

# WEST VIRGINIA LABOR LAW POSTINGS



## WORKFORCE West Virginia Notice To Employees – Unemployment Benefits

**TOTAL UNEMPLOYMENT**  
You are considered totally unemployed during any week in which you are totally separated from your employment, performing no services for which wages or other remuneration were paid to you. You must file your initial claim for total unemployment in person. Since a claim for unemployment compensation is effective the Sunday of the week in which it is filed, you should file your claim immediately after you are separated from your employment. You will be instructed on filing your continued claim. Your options for filing continued claims will include telephone or web filing.

**PARTIAL UNEMPLOYMENT**  
You would be considered partially unemployed if you have been working full-time, but due to business being slow, a breakdown of equipment, or similar reasons, your employer has to reduce your hours during the week. You may be entitled to partial unemployment benefits during this week if you earned less than what your weekly unemployment benefit amount would be plus \$50. Under these conditions, your employer should issue a Low Earnings Report for the week, showing your gross wages. You must complete the claims portion of the Low Earnings Report and file it with the local unemployment office as directed on the form.

**ELIGIBILITY REQUIREMENTS**  
To be monetarily eligible to receive unemployment benefits you must have earned \$2200 gross wages in covered employment during two or more calendar quarters of your regular base period (first four of the last five completed calendar quarters) or alternative base period (the last four quarters immediately preceding the first day of the individual's benefit year).

- ELIGIBILITY REQUIREMENTS - OTHER**
- If you are unemployed, you shall be eligible to receive benefits only if:
    - You have made a claim for benefits at a local unemployment office.
    - You have registered for work with the Job Service Office and continue to report as directed.
    - You are able to work and available for full-time work for which you are fitted by prior training or experience.
    - You are doing what a reasonable prudent person in your situation would do to find work.
    - You have filed for and served a waiting period of one week during your benefit year.
    - You have earned gross wages of less than your weekly benefit amount plus \$50 during the week for which you claim benefits.
    - You requalify on a new claim when you had a previous benefit year (must have earned eight times your old weekly benefit amount in covered employment after the beginning of your previous claim).
    - You must participate in profiling and reemployment services when selected.

- DISQUALIFICATIONS**  
You may be disqualified from drawing benefits:
- If you leave work voluntarily without good cause involving fault on the part of your employer.
  - If you are discharged for misconduct.
  - If you fail without good cause to apply for available suitable work, to accept suitable work when offered, or to return to your customary self-employment when directed to do so.
  - If you are unemployed due to a labor dispute.
  - For the week for which you receive wages in lieu of notice or Workers' Compensation for temporary total disability.
  - For the week for which you receive unemployment compensation under the laws of another state or of the United States.
  - For any week you are training, participating, or preparing to participate in sports or athletic events if there is reasonable assurance you will perform such services in the current or upcoming seasons.
  - If you are an employee of an educational institution or educational service agency, for any week of unemployment which commences during: a paid sabbatical leave; a holiday or vacation period between two academic years or terms; if you perform services in the first academic year or term or prior to the beginning of a holiday or vacation period and there is a contract or a reasonable assurance that you will perform services in the second academic year or term or after a holiday or vacation period. (EXCEPTION: If you have sufficient nonschool wages in your base period to qualify for benefits based upon the non-school wages only, you may be entitled to benefits during this period.)
  - For any week on the basis of services performed as an alien, unless you are lawfully residing in the United States and have a valid permit to work.
  - If you leave work voluntarily to attend school or other educational institution, or are waiting to enter school or an educational institution.
  - For any week in which you are unemployed because of your request or that of your duly-authorized agent for a vacation at a specified time that leaves your employer no other alternative but to suspend operations.
  - For the week in which you receive an annuity, pension, or other retirement pay from a base period employer, or from a fund towards which a base period employer has contributed. If your remuneration is less than the unemployment benefits otherwise due you, your unemployment benefits will be reduced by the amount of your annuity, pension, etc.
  - For each week in which and for 52 weeks thereafter, if the commissioner finds that you, within the preceding 24 months, knowingly made a false statement or failed to reveal a material fact in order to obtain or increase or attempt to obtain or increase a benefit; and you shall be considered guilty of a misdemeanor and may be subject to severe penalties.

