.00 2,834.00		182 183	29,350.00-29,499.99 29,500.00-29,649.99		8,086.00 8,112.00
56	10,450.00-10,599.99	111.00	2,886.00		184	29,650.00-29,799.99	314.00	8,164.00
57 58	10,600.00-10,749.99 10,750.00-10,899.99	112.00 114.00	2,912.00 2,964.00		185 186	29,800.00-29,949.99 29,950.00-30,099.99		8,190.00 8,242.00
59 60	10,900.00-11,049.99 11,050.00-11,199.99	116.00 117.00	3,016.00 3,042.00		187 188	30,100.00-30,249.99 30,250.00-30,399.99		8,294.00 8,320.00
61	11,200.00-11,349.99	119.00	3,094.00		189	30,400.00-30,549.99	322.00	8,372.00
62 63	11,350.00-11,499.99 11,500.00-11,649.99	120.00 122.00	3,120.00 3,172.00		190 191	30,550.00-30,699.99 30,700.00-30,849.99		8,398.00 8,450.00
64	11,650.00-11,799.99	124.00	3,224.00		192	30,850.00-30,999.99	9 327.00	8,502.00
65 66	11,800.00-11,949.99 11,950.00-12,099.99	125.00 127.00	3,250.00 3,302.00		193 194	31,000.00-31,149.99 31,150.00-31,299.99		8,528.00 8,580.00
67	12,100.00-12,249.99	128.00	3,328.00		195	31,300.00-31,449.99	9 331.00	8,606.00
68 69	12,250.00-12,399.99 12,400.00-12,549.99	130.00 131.00	3,380.00 3,406.00		196 197	31,450.00-31,599.99 31,600.00-31,749.99		8,658.00 8,710.00
70	12,550.00-12,699.99	133.00	3,458.00		198	31,750.00-31,899.99	336.00	8,736.00
71 72	12,700.00-12,849.99 12,850.00-12,999.99	135.00 136.00	3,510.00 3,536.00		199 200	31,900.00-32,049.99 32,050.00-32,199.99		8,788.00 8,814.00
73	13,000.00-13,149.99	138.00	3,588.00		201	32,200.00-32,349.99	9 341.00	8,866.00
74 75	13,150.00-13,299.99 13,300.00-13,449.99	139.00 141.00	3,614.00 3,666.00		202	32,350.00-32,499.99 32,500.00-32,649.99		8,892.00 8,944.00
76 77	13,450.00-13,599.99	143.00	3,718.00		204	32,650.00-32,799.99	9 346.00	8,996.00
77 78	13,600.00-13,749.99 13,750.00-13,899.99	144.00 146.00	3,744.00 3,796.00		205 206	32,800.00-32,949.99 32,950.00-33,099.99		9,022.00 9,074.00
79	13,900.00-14,049.99	147.00	3,822.00		207 208	33,100.00-33,249.99 33,250.00-33,399.99		9,100.00
80 81	14,050.00-14,199.99 14,200.00-14,349.99	149.00 150.00	3,874.00 3,900.00		209	33,400.00-33,549.99		9,152.00 9,204.00
82 83	14,350.00-14,499.99 14,500.00-14,649.99	152.00 154.00	3,952.00 4,004.00		210 211	33,550.00-33,699.99 33,700.00-33,849.99		9,230.00 9,282.00
84	14,650.00-14,799.99	155.00	4,030.00		212	33,850.00-33,999.99	358.00	9,308.00
85 86	14,800.00-14,949.99 14,950.00-15,099.99	157.00 158.00	4,082.00 4,108.00		213 214	34,000.00-34,149.99 34,150.00-34,299.99		9,360.00 9,386.00
87	15,100.00-15,249.99	160.00	4,160.00		215	34,300.00-34,449.99	9 363.00	9,438.00
88 89	15,250.00-15,399.99 15,400.00-15,549.99	162.00 163.00	4,212.00 4,238.00		216 217	34,450.00-34,599.99 34,600.00-34,749.99		9,490.00 9,516.00
90	15,550.00-15,699.99	165.00	4,290.00		218	34,750.00-34,899.99	368.00	9,568.00
91 92	15,700.00-15,849.99 15,850.00-15,999.99	166.00 168.00	4,316.00 4,368.00		219 220	34,900.00-35,049.99 35,050.00-35,199.99		9,594.00 9,646.00
93	16,000.00-16,149.99	170.00	4,420.00		221	35,200.00-35,349.99	9 373.00	9,698.00
94 95	16,150.00-16,299.99 16,300.00-16,449.99	171.00 173.00	4,446.00 4,498.00		222 223	35,350.00-35,499.99 35,500.00-35,649.99		9,724.00 9,776.00
96 97	16,450.00-16,599.99	174.00	4,524.00		224 225	35,650.00-35,799.99	9 377.00	9,802.00
98	16,600.00-16,749.99 16,750.00-16,899.99	176.00 177.00	4,576.00 4,602.00		225	35,800.00-35,949.99 35,950.00-36,099.99		9,854.00 9,906.00
99 100	16,900.00-17,049.99 17,050.00-17,199.99	179.00 181.00	4,654.00 4,706.00		227 228	36,100.00-36,249.99 36,250.00-36,399.99		9,932.00 9,984.00
101	17,200.00-17,349.99	182.00	4,732.00		229	36,400.00-36,549.99	9 385.00	10,010.00
102 103	17,350.00-17,499.99 17,500.00-17,649.99	184.00 185.00	4,784.00 4,810.00		230 231	36,550.00-36,699.00 36,700.00-36,849.99		10,062.00 10,088.00
104	17,650.00-17,799.99	187.00	4,862.00		232	36,850.00-36,999.99	9 390.00	10,140.00
105 106	17,800.00-17,949.99 17,950.00-18,099.99	189.00 190.00	4,914.00 4,940.00		233 234	37,000.00-37,149.99 37,150.00-37,299.99		10,192.00 10,218.00
107	18,100.00-18,249.99	192.00	4,992.00		235	37,300.00-37,449.99	9 395.00	10,270.00
108 109	18,250.00-18,399.99 18,400.00-18,549.99	193.00 195.00	5,018.00 5,070.00		236 237	37,450.00-37,599.99 37,600.00-37,749.99		10,296.00 10,348.00
110	18,550.00-18,699.99	196.00	5,096.00		238	37,750.00-37,899.99	9 400.00	10,400.00
111 112	18,700.00-18,849.99 18,850.00-18,999.99	198.00 200.00	5,148.00 5,200.00		239 240	37,900.00-38,049.99 38,050.00-38,199.99		10,426.00 10,478.00
113	19,000.00-19,149.99	201.00	5,226.00		241	38,200.00-38,349.99	9 404.00	10,504.00
114 115	19,150.00-19,299.99 19,300.00-19,449.99	203.00 204.00	5,278.00 5,304.00		242 243	38,350.00-38,449.99 38,500.00-38,649.99	9 408.00	10,556.00 10,608.00
116 117	19,450.00-19,599.99 19,600.00-19,749.99	206.00 208.00	5,356.00 5,408.00		244 245	38,650.00-38,799.99 38,800.00-38,949.99		10,634.00 10,686.00
118	19,750.00-19,899.99	209.00	5,434.00		246	38,950.00-39,099.99	9 412.00	10,712.00
119 120	19,900.00-20,049.99 20,050.00-20,199.99	211.00 212.00	5,486.00 5,512.00		247 248	39,100.00-39,249.99 39,250.00-39,399.99		10,764.00 10,790.00
121	20,200.00-20,349.99	214.00	5,564.00		249	39,400.00-39,549.99	9 417.00	10,842.00
122 123	20,350.00-20,499.99 20,500.00-20,649.99	216.00 217.00	5,616.00 5,642.00		250 251	39,550.00-39,699.99 39,700.00-39,849.99		10,894.00 10,920.00
124	20,650.00-20,799.99	219.00	5,694.00		252	39,850.00-39,999.99	9 422.00	10,972.00
125 126	20,800.00-20,949.99 20,950.00-21,099.99	220.00 222.00	5,720.00 5,772.00		253 254	40,000.00-40,149.99 40,150.00-and above		10,998.00 11,024.00

