

WEST VIRGINIA LABOR LAW POSTINGS



UNEMPLOYMENT INSURANCE

Workforce West Virginia Notice To Employees – Unemployment Benefits

What is Unemployment?

Unemployment Insurance (UI) benefits provide financial assistance to those who have lost their job or experienced a reduction in full-time work. These benefits help cover living expenses while you look for new employment. You can apply for benefits the day after your employment ends or your hours are significantly reduced. The claim will be effective starting the Sunday of the week it is filed. Your UI benefits are taxable by both the federal and state government. You may choose to have federal taxes withheld at 10% and state taxes withheld at 3% from your weekly benefit payment. If you choose not to have taxes withheld, you will be responsible for the full taxable amount at the end of the year.

Total Unemployment

You are considered totally unemployed during any week when you are fully separated from your job and not performing any work for which you are paid or receive compensation.

Partial Unemployment

You are considered partially unemployed if you were working full-time but had your hours reduced due to business slowdowns, equipment breakdowns, or similar reasons and continue reporting as directed. You may be eligible for partial unemployment benefits if your earnings for the week are less than your weekly unemployment benefit amount plus \$60.

If your employer participates in the Short-Time Compensation (STC) program, you may be eligible to receive a prorated amount of unemployment benefits based on the reduction in your hours. To qualify for STC, your employer must have an approved plan with Workforce West Virginia and reduce your hours between 10 and 60 percent of your regular workweek.

If your employer does not participate in the STC program, they should provide you with a Low Earnings Report (LER) for the week, showing your gross wages. You must complete the claim portion of the LER and file it with your local office as instructed on the form.

Eligibility Requirements

To be monetarily eligible to receive unemployment benefits, you must have earned at least \$2,200 in gross wages during two or more calendar quarters of your regular base period, (the first four of the last five completed calendar quarters) or the alternate base period, (the last four completed calendar quarters immediately before the first day of your benefit year).

To qualify for unemployment benefits, you must:

- File a claim for benefits online at uc.workforcewv.org or at the nearest local office.
- Register for work with Job Service and continue reporting as directed.
- Be able to work and available for full-time work that matches your training or experience.
- Actively seek full-time work by completing at least four (4) work search activities each week, documenting them, and providing them to the Agency upon request.
- Complete a one-week unpaid waiting period during your benefit year.
- Earn less than your weekly benefit amount plus \$60 during each week you claim benefits.
- Be qualified for benefits after a previous benefit year if you have earned at least eight times your previous weekly benefit amount in covered employment during the start of your previous claim.
- Participate in profiling and reemployment services when selected.

How Do I Apply for Benefits?

The quickest way to apply is online at uc.workforcewv.org. If you're unable to visit the nearest local office, then, you'll have access to computers and staff to help you file your claim. If visiting a local office isn't possible, call 1-800-252-JOB5 (5627) for assistance. You will be guided through the process and given further instructions.

To file for benefits, you will need information such as:

- Social Security number
- Government-issued photo ID

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

- Mailing address and phone number
- Valid email address
- If not a U.S. citizen: Proof of alien status
- Employer names, addresses, and phone numbers
- First and last dates worked for each employer
- Reason for leaving or for reduction in hours
- If filing during your last week of work: Your gross earnings for that week.

Weekly Certifications

Once your initial claim is filed, you must submit a weekly certification for every week you wish to receive benefits. Weekly certifications can be filed in the same manner as your initial claim — online or in person.

Disqualifications

- You may be disqualified from receiving unemployment benefits if:
 - You quit your job without good cause, and it was not due to fault in the part of your employer.
 - You are fired for misconduct.
 - You fail to apply for available suitable work, accept suitable work when offered, or return to your customary self-employment when directed.
 - You are unemployed due to a labor dispute.
 - You receive wages in lieu of notice or Workers' Compensation for temporary total disability during the week.
 - You receive unemployment compensation under the laws of another state or the United States during the week.
- You are training, participating, or preparing to participate in professional sports or athletic events with reasonable assurance of performing such services in the current or upcoming seasons.
- You are an employee of an educational institution or service agency, for any week of unemployment that starts during: a paid sabbatical leave, or a holiday or vacation period between two academic years or terms, if you performed services in the prior academic year or term, you worked before the holiday or vacation period began, and you have a contract or reasonable assurance that you will perform services in the next academic year or term, or after the holiday/vacation period. Exception: If you have enough non-school wages that you will perform services in the week based on those wages alone, you may be entitled to benefits during this period.
- You perform services as an alien, unless you are lawfully residing in the United States and have a valid work permit.
- You quit work to attend school or wait to attend school or another educational institution.
- You are unemployed because you or your authorized agent requested vacation at a specified time that forces your employer to suspend operations.
- You receive any annuity, pension, or retirement pay from a base period employer or a related fund, if your remuneration is less than your unemployment benefits for the current or upcoming seasons.
- Within the past 24 months, you knowingly made a false statement or attempt to disclose a material fact to obtain, attempt to obtain, or increase benefits. This can result in a misdemeanor charge, severe penalties, and disqualification for the week in question and for 52 weeks thereafter.

