

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

### **House Bill 4086**

BY DELEGATES FOSTER, PHILLIPS, BIBBY, STEELE,

WAXMAN, CADLE, PORTERFIELD AND JENNINGS

[Introduced January 10, 2020; Referred to the Committee  
on Industry and Labor then Government Organization]

1 A BILL to amend and reenact §21-1C-5 of the Code of West Virginia, 1931, as amended, relating  
2 to removing certain requirements related to wages for construction of public  
3 improvements.

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

## **ARTICLE 1C. WEST VIRGINIA JOBS ACT.**

### **§21-1C-5. Applicability and scope of article; reporting requirements.**

1 (a) This article applies to expenditures for construction projects by any public authority for  
2 public improvements as defined by this article.

3 (b) For public improvement projects let pursuant to this article, the public authority shall  
4 file, or require an employer as defined in §21-1C-2 of this code to file, with the Division of Labor  
5 copies of the waiver certificates and ~~certified payrolls pursuant to article five-a of this chapter, or~~  
6 ~~other comparable~~ documents certified by the employer that include the number of employees, ~~the~~  
7 ~~county and state wherein the employees reside and~~ and the physical address of  
8 the primary residence for each employee.

9 (c) The Division of Labor shall compile the information required by this section and submit  
10 it annually to the Joint Committee on Government and Finance by October 15. The joint  
11 committee may forward these reports to the Legislative Auditor to review and make comments  
12 regarding the usefulness of the information collected and to suggest changes to the division's  
13 method of reporting to ensure the information collected will prove useful in evaluating the  
14 effectiveness of the provisions of this article.

15 (d) Each public authority has the duty to implement the reporting requirements of this  
16 article. Every public improvement contract or subcontract let by a public authority shall contain  
17 provisions conforming to the requirements of this article.

18 (e) The Division of Labor is authorized to establish procedures for the efficient collection  
19 of data, collection of civil penalties prescribed in §21-1C-6 of this code and transmittal of data to  
20 the Joint Committee on Government and Finance.

NOTE: The purpose of this bill is to remove certain requirements relating to wages for construction of public improvements.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.