



FY 2025

Mitchell E. Woodrum
Commissioner

AGENCY OVERVIEW

The Division of Labor protects the lives and health of West Virginians by:

Providing, without charge, safety consultations to employers to help them provide a safer workplace for their employees;

Enforcing child labor laws prohibiting working children from working hours that would interfere with school or health or working in hazardous areas;

Supervising the inspection of all high-pressure steam boilers operating above a pressure of fifteen (15) pounds per square inch;

Enforcing state and federal construction and safety standards for manufactured homes;

Enforcing safety standards for amusement rides, amusement attractions, zip-line & canopy tours;

Enforcing the Elevator Safety Act of West Virginia;

Enforcing the overtime regulations for employers who work their employees over 40 hours in a workweek;

Administering the Parental Leave Act;

Enforcing the Contractor Licensing Act, Crane Operator Certification Act, Heating, Ventilating and Cooling Work Act, Jobs Act, and the Supervision of Plumbing Work Act.

Enforcing state safety laws in areas where there are no federal standards; conducting an annual occupational injury and illness survey to identify the severity of risk associated with various kinds of employment;

The Division of Labor promotes prosperity for West Virginians by:

Ensuring a minimum hourly wage is paid to employees;

Securing wage bonds, if not exempt, to protect employees' wages and fringe benefits when employers are involved in commercial construction or the extraction and transportation of minerals;

Licensing contractors, which requires tax, unemployment and workers' compensation insurance being verified;

Providing arbitration, mediation, and conciliation services when requested by both labor and management representatives;

Protecting employees and prospective employees against the use of polygraph examinations.

Verifying the legal employment status of workers in West Virginia.

Making sure every product bought or sold by weight or measure is labeled and properly offered for sale; that licensing and labeling requirements are met for bedding and upholstered furniture to assure sanitation; protection of consumers from deceptive practices and businesses from unfair competition through enforcing the laws governing closing - out sales, fire sales, and defunct business sales; cooperation with the United States Consumer Product Safety Commission to protect the public from hazardous products;

ORGANIZATION

The Division of Labor is organized into an administrative section and four service sections. The specific service sections of the Division are: (1) Licensing, (2) Safety, (3) Wage and Hour and (4) Weights and Measures. The responsibilities of each section are mandated by statute with labor inspectors providing enforcement.

The Administration Section of the West Virginia Division of Labor manages accounts payable, accounts receivable, appropriations, budget, expenditure schedules, human resources, payroll, purchasing, and other necessary support services. Major objectives of the Administration Section are to improve the quality of supervision; improve quality and quantity of training; continue efforts to reduce expenditures by establishing and exercising better fiscal controls, policies, and communication.

The Licensing section enforces the Contractor Licensing Act, Crane Operator Certification Act, Heating, Ventilating and Cooling Work Act, Manufactured Housing Construction and Safety Standards Act and the Supervision of Plumbing Work Act.

The Safety section provides safety consultation services through agreement with the Federal Occupational Safety and Health Administration, inspects and certifies all high-pressure steam boilers, enforces the WV Occupational Safety and Health Act, which applies to public employees. Licenses elevator mechanics, registers elevator apprentices, and provides oversight and/or inspections of Amusement Rides and Amusement Attractions, elevators, escalators, and other lifting and lowering devices which run between fixed guides, and rails as well as Zipline and Canopy Tours.

The Wage and Hour section enforces the Wage Payment and Collection Act, including its Wage Bonding provision, Minimum Wage and Maximum Hours Act, Equal Pay for Equal Work Act, Child Labor Act, Parental Leave Act, Industrial Homework Act, Jobs Act, Nurses Overtime and Patient Safety Act and verifies the Legal Employment Status of Workers.

The Weights and Measures section enforces the Weights and Measures Act, Bedding and Closing-Out and Defunct Business Sales Act.

PERFORMANCE MEASURES FY 2025

LICENSING

4,863	Contractor Licensing Inspections Conducted
308	Contractor Licensing Cease and Desist Orders Issued
57	Crane Operator USDOL Referrals
500	HVAC Technician Inspections Conducted
78	HVAC Technician Cease and Desist Orders Issued
65	Manufactured Housing Consumer Complaint Inspections
45	Manufactured Housing Letters of Correction and Violations Issued
1	Manufactured Home Repairs or Reimbursement Through Recovery Fund
802	Plumber Certification Inspections Conducted
43	Plumber Cease and Desist Orders Issued

SAFETY

Consultation Program

Visits:

228	Total Consultation Visits Conducted to Identify Safety/Health Hazards
11	Training and Education Visits Conducted and Formal Training Provided to Employees.
97.80%	Consultations in Small Establishments (250 Employees or Less)
100.00%	Consultations with Workers Consulted

Types of Hazards Identified:

879	Safety and/or Health Hazards Identified
1	Imminent Hazard Identified and Corrected On-Site
848	Serious Hazards Identified and Corrected
18	Other-Than-Serious Hazards Identified
30	Regulatory Hazards Identified

Affected WV Employees:

276	Employees Affected During Formal Training and Education Visits
23,365	Employees Affected by All Hazards
45	Employee Affected by Imminent Hazard
20,745	Employees Affected by Serious Hazards
823	Employees Affected by Other-Than-Serious Hazards
1,752	Employees Affected by Regulatory Hazards

Industry Sectors Affected & Assisted by Safety and Health Consultations:

21	Visits for Construction Industry
170	Visits for General Industry
22	Visits for Service Industry
11	Visits for Wholesale Trade
4	Visit for All Other Industry Sectors

Occupational Safety and Health Program

22	Employee Safety Complaints