Neither the full effect nor the duration of a disqualification is given here in detail.

## Unemployment Compensation Benefit Rate Table

Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate	Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate
1	Under \$2,200	ineligible		64	11,850.00 - 11,799.99	124.00	3,224.00
2	2,350.00 - 2,349.99	24.00	624.00	65	11,800.00 - 11,749.99	125.00	3,252.00
3	2,500.00 - 2,499.99	25.00	650.00	66	11,950.00 - 12,099.99	127.00	3,302.00
4	2,650.00 - 2,649.99	27.00	702.00	67	12,100.00 - 12,249.99	128.00	3,328.00
5	2,800.00 - 2,799.99	28.00	728.00	68	12,250.00 - 12,399.99	129.00	3,354.00
6	2,950.00 - 2,949.99	30.00	780.00	69	12,400.00 - 12,549.99	131.00	3,406.00
7	3,100.00 - 3,099.99	31.00	806.00	70	12,550.00 - 12,699.99	133.00	3,458.00
8	3,250.00 - 3,249.99	32.00	832.00	71	12,700.00 - 12,849.99	135.00	3,510.00
9	3,400.00 - 3,399.99	33.00	858.00	72	12,850.00 - 12,999.99	136.00	3,536.00
10	3,550.00 - 3,549.99	34.00	884.00	73	13,000.00 - 13,149.99	138.00	3,588.00
11	3,700.00 - 3,699.99	35.00	910.00	74	13,150.00 - 13,299.99	139.00	3,614.00
12	3,850.00 - 3,849.99	36.00	936.00	75	13,300.00 - 13,449.99	141.00	3,666.00
13	4,000.00 - 3,999.99	37.00	962.00	76	13,450.00 - 13,599.99	143.00	3,718.00
14	4,150.00 - 4,299.99	38.00	988.00	77	13,600.00 - 13,749.99	144.00	3,744.00
15	4,300.00 - 4,449.99	44.00	1,144.00	78	13,750.00 - 13,899.99	146.00	3,796.00
16	4,450.00 - 4,449.99	46.00	1,196.00	79	13,900.00 - 14,049.99	147.00	3,822.00
17	4,600.00 - 4,599.99	47.00	1,222.00	80	14,050.00 - 14,199.99	149.00	3,874.00
18	4,750.00 - 4,749.99	49.00	1,274.00	81	14,200.00 - 14,349.99	150.00	3,900.00
19	4,900.00 - 4,899.99	51.00	1,326.00	82	14,350.00 - 14,499.99	152.00	3,952.00
20	5,050.00 - 5,049.99	52.00	1,352.00	83	14,450.00 - 14,649.99	154.00	4,004.00
21	5,200.00 - 5,349.99	55.00	1,430.00	84	14,650.00 - 14,799.99	155.00	4,030.00
22	5,350.00 - 5,499.99	57.00	1,482.00	85	14,800.00 - 14,949.99	157.00	4,082.00
23	5,500.00 - 5,649.99	58.00	1,508.00	86	14,850.00 - 15,099.99	158.00	4,108.00
24	5,650.00 - 5,799.99	60.00	1,560.00	87	15,100.00 - 15,249.99	160.00	4,160.00
25	5,800.00 - 5,949.99	62.00	1,612.00	88	15,250.00 - 15,399.99	162.00	4,212.00
26	5,950.00 - 6,099.99	63.00	1,638.00	89	15,400.00 - 15,549.99	163.00	4,238.00
27	6,100.00 - 6,249.99	65.00	1,690.00	90	15,550.00 - 15,699.99	165.00	4,290.00
28	6,250.00 - 6,399.99	66.00	1,716.00	91	15,700.00 - 15,849.99	166.00	4,316.00
29	6,400.00 - 6,549.99	68.00	1,768.00	92	15,850.00 - 15,999.99	168.00	4,368.00
30	6,550.00 - 6,699.99	70.00	1,820.00	93	16,000.00 - 16,149.99	170.00	4,420.00
31	6,700.00 - 6,849.99	71.00	1,846.00	94	16,150.00 - 16,299.99	171.00	4,446.00