The full consequences and length of a disqualification are not explained here.

Local Office

The following local office locations are open Monday through Friday:

BECKLEY
CHARLESTON
CLARKSBURG
ELKINS

FARMONT
GREENDRIER VALLEY
HUNTINGTON
JANINGTON
PARKERSBURG

MARTINSBURG
MERCER COUNTY
MORGANTOWN
PARKERSBURG

SOUTH BRANCH
SUMMERSVILLE
WEIRTON
WELCH
WHEELING

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	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			102	\$17,300.00 - 17,499.99	\$184.00	\$1,784.00	203	\$32,200.00 - 32,499.99	\$384.00	\$3,840.00	304	\$47,000.00 - 47,299.99	\$540.00	\$5,716.00
2	\$2,200.00 - 2,499.99	\$240.00	\$600.00	103	\$17,500.00 - 17,699.99	\$184.00	\$1,816.00	204	\$32,500.00 - 32,799.99	\$384.00	\$3,856.00	305	\$47,300.00 - 47,599.99	\$540.00	\$5,746.00
3	\$2,500.00 - 2,699.99	\$270.00	\$702.00	104	\$17,700.00 - 17,899.99	\$187.00	\$1,852.00	205	\$32,800.00 - 32,999.99	\$387.00	\$3,882.00	306	\$47,600.00 - 47,899.99	\$540.00	\$5,776.00
4	\$2,700.00 - 2,799.99	\$290.00	\$760.00	105	\$17,800.00 - 17,999.99	\$187.00	\$1,872.00	206	\$33,000.00 - 33,199.99	\$390.00	\$3,900.00	307	\$48,000.00 - 48,299.99	\$540.00	\$5,806.00
5	\$2,800.00 - 2,899.99	\$300.00	\$780.00	106	\$17,900.00 - 18,099.99	\$190.00	\$1,940.00	207	\$33,200.00 - 33,399.99	\$392.00	\$3,920.00	308	\$48,200.00 - 48,499.99	\$540.00	\$5,836.00
6	\$2,900.00 - 3,099.99	\$310.00	\$800.00	107	\$18,100.00 - 18,299.99	\$192.00	\$1,962.00	208	\$33,400.00 - 33,599.99	\$392.00	\$3,942.00	309	\$48,400.00 - 48,699.99	\$540.00	\$5,866.00
7	\$3,100.00 - 3,299.99	\$330.00	\$850.00	108	\$18,300.00 - 18,399.99	\$193.00	\$1,968.00	209	\$33,600.00 - 33,699.99	\$395.00	\$3,950.00	310	\$48,600.00 - 48,899.99	\$540.00	\$5,896.00
8	\$3,300.00 - 3,399.99	\$350.00	\$900.00	109	\$18,400.00 - 18,499.99	\$195.00	\$1,970.00	210	\$33,800.00 - 33,899.99	\$395.00	\$3,970.00	311	\$48,800.00 - 49,099.99	\$540.00	\$5,926.00
9	\$3,400.00 - 3,499.99	\$360.00	\$920.00	110	\$18,500.00 - 18,599.99	\$196.00	\$1,980.00	211	\$34,000.00 - 34,099.99	\$397.00	\$3,982.00	312	\$49,000.00 - 49,299.99	\$540.00	\$5,956.00
10	\$3,500.00 - 3,599.99	\$380.00	\$960.00	111	\$18,700.00 - 18,799.99	\$198.00	\$1,980.00	212	\$34,200.00 - 34,299.99	\$398.00	\$3,988.00	313	\$49,200.00 - 49,499.99	\$540.00	\$5,986.00
11	\$3,700.00 - 3,699.99	\$390.00	\$1,010.00	112	\$18,800.00 - 18,899.99	\$198.00	\$2,000.00	213	\$34,400.00 - 34,499.99	\$398.00	\$3,988.00	314	\$49,400.00 - 49,699.99	\$540.00	\$6,016.00
12	\$3,800.00 - 3,899.99	\$400.00	\$1,030.00	113	\$18,900.00 - 18,999.99	\$200.00	\$2,020.00	214	\$34,600.00 - 34,699.99	\$398.00	\$3,988.00	315	\$49,600.00 - 49,899.99	\$540.00	\$6,046.00
