



West Virginia Unemployment Laws Relaxed In Response To COVID-19 Crisis

Insights

3.23.20

Following the trend of other states, West Virginia Governor Jim Justice issued Executive Order 4-20 on March 19, providing immediate relief to employees adversely affected by COVID-19. Recognizing that the COVID-19 pandemic threatens both lives and economic security of West Virginians, the Executive Order significantly alters West Virginia's unemployment benefits legislative scheme.

Unemployment Insurance System Transformed

Under the Executive Order, workers who, because of a documented medical condition caused by COVID-19 or because of communicable disease control measures related to COVID-19, are unemployed, have their hours reduced, or are prevented from working are now eligible for unemployment benefits to the "maximum extent permitted by federal law." The Executive Order directs the West Virginia Department of Commerce/WorkForce West Virginia to "interpret flexibly or waive" the following:

- The one-week waiting period for benefits;
- The requirement that applicants be able and available to work;
- The work search requirements; and
- The active job search requirements.

The Order also postpones all mandatory in-person contact pertaining to claims for unemployment benefits and permits both applications and weekly certifications to be filed by reasonable means, including telephone or internet.

These changes to West Virginia's unemployment laws shall be in place from March 19 through the duration of the State of Emergency.

Conclusion

We will continue to monitor this rapidly developing situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' alert system](#) to gather the most up-to-date information. For further information or advice on how to satisfy notice requirements as an employer, contact your Fisher Phillips attorney, or any member of [our COVID-19 Taskforce](#). You can also review our [Comprehensive And Updated FAQs For Employers On The COVID-19 Coronavirus](#) or our [FP COVID-19 Resource Center](#).

This Legal Alert provides an overview of a specific state law. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

Copyright ©2020 Fisher Phillips LLP. All rights reserved.

Service Focus

Counseling and Advice

Workplace Safety and Catastrophe Management

Trending

COVID-19/Vaccine Resource Center