32	6,850.00 - 6,999.99	73.00	1,898.00	95	16,300.00 - 16,449.99	173.00	4,498.00
33	7,000.00 - 7,149.99	74.00	1,924.00	96	16,450.00 - 16,599.99	174.00	4,524.00
34	7,150.00 - 7,299.99	75.00	1,950.00	97	16,600.00 - 16,749.99	176.00	4,576.00
35	7,300.00 - 7,449.99	78.00	2,028.00	98	16,750.00 - 16,899.99	177.00	4,602.00
36	7,450.00 - 7,599.99	79.00	2,054.00	99	16,900.00 - 17,049.99	179.00	4,654.00
37	7,600.00 - 7,749.99	81.00	2,106.00	100	17,050.00 - 17,199.99	181.00	4,706.00
38	7,750.00 - 7,899.99	82.00	2,132.00	101	17,200.00 - 17,349.99	182.00	4,732.00
39	7,900.00 - 8,049.99	84.00	2,184.00	102	17,350.00 - 17,499.99	184.00	4,784.00
40	8,050.00 - 8,199.99	85.00	2,210.00	103	17,450.00 - 17,649.99	185.00	4,810.00
41	8,200.00 - 8,349.99	87.00	2,262.00	104	17,650.00 - 17,799.99	187.00	4,862.00
42	8,350.00 - 8,499.99	89.00	2,314.00	105	17,800.00 - 17,949.99	189.00	4,914.00
43	8,500.00 - 8,649.99	90.00	2,340.00	106	17,950.00 - 18,099.99	190.00	4,940.00
44	8,650.00 - 8,799.99	92.00	2,392.00	107	18,100.00 - 18,249.99	192.00	4,992.00
45	8,800.00 - 8,949.99	93.00	2,418.00	108	18,250.00 - 18,399.99	193.00	5,018.00
46	8,950.00 - 9,099.99	95.00	2,470.00	109	18,400.00 - 18,549.99	195.00	5,070.00
47	9,100.00 - 9,249.99	97.00	2,522.00	110	18,550.00 - 18,699.99	196.00	5,096.00
48	9,250.00 - 9,399.99	98.00	2,548.00	111	18,700.00 - 18,849.99	198.00	5,148.00
49	9,400.00 - 9,549.99	100.00	2,600.00	112	18,850.00 - 18,999.99	200.00	5,200.00
50	9,550.00 - 9,699.99	101.00	2,626.00	113	19,000.00 - 19,149.99	201.00	5,226.00
51	9,700.00 - 9,849.99	102.00	2,652.00	114	19,150.00 - 19,299.99	203.00	5,278.00
52	9,850.00 - 9,999.99	104.00	2,704.00	115	19,300.00 - 19,449.99	204.00	5,304.00
53	10,000.00 - 10,149.99	106.00	2,756.00	116	19,450.00 - 19,599.99	206.00	5,356.00
54	10,150.00 - 10,299.99	108.00	2,808.00	117	19,600.00 - 19,749.99	208.00	5,408.00
55	10,300.00 - 10,449.99	109.00	2,834.00	118	19,750.00 - 19,899.99	210.00	5,460.00
56	10,450.00 - 10,599.99	111.00	2,886.00	119	19,900.00 - 20,049.99	211.00	5,486.00
57	10,600.00 - 10,749.99	112.00	2,912.00	120	20,050.00 - 20,199.99	212.00	5,512.00
58	10,750.00 - 10,899.99	114.00	2,964.00	121	20,200.00 - 20,349.99	214.00	5,564.00
59	10,900.00 - 11,049.99	116.00	3,016.00	122	20,350.00 - 20,499.99	216.00	5,616.00
60	11,050.00 - 11,199.99	117.00	3,042.00	123	20,500.00 - 20,649.99	217.00	5,642.00
61	11,200.00 - 11,349.99	119.00	3,094.00	124	20,650.00 - 20,799.99	219.00	5,694.00
62	11,350.00 - 11,499.99	120.00	3,120.00	125	20,800.00 - 20,949.99	220.00	5,720.00
63	11,500.00 - 11,649.99	122.00	3,172.00	126	20,950.00 - 21,099.99	222.00	5,772.00
				127	21,100.00 - 21,249.99	223.00	5,798.00

