

1 **H. B. 2264**

2
3 (By Delegate Caputo)

4 [Introduced January 12, 2011; referred to the
5 Committee on Health and Human Resources then the
6 Judiciary.]
7
8
9

10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §21-5-19, relating to
12 requiring employers to pay nurses at their regular rate of pay
13 for all the time they are on-call on the employer's premises.

14 *Be it enacted by the Legislature of West Virginia:*

15 That the Code of West Virginia, 1931, as amended, be amended
16 by adding thereto a new section, designated §21-5-19, to read as
17 follows:

18 **ARTICLE 5. WAGE PAYMENT AND COLLECTION.**

19 **§21-5-19. Payment for on-call time on employer's premises.**

20 When an employer requires a nurse employee to be on-call for
21 nursing duty on the employer's premises, the employer shall
22 compensate the nurse at the nurse's regular rate of pay for all the
23 time the nurse is on-call.

NOTE: The purpose of this bill is to require employers to pay nurses at their regular rate of pay for all the time they are on-call on the employer's premises.

This section is new; therefore, it has been completely underscored.