

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 1038

FISCAL
NOTE

By Senators Helton, Oliverio, Barnhart, Barrett,
Bartlett, Charnock, Clements, Deeds, Fuller, Grady,
M. Maynard, Morris, Queen, Roberts, Rose, Rucker,
Taylor, Willis, and Woodrum

[Introduced February 21, 2026; referred
to the Committee on the Workforce; and then to the
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §5-5-4c, relating to a salary adjustment for administrative law judges employed
 3 in WorkForce West Virginia Board of Review.

Be it enacted by the Legislature of West Virginia: _

ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.

§5-5-4c. WorkForce West Virginia Board of Review salary adjustment.

1 (a) Salary adjustment. – Notwithstanding any other provision to the contrary, the
 2 Legislature hereby directs that an across-the-board salary adjustment, in the amount of 15
 3 percent, be provided to employees of WorkForce West Virginia Board of Review holding the
 4 positions of Administrative Law Judge 1 and Administrative Law Judge 2.

5 (b) Purpose. – The purpose of this salary adjustment is to ensure unemployment
 6 compensation hearings before WorkForce West Virginia Board of Review are conducted in a
 7 timely manner.

8 (c) Separate from other adjustments. – The salary adjustment under this section is
 9 separate and apart from and in addition to any other adjustments approved during the 2026
 10 regular Session of the Legislature relative to the 2027 budget.

11 (d) Not subject to public employees grievance procedure. – Due to limits of funding, the
 12 results of the salary adjustment under this section shall not be subject to §6C-2-1 *et seq.* of this
 13 code.

14 (e) No private cause of action. – It is the specific intent of the Legislature that no private
 15 cause of action, either express or implied, shall arise pursuant to the provisions or implementation
 16 of this section.

NOTE: The purpose of this bill is to provide a 15 percent salary adjustment to Administrative Law Judge 1 and Administrative Law Judge 2 positions in WorkForce West Virginia Board of Review.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.