13	\$4,000.00 - 4,099.99	\$410.00	\$1,070.00	114	\$19,100.00 - 19,199.99	\$202.00	\$2,040.00	215	\$34,800.00 - 34,899.99	\$398.00	\$3,988.00	316	\$49,800.00 - 50,099.99	\$540.00	\$6,076.00
14	\$4,100.00 - 4,299.99	\$440.00	\$1,140.00	115	\$19,300.00 - 19,499.99	\$204.00	\$2,040.00	216	\$35,000.00 - 35,099.99	\$398.00	\$3,988.00	317	\$50,000.00 - 50,299.99	\$540.00	\$6,106.00
15	\$4,300.00 - 4,499.99	\$460.00	\$1,160.00	116	\$19,500.00 - 19,599.99	\$205.00	\$2,050.00	217	\$35,200.00 - 35,299.99	\$398.00	\$3,988.00	318	\$50,200.00 - 50,499.99	\$540.00	\$6,136.00
16	\$4,500.00 - 4,599.99	\$470.00	\$1,220.00	117	\$19,600.00 - 19,799.99	\$206.00	\$2,060.00	218	\$35,400.00 - 35,499.99	\$398.00	\$3,988.00	319	\$50,400.00 - 50,699.99	\$540.00	\$6,166.00
17	\$4,600.00 - 4,699.99	\$480.00	\$1,270.00	118	\$19,700.00 - 19,899.99	\$208.00	\$2,080.00	219	\$35,600.00 - 35,699.99	\$398.00	\$3,988.00	320	\$50,600.00 - 50,899.99	\$540.00	\$6,196.00
18	\$4,700.00 - 4,799.99	\$490.00	\$1,320.00	119	\$19,800.00 - 19,899.99	\$210.00	\$2,100.00	220	\$35,800.00 - 35,899.99	\$398.00	\$3,988.00	321	\$50,800.00 - 51,099.99	\$540.00	\$6,226.00
19	\$4,800.00 - 4,899.99	\$500.00	\$1,370.00	120	\$19,900.00 - 19,999.99	\$212.00	\$2,120.00	221	\$36,000.00 - 36,099.99	\$398.00	\$3,988.00	322	\$51,000.00 - 51,299.99	\$540.00	\$6,256.00
20	\$5,000.00 - 5,099.99	\$540.00	\$1,440.00	121	\$20,000.00 - 20,099.99	\$214.00	\$2,140.00	222	\$36,200.00 - 36,299.99	\$398.00	\$3,988.00	323	\$51,200.00 - 51,499.99	\$540.00	\$6,286.00
21	\$5,200.00 - 5,299.99	\$560.00	\$1,480.00	122	\$20,200.00 - 20,299.99	\$216.00	\$2,160.00	223	\$36,400.00 - 36,499.99	\$398.00	\$3,988.00	324	\$51,400.00 - 51,699.99	\$540.00	\$6,316.00
22	\$5,300.00 - 5,499.99	\$570.00	\$1,482.00	123	\$20,400.00 - 20,499.99	\$217.00	\$2,170.00	224	\$36,600.00 - 36,699.99	\$398.00	\$3,988.00	325	\$51,600.00 - 51,899.99	\$540.00	\$6,346.00
23	\$5,500.00 - 5,599.99	\$580.00	\$1,503.00	124	\$20,600.00 - 20,699.99	\$218.00	\$2,180.00	225	\$36,800.00 - 36,899.99	\$398.00	\$3,988.00	326	\$51,800.00 - 52,099.99	\$540.00	\$6,376.00
24	\$5,600.00 - 5,799.99	\$600.00	\$1,509.00	125	\$20,800.00 - 20,899.99	\$220.00	\$2,200.00	226	\$37,000.00 - 37,099.99	\$398.00	\$3,988.00	327	\$52,000.00 - 52,299.99	\$540.00	\$6,406.00
25	\$5,800.00 - 5,899.99	\$620.00	\$1,512.00	126	\$21,000.00 - 21,099.99	\$222.00	\$2,220.00	227	\$37,200.00 - 37,299.99	\$398.00	\$3,988.00	328	\$52,200.00 - 52,499.99	\$540.00	\$6,436.00
26	\$5,900.00 - 5,999.99	\$630.00	\$1,512.00	127	\$21,200.00 - 21,299.99	\$223.00	\$2,230.00	228	\$37,400.00 - 37,499.99	\$398.00	\$3,988.00	329	\$52,400.00 - 52,699.99	\$540.00	\$6,466.00
