

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**Enrolled**

**Senate Bill 330**

BY SENATORS TRUMP, BOSO AND BLAIR

[Passed March 17, 2017; in effect 90 days from passage]



1 AN ACT to amend and reenact §21-5G-1 and §21-5G-7 of the Code of West Virginia, 1931, as  
2 amended, all relating to the West Virginia Workplace Freedom Act; eliminating the term  
3 “state” from the definitions section; eliminating a provision regarding construction of the  
4 act as it relates to the building and construction industry; and clarifying dates of  
5 applicability.

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

1 That §21-5G-1 and §21-5G-7 of the Code of West Virginia, 1931, as amended, be  
2 amended and reenacted, all to read as follows:

**ARTICLE 5G. WEST VIRGINIA WORKPLACE FREEDOM ACT.**

**§21-5G-1. Definitions.**

1 As used in this article:

2 (1) The term “person” means any individual, proprietorship, partnership, firm, association,  
3 corporation, labor organization or any other legal entity.

4 (2) The term “labor organization” means any organization, agency, union or employee  
5 representation committee of any kind that exists, in whole or in part, to assist employees in  
6 negotiating with employers concerning grievances, labor disputes, wages, rates of pay or other  
7 terms or conditions of employment.

8 (3) The term “employer” means any person employing at least one individual in the state  
9 or any agent of an employer employing at least one individual in the state.

**§21-5G-7. Applicability; severability.**

1 (a) *Applicability.* — This article applies to any written or oral contract or agreement entered  
2 into, modified, renewed or extended on or after July 1, 2016: *Provided*, That the provisions of this  
3 article do not otherwise apply to or abrogate a written or oral contract or agreement in effect on  
4 or before June 30, 2016.

5           (b) *Severability*. — If any provision of this article or the application of any such provision  
6 of this article to any person or circumstance is held invalid by a court of competent jurisdiction,  
7 the remainder of this article or the application of its provisions to persons or circumstances other  
8 than those to which it is held invalid is not affected thereby.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, Senate Committee*

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*Chairman, House Committee*

Originated in the Senate.

In effect 90 days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the.....  
Day of ....., 2017.

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*Governor*