## FAIR EMPLOYMENT

# NOTICE

### THE WEST VIRGINIA HUMAN RIGHTS ACT

Prohibits Discrimination in Employment and Places of Public Accommodations Based On: Race, Religion, Color, National Origin, Ancestry, Sex, Age (40 or above), Blindness, or Disability

### THE WEST VIRGINIA FAIR HOUSING ACT

Prohibits Discrimination in Housing Based On: Race, Religion, Color, National Origin, Ancestry, Sex, Blindness, Disability, Familial Status

### THE WEST VIRGINIA PREGNANT WORKERS' FAIRNESS ACT

Prohibits Discrimination in Employment Based On: Pregnancy, Childbirth or Related Medical Conditions

For Further Information or to File a Complaint, Visit, Call or Write to the WV Human Rights Commission at:

WV Human Rights Commission Room 108 A 1321 Plaza East Charleston, WV 25301-1400 Phone: 304-558-2616 (Toll Free) 888-676-5546 Fax: 304-558-0085 Website: www.hrc.wv.gov

### SOCIAL SECURITY NUMBER

Bring your Social Security Card with you when you report to the local office. Your Social Security Number will only be printed on the most pertinent documents.

### VOLUNTARY INCOME TAX WITHHOLDING PROGRAM

Unemployment compensation benefits are subject to Federal income tax and there are requirements relating to estimated tax payments. You may choose to have Federal income tax deducted and withheld from any unemployment benefits paid to you.

### CLAIMS OFFICES

These FULL-TIME CLAIMS OFFICES are operated Monday through Friday each week:

BECKLEY	GREENBRIER	MERCER COUNTY	SUMMERSVILLE
CHARLESTON	WALLEY	MORGANTOWN	WERTON
CLARKSBURG	HUNTINGTON	PARKERSBURG	WHEELING
ELKINS WERTON	LOGAN	PUTNAM	
FAIRMONT	MARTINSBURG	SOUTH BRANCH	

## Unemployment Compensation Benefit Rate Table (continues below)

Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate	Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate
128	21,250.00 - 21,399.99	225.00	6,850.00	192	30,850.00 - 30,999.99	327.00	8,502.00
129	21,400.00 - 21,549.99	227.00	6,902.00	193	31,000.00 - 31,149.99	328.00	8,528.00
130	21,550.00 - 21,699.99	228.00	6,928.00	194	31,150.00 - 31,299.99	330.00	8,580.00
131	21,700.00 - 21,849.99	230.00	6,980.00	195	31,300.00 - 31,449.99	331.00	8,606.00
132	21,850.00 - 21,999.99	231.00	6,006.00	196	31,450.00 - 31,599.99	333.00	8,658.00
133	22,000.00 - 22,149.99	233.00	6,058.00	197	31,600.00 - 31,749.99	335.00	8,710.00
134	22,150.00 - 22,299.99	235.00	6,110.00	198	32,000.00 - 32,149.99	341.00	8,866.00
135	22,300.00 - 22,449.99	236.00	6,136.00	199	31,900.00 - 32,049.99	338.00	8,768.00
136	22,450.00 - 22,599.99	238.00	6,188.00	200	32,050.00 - 32,199.99	339.00	8,814.00
137	22,600.00 - 22,749.99	240.00	6,240.00	201	32,350.00 - 32,499.99	344.00	