27	\$6,100.00 - 6,299.99	\$650.00	\$1,515.00	128	\$21,400.00 - 21,499.99	\$225.00	\$2,250.00	229	\$37,600.00 - 37,699.99	\$398.00	\$3,988.00	330	\$52,600.00 - 52,899.99	\$540.00	\$6,496.00
28	\$6,200.00 - 6,399.99	\$660.00	\$1,518.00	129	\$21,600.00 - 21,699.99	\$226.00	\$2,260.00	230	\$37,800.00 - 37,899.99	\$398.00	\$3,988.00	331	\$52,800.00 - 53,099.99	\$540.00	\$6,526.00
29	\$6,400.00 - 6,499.99	\$680.00	\$1,520.00	130	\$21,800.00 - 21,899.99	\$227.00	\$2,270.00	231	\$38,000.00 - 38,099.99	\$398.00	\$3,988.00	332	\$53,000.00 - 53,299.99	\$540.00	\$6,556.00
30	\$6,500.00 - 6,699.99	\$700.00	\$1,522.00	131	\$22,000.00 - 22,099.99	\$228.00	\$2,280.00	232	\$38,200.00 - 38,299.99	\$398.00	\$3,988.00	333	\$53,200.00 - 53,499.99	\$540.00	\$6,586.00
31	\$6,700.00 - 6,799.99	\$720.00	\$1,524.00	132	\$22,200.00 - 22,299.99	\$229.00	\$2,290.00	233	\$38,400.00 - 38,499.99	\$398.00	\$3,988.00	334	\$53,400.00 - 53,699.99	\$540.00	\$6,616.00
32	\$6,900.00 - 6,999.99	\$740.00	\$1,526.00	133	\$22,400.00 - 22,499.99	\$230.00	\$2,290.00	234	\$38,600.00 - 38,699.99	\$398.00	\$3,988.00	335	\$53,600.00 - 53,899.99	\$540.00	\$6,646.00
33	\$7,100.00 - 7,199.99	\$760.00	\$1,540.00	134	\$22,600.00 - 22,699.99	\$231.00	\$2,310.00	235	\$38,800.00 - 38,899.99	\$398.00	\$3,988.00	336	\$53,800.00 - 54,099.99	\$540.00	\$6,676.00
34	\$7,300.00 - 7,299.99	\$780.00	\$1,570.00	135	\$22,800.00 - 22,899.99	\$232.00	\$2,320.00	236	\$39,000.00 - 39,099.99	\$398.00	\$3,988.00	337	\$54,000.00 - 54,299.99	\$540.00	\$6,706.00
35	\$7,500.00 - 7,499.99	\$800.00	\$2,000.00	136	\$23,000.00 - 23,099.99	\$233.00	\$2,330.00	237	\$39,200.00 - 39,299.99	\$398.00	\$3,988.00	338	\$54,200.00 - 54,499.99	\$540.00	\$6,736.00
36	\$7,600.00 - 7,699.99	\$820.00	\$2,040.00	137	\$23,200.00 - 23,299.99	\$234.00	\$2,340.00	238	\$39,400.00 - 39,499.99	\$398.00	\$3,988.00	339	\$54,400.00 - 54,699.99	\$540.00	\$6,766.00
37	\$7,800.00 - 7,799.99	\$840.00	\$2,160.00	138	\$23,400.00 - 23,499.99	\$235.00	\$2,350.00	239	\$39,600.00 - 39,699.99	\$398.00	\$3,988.00	340	\$54,600.00 - 54,899.99	\$540.00	\$6,796.00
38	\$7,900.00 - 7,999.99	\$860.00	\$2,220.00	139	\$23,600.00 - 23,699.99	\$236.00	\$2,360.00	240	\$39,800.00 - 39,899.99	\$398.00	\$3,988.00	341	\$54,800.00 - 55,099.99	\$540.00	\$6,826.00
39	\$8,100.00 - 8,099.99	\$880.00	\$2,340.00	140	\$23,800.00 - 23,899.99	\$237.00	\$2,370.00	241	\$40,000.00 - 40,099.99	\$398.00	\$3,988.00	342	\$55,000.00 - 55,299.99	\$540.00	\$6,856.00
40	\$8,200.00 - 8,299.99	\$900.00	\$2,400.00	141	\$24,000.00 - 24,099.99	\$238.00	\$2,380.00	242	\$40,200.00 - 40,299.99	\$398.00	\$3,988.00	343	\$55,200.00 - 55,499.99	\$540.00	\$6,886.00
