

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Engrossed**

**Committee Substitute**

**for**

**Senate Bill 1038**

BY SENATORS HELTON, OLIVERIO, BARNHART, BARRETT,  
BARTLETT, CHARNOCK, CLEMENTS, DEEDS, FULLER,  
GRADY, M. MAYNARD, MORRIS, QUEEN, ROBERTS, ROSE,  
RUCKER, TAYLOR, WILLIS, AND WOODRUM

[Reported February 23, 2026, from the Committee on  
the Workforce]



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 certain administrative law judges  
3 employed by the Unemployment Compensation Board of Review.

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

**ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.**

**§5-5-4c. Unemployment compensation board of review salary adjustment.**

1 (a) The Legislature hereby directs that an across-the-board salary adjustment, in the  
2 amount of 15 percent over the salary levels in effect as of the effective date of this section, be  
3 provided to employees of the unemployment compensation board of review created pursuant to  
4 §21A-4-1 et seq. of this code who hold the positions of Chief Administrative Law Judge,  
5 Administrative Law Judge 1, or Administrative Law Judge 2.

6 (b) The purpose of this salary adjustment is to ensure that unemployment compensation  
7 hearings before board of review are conducted in a timely manner.

8 (c) The salary adjustment provided for under this section is separate and apart from, and  
9 shall be in addition to, any other salary adjustments approved during the 2026 regular session of  
10 the Legislature relative to the fiscal year 2027 budget.

11 (d) Due to the limits of funding, the implementation of the salary adjustment provided for  
12 under this section shall not be subject to the provisions of §6C-2-1 et seq. of this code. It is the  
13 specific intent of the Legislature that no private cause of action, either express or implied, shall  
14 arise pursuant to the provisions or implementation of this section.

15 (e) The provisions of this section shall be effective from passage.