

THE WEST VIRGINIA WAGE PAYMENT AND COLLECTION ACT

This poster is required to be posted in a place accessible in accordance with Chapter 21, Article 5, Section 9 of the Code of West Virginia.

Requires the employer to:

Have a payday at least once every two weeks. (Excluding Railroad Companies)

Pay in money or in check or money order on banks convenient to the place of work where arrangements have been made for cashing.

On discharge to pay all wages, including fringe benefits, no later than the next regular payday OR four (4) "business days", whichever comes first. A "business day" means any day not including Saturday, Sunday, or any legal holiday as set forth in WV Code § 2-2-1. Payment shall be made through regular pay channels, or by mail if requested by the employee.

On quitting, pay all wages, including fringe benefits, at the regular payday, (except if one pay periods notice is given by the employee, all wages including fringe benefits must be paid at the time of quitting).

On lay-off or strike, pay all wages, including fringe benefits at the next regularly payday, (except if requested by the employee, all wages including fringe benefits must be paid by mail).

Notify employees at the time of hiring of the rate of pay and of the day, hour and place of payment and thereafter of any changes.

Make known to all employees in writing or by accessible posted notice all employment practices and policies regarding vacation pay, sick leave and other fringe benefits.

Furnish each employee with an itemized statement of deductions made from the wages of each pay period.

Employers engaged in construction work, or the severance of minerals, production or transportation (excluding railroads and water transporters) of minerals, must have demonstrated the ability to pay all wages and fringe benefits due employees, or must have posted a wage bond securing payment.

PREVENTS THE EMPLOYER FROM:

Selling goods or supplies to employees at prices higher than the current value.

Deducting more than 25% of an employee's net earnings under a wage assignment (excluding amounts required by law to be withheld, union dues, club dues, pension plans, payroll savings plans, credit unions, charities and hospitalization and medical insurance).

Taking a wage assignment unless it contains the written notarized authorization of the employee, specifies the amount due, states that three-fourths of the employee's net wages are exempt, and is for a period of no longer than one year.

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

Refusing to pay the wages of the employees of his or her subcontractor who has failed to pay his or her employees.

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