WVUC-B-59, effective July 1, 2013

#### Equal Employment Opportunity is **THE LAW** Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

5,798.00

l'itle VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pa

21,100.00-21,249.99

lisability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability with a disability who is an applicant or employee, barring undue hardship.

based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. ation prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex iscrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and

formation in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also estricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information bout genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical nistory); and requests for or receipt of genetic services by applicants, employees, or their family members.

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED he U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for ndividuals 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

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmativ action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized),

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 activities which receive Federal financial assistance. INDIVIDUALS WITH DISABILITIES with or without reasonable accommodation, can perform the essential functions of the job.

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08/2016-01/31/18





FEDERAL MINIMUM WAGE

**EMPLOYEE RIGHTS** 

UNDER THE FAIR LABOR STANDARDS ACT

ADDITIONAL

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

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.

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Marian 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.

**WORKFORCE** West Virginia **Notice To Employees — Unemployment Benefits** 

> 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,

and may be subject to severe penalties.

Neither the full effect nor the duration of a disqualification is

from any unemployment benefits paid to you.

MORGANTOWN FAIRMONT PARKERSBURG WHEELING HUNTINGTON

KINGWOOD WEBSTER SPRINGS WILLIAMSON

424.00 11,024.00

nge benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy)

223.00

ll of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a iscrimination proceeding, or otherwise opposes an unlawful employment practice

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

INDIVIDUALS WITH DISABILITIES promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability disc making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is ar DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

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. RACE, COLOR, NATIONAL ORIGIN, SEX

For the week for which you receive unemployment office. Your Social Security Number will only be printed on the most pertinent documents