

WEST VIRGINIA DIVISION OF LABOR

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EARL RAY TOMBLIN
Governor



JOHN R. JUNKINS
Acting Commissioner

December 22, 2014

Honorable Natalie Tennant
Secretary of State, State of West Virginia
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

Dear Secretary Tennant:

On November 19, 2014, the West Virginia Division of Labor ("WVDOL") filed a proposed emergency rule and a proposed legislative rule addressing recent changes to minimum wage, maximum hour, and overtime compensation standards under West Virginia law. The WVDOL filed these rules in accordance with W. Va. Code § 21-5C-6, and to repeal and replace Title 42, Series 8 of the West Virginia Code of State Rules, "Minimum Wages and Maximum Hours Standards Regulations.

The WVDOL has decided to withdraw the proposed emergency rule and the proposed legislative rule to address concerns raised by West Virginia employers about the impact of the rule. The WVDOL intends to refile an amended version of the legislative rule during the 2015 legislative session that will enter the standard legislative rulemaking process under Chapter 29A of the West Virginia Code. This will afford all stakeholders an adequate opportunity to communicate their concerns to the agency and resolve any confusion related to the scope and intent of the regulation.

If you have any questions or concerns about this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "John R. Junkins".

John R. Junkins
Acting Commissioner
West Virginia Division of Labor