

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled

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

[Passed March 14, 2026; in effect from passage]

1 AN ACT 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.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the Senate

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Clerk of the House of Delegates

Originated in the Senate.

In effect from passage.

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President of the Senate

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Speaker of the House of Delegates

The within is this the.....
Day of, 2026.

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Governor