41	\$8,300.00 - 8,399.99	\$920.00	\$2,460.00	142	\$24,200.00 - 24,299.99	\$239.00	\$2,390.00	243	\$40,400.00 - 40,499.99	\$398.00	\$3,988.00	344	\$55,400.00 - 55,699.99	\$540.00	\$6,916.00
42	\$8,400.00 - 8,499.99	\$940.00	\$2,520.00	143	\$24,400.00 - 24,499.99	\$240.00	\$2,400.00	244	\$40,600.00 - 40,699.99	\$398.00	\$3,988.00	345	\$55,600.00 - 55,899.99	\$540.00	\$6,946.00
43	\$8,500.00 - 8,599.99	\$960.00	\$2,580.00	144	\$24,600.00 - 24,699.99	\$241.00	\$2,410.00	245	\$40,800.00 - 40,899.99	\$398.00	\$3,988.00	346	\$55,800.00 - 56,099.99	\$540.00	\$6,976.00
44	\$8,600.00 - 8,699.99	\$980.00	\$2,640.00	145	\$24,800.00 - 24,899.99	\$242.00	\$2,420.00	246	\$41,000.00 - 41,099.99	\$398.00	\$3,988.00	347	\$56,000.00 - 56,299.99	\$540.00	\$7,006.00
45	\$8,700.00 - 8,799.99	\$1,000.00	\$2,700.00	146	\$25,000.00 - 25,099.99	\$243.00	\$2,430.00	247	\$41,200.00 - 41,299.99	\$398.00	\$3,988.00	348	\$56,200.00 - 56,499.99	\$540.00	\$7,036.00
46	\$8,800.00 - 8,899.99	\$1,020.00	\$2,760.00	147	\$25,200.00 - 25,299.99	\$244.00	\$2,440.00	248	\$41,400.00 - 41,499.99	\$398.00	\$3,988.00	349	\$56,400.00 - 56,699.99	\$540.00	\$7,066.00
47	\$8,900.00 - 8,999.99	\$1,040.00	\$2,820.00	148	\$25,400.00 - 25,499.99	\$245.00	\$2,450.00	249	\$41,600.00 - 41,699.99	\$398.00	\$3,988.00	350	\$56,600.00 - 56,899.99	\$540.00	\$7,096.00
48	\$9,000.00 - 9,099.99	\$1,060.00	\$2,880.00	149	\$25,600.00 - 25,699.99	\$246.00	\$2,460.00	250	\$41,800.00 - 41,899.99	\$398.00	\$3,988.00	351	\$56,800.00 - 57,099.99	\$540.00	\$7,126.00
49	\$9,100.00 - 9,199.99	\$1,080.00	\$2,940.00	150	\$25,800.00 - 25,899.99	\$247.00	\$2,470.00	251	\$42,000.00 - 42,099.99	\$398.00	\$3,988.00	352	\$57,000.00 - 57,299.99	\$540.00	\$7,156.00
50	\$9,200.00 - 9,299.99	\$1,100.00	\$3,000.00	151	\$26,000.00 - 26,099.99	\$248.00	\$2,480.00	252	\$42,200.00 - 42,299.99	\$398.00	\$3,988.00	353	\$57,200.00 - 57,499.99	\$540.00	\$7,186.00
51	\$9,300.00 - 9,399.99	\$1,120.00	\$3,060.00	152	\$26,200.00 - 26,299.99	\$249.00	\$2,490.00	253	\$42,400.00 - 42,499.99	\$398.00	\$3,988.00	354	\$57,400.00 - 57,699.99	\$540.00	\$7,216.00
52	\$9,400.00 - 9,499.99	\$1,140.00	\$3,120.00	153	\$26,400.00 - 26,499.99	\$250.00	\$2,500.00	254	\$42,600.00 - 42,699.99	\$398.00	\$3,988.00	355	\$57,600.00 - 57,899.99	\$540.00	\$7,246.00
53	\$9,500.00 - 9,599.99	\$1,160.00	\$3,180.00	154	\$26,600.00 - 26,699.99	\$251.00	\$2,510.00	255	\$42,800.00 - 42,899.99	\$398.00	\$3,988.00	356	\$57,800.00 - 58,099.99	\$540.00	\$7,276.00
54	\$9,600.00 - 9,699.99	\$1,180.00	\$3,240.00	155	\$26,800.00 - 26,899.99	\$252.00	\$2,520.00	256	\$43,000.00 - 43,0						