

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENROLLED

Committee Substitute

for

Senate Bill 522

BY SENATORS BLAIR (MR. PRESIDENT) AND BALDWIN

(BY REQUEST OF THE EXECUTIVE)

[Passed March 08, 2022; in effect 90 days from passage]

1 AN ACT to amend and reenact §5A-1-11 of the Code of West Virginia, 1931, as amended, relating
2 to combining the offices of the West Virginia State Americans with Disabilities Act Office
3 and the West Virginia Equal Employment Opportunity Office within the Department of
4 Administration; creating the position of State Equal Opportunity Coordinator; establishing
5 qualifications for the position; setting forth how the State Equal Opportunity Coordinator is
6 selected; outlining scope of responsibilities; removing the fee for service model and
7 associated fund; and making other technical changes.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. DEPARTMENT OF ADMINISTRATION.

§5A-1-11. State of West Virginia Office of Equal Opportunity.

1 (a) There is created within the Department of Administration the State of West Virginia
2 Office of Equal Opportunity, to be directed by the State Equal Opportunity Coordinator, who shall
3 be appointed by the Secretary of the Department of Administration.

4 (b) The coordinator shall be a full-time employee and shall have an in-depth working
5 knowledge of the federal Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964,
6 The Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1977, Sections 102 and
7 103 of the Civil Rights Act of 1991, Sections 501 and 505 of the Rehabilitation Act of 1973, and
8 the Genetic Information Nondiscrimination Act of 2008. The coordinator shall also have an in-
9 depth working knowledge of the challenges facing West Virginian minorities and those living with
10 disabilities and shall continually seek to update his or her understanding of such challenges
11 through further education and information gathering.

12 (c) The coordinator shall:

13 (1) Advise the Director of Personnel in the development of comprehensive policies and
14 programs for the development, implementation, and monitoring of a statewide program to assure
15 compliance with 42 U.S.C. §12101, *et seq.*, the federal Americans with Disabilities Act, Title VII
16 of the Civil Rights Act of 1964, The Equal Pay Act of 1963, the Age Discrimination in Employment

17 Act of 1977, Sections 102 and 103 of the Civil Rights Act of 1991, Sections 501 and 505 of the
18 Rehabilitation Act of 1973, and the Genetic Information Nondiscrimination Act of 2008;

19 (2) Assist in the formulation of rules and standards relating to the review, investigation,
20 and resolution of complaints of discrimination in employment, education, housing, and public
21 accommodation;

22 (3) Consult and collaborate with state and federal agency officials to develop the statewide
23 compliance program;(4) Consult and collaborate with state agencies on the federal Equal
24 Employment Opportunity Act and Americans with Disabilities Act and provide training for
25 managers and supervisors on regulations and related issues;

26 (5) Represent the state on local, state, and national committees and panels related to the
27 Americans with Disabilities Act and the Equal Employment Opportunity Act;

28 (6) Advise the Governor and agency heads on federal Americans with Disabilities Act and
29 Equal Employment Opportunity Act issues;

30 (7) Consult with state equal employment opportunity officers on the hiring of persons with
31 disabilities;

32 (8) Be available to inspect and advise the leasing section of the Division of Purchasing on
33 all physical properties owned or leased by the State of West Virginia for compliance with 42 U.S.C.
34 §12101, *et seq.*, the federal Americans with Disabilities Act; and

35 (9) Report annually on the Office of Equal Opportunity to the Governor, President of the
36 Senate, and Speaker of the House of Delegates.

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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Day of, 2022.

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Governor