

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4909

**FISCAL
NOTE**

BY DELEGATE HORNBUCKLE

BY REQUEST

[Introduced February 11, 2020; Referred to the Committee
on Industry and Labor then the Judiciary]

1 A BILL to amend and reenact §21-3-11 of the Code of West Virginia, 1931, as amended, relating
2 to requiring seats to be provided for employees.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. SAFETY AND WELFARE OF EMPLOYEES.

§21-3-11. Seats for ~~female~~ all employees.

1 ~~Every~~ All working employees who are employed by any person, firm or corporation
2 ~~employing females in any factory, mercantile establishment, mill or workshop~~ in this state shall
3 ~~provide~~ be provided a reasonable and adequate number of suitable seats for the use of ~~such~~
4 ~~female~~ the employees, and shall ~~permit~~ be permitted the use of ~~such~~ the seats by them when
5 they are not necessarily engaged in active duties for which they are employed, and shall permit
6 the use of ~~such~~ the seats at all times when ~~such~~ the use would not actually and necessarily
7 interfere with the proper discharge of the duties of ~~such~~ the employees, and, where practicable,
8 ~~such~~ the seats shall be made permanent fixtures and may be so constructed or adjusted that,
9 when not in use, they will not obstruct ~~such female employee~~ the employees when engaged in
10 the performance of ~~her~~ their duties.

NOTE: The purpose of this bill is to require employers to provide seating for all employees to use when the use of seating would not interfere with the employee's performance of his or her duties.

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