UPDATE --- West Virginia Legislature

Legislature Moves Right-to-Work and Prevailing Wage Bills

Last week, the state Senate passed by a 17-16 strict party line vote the West Virginia Workplace Freedom Act (aka right-to-work). The bill prohibits requiring a person to join a labor organization or pay a fee to the union as a condition of employment. If the bill becomes law, West Virginia would become the 26th right-to-work state. The bill is now before the House Judiciary Committee. To review Senate Bill 1, the Workplace Freedom Act, click here. The House Judiciary Committee will hold a public hearing on the Workplace Freedom Act tomorrow (Thursday) morning at 8:30 in the House of Delegates Chamber.

Today, the House of Delegates by a vote of 55-44 passed House Bill 4005 to repeal the prevailing wage law. The bill now goes to the state Senate. The measure eliminates the artificial setting of wages for construction of public projects. Last year the Legislature, with bipartisan support, passed a bill to improve the process for determining hourly labor rates for public construction projects. However, many legislators believe the process is still faulty and the practice should be totally eliminated. To review House Bill 4005, eliminating the prevailing wage on public projects, click here.
West Virginia's Right to Work

West Virginia has suffered economically as President Obama tries to kill the coal industry, but now comes some economic hope. The Mountaineer State could soon become the 26th to pass a right-to-work law. On Thursday the state Senate voted 17-16 to approve right to work, which lets workers choose for themselves whether to join a union. Unions portray the idea as radical whenever a new state considers it, but it merely outlaws "closed shops" in which unions can force employees to pay dues to keep their jobs.

The odds are good the measure will pass the state House, where Republicans hold a 64-36 majority, and the fight is raging over what will happen if West Virginia Democratic Governor Earl Ray Tomblin vetoes the bill. A spokesman for the Governor told the Charleston Gazette-Mail last week that Mr. Tomblin "does not believe West Virginia needs a right-to-work law."

The Governor's veto may be overridden with a simple majority of both
Republicans currently control both chambers, and their chances to override got a boost on Friday when the West Virginia Supreme Court of Appeals ruled that Republicans will be able to fill a vacant seat in the closely divided Senate.

Right-to-work laws aren’t the only driver of economic growth, but many businesses won’t consider building a new plant in a state without it. After New Mexico’s 6.8%, West Virginia is tied with Nevada for the nation’s second highest state jobless rate at 6.5%. The state desperately needs to make itself more competitive, and right to work would help.

First Legislative Briefing Breakfast
NEXT WEEK

Charleston Town Center Marriott
7:45 - 9:00 am

Tuesday, February 2, 2016 –
“The Workplace Freedom Act, Creating a Pro Jobs Culture in WV”

Tuesday, February 9, 2016 –
“Pooling: The Right Move for WV’s Energy Industry”

Tuesday, February 16, 2016 –
“Legal Reform: Continuing to Improve WV’s Legal Climate”

Tuesday, February 23, 2016 –
“Education Reform: Investing in Our Young Talent”

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Overall Unemployment Rate Dips Slightly, But Increases in Most Counties

The Mountain State's unemployment rate may have decreased two-tenths of a percentage point in December, but rates increased in 49 of the state's 55 counties. Calhoun County had the highest rate at 13.1 percent followed by Mingo County at 12 percent and Logan County at 10.8 percent. The lowest rate in the state was in Jefferson County with 3.1 percent. Berkeley County was next with 3.7 percent followed by Monongalia County with 3.9 percent.

U.S. Senate Fails to Override President's WOTUS Veto

Both West Virginia U.S. Senators Joe Manchin (D-WV) and Shelley Moore Capito (R-WV) voted late last week to override a presidential veto and disapprove the "Waters of the United States" (WOTUS) rule issued by the U.S. EPA and Army Corps of Engineers that expanded the types of waterways subject to federal regulation. "Many in our state and country are already struggling to make ends meet. This new financial and regulatory burden will set them up for failure in an already unstable economic climate, which in large part is caused by harmful regulations the EPA and this Administration have established," noted Manchin. In explaining her vote for the override, Capito said, "WOTUS is the wrong approach to protecting our water resources, and West Virginia farmers, small businesses and energy producers cannot continue to bear the burden of this Administration's far-reaching and costly regulations."

LWV Announces Class of 2016
Fifty-five leaders from across the state have accepted invitations to participate in the 2016 Class of Leadership West Virginia (LWV). This year’s class includes the following:

- Craig Behr, Citynet (Morgantown)
- Joe Canterbury, Logan Bank & Trust Company (Logan)
- Brittany Carns, Columbia Pipeline Group (Charleston)
- Tessa Carr, Arnett Carbis Toothman (Charleston)
- Mike Chirico, Office of Congressman Evan H. Jenkins (Huntington)
- Kevin Clark, Mineral County Development Authority (Keyser)
- Jerry Cook, Ace Adventure Resort (Oak Hill)
- Chad Earl, Orders Construction Company (St. Albans)
- Andrew Ellis, Wooton, Davis, Hussell & Ellis, PLLC (Charleston)
- Kaarmin Ford, Alzheimer's Association-WV Chapter (Charleston)
- Sean Forney, CBIZ Insurance Services, Inc. (Berkeley Springs)
- Nathan Gibson, WVMI & Quality Insights (Charleston)
- Jason Golden, Highmark West Virginia (Parkersburg)
- Sean Graves, West Virginia American Water (Charleston)
- Andrew Gunnoe, Kanawha County Commission (Charleston)
- Brett Hamilton, Black Horse Financial Advisors (Charleston)
- Tadd Haynes, UniCare Health Plan of West Virginia, Inc. (Charleston)
- Suzanne Higgins, West Virginia Public Broadcasting (Beaver)
- Cam Huffman, The Blennerhassett Hotel (Parkersburg)
- Kelly Hughes, West Virginia Wesleyan College (Buckhannon)
- Guy Johnston, City National Bank (Charleston)
- Christopher Klingler, Walker Machinery Company (Belle)
- Caleb Knight, Flaherty Sensabaugh Bonasso PLLC (Charleston)
- Carrie Lilly, Bowles Rice LLP (Morgantown)
- Nick Linn, Littler Mendelson, P.C. (Morgantown)
- Raymond Logue, MVB Mortgage (Fairmont)
- Jacob Manning, Dinsmore & Shohl, LLP (Wheeling)
- Marianne McClure, The Dow Chemical Company (South Charleston)
- April Min, Jackson Kelly PLLC (Morgantown)
- Christine Mitchell, Dominion Resources Services Inc. (Pine Grove)
Leadership West Virginia (www.leadershipwv.org) is now in its 25th year as the statewide education and leadership development program in West Virginia. The eight-month program identifies emerging leaders from a variety of employers throughout West Virginia and enhances their knowledge not only of the challenges facing the state, but also the state's unique attributes and diversity.

Leadership West Virginia is affiliated with the West Virginia Chamber of Commerce.

Upcoming Events

2016 WV Legislative Session
January 13 - March 12, 2016

Register Here
2016 WV Chamber Legislative Briefing Breakfasts
Charleston Marriott Town Center
Tuesday, February 2
Tuesday, February 9
Tuesday, February 16
Tuesday, February 23

*Littler Law Firm is offering continuing education sessions for HR professionals: Navigating FMLA, Disability and overlapping leaves of absence*

Charleston
February 10 --- [click here to register](#)

Morgantown
February 11 --- [click here to register](#)

**Coming in 2016**
80th WV Chamber Annual Meeting & Business Summit
The Greenbrier
August 31 - September 2, 2016