

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 4689**

By Delegate Foster

[Introduced January 12, 2024; Referred  
to the Committee on Workforce Development 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 and modifying certain requirements for employers related to wages for  
 3 construction of public 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 file,  
 4 or require an employer as defined in §21-1C-2 of this code to file, with the Division of Labor copies  
 5 of the waiver certificates and ~~certified payrolls pursuant to article five-a of this chapter, or other~~  
 6 ~~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 it  
 10 annually to the Joint Committee on Government and Finance by October 15. The joint committee  
 11 may forward these reports to the Legislative Auditor to review and make comments regarding the  
 12 usefulness of the information collected and to suggest changes to the division’s method of  
 13 reporting to ensure the information collected will prove useful in evaluating the effectiveness of the  
 14 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 of  
 19 data, collection of civil penalties prescribed in §21-1C-6 of this code and transmittal of data to the  
 20 Joint Committee on Government and Finance.

NOTE: The purpose of this bill is to remove and modify certain requirements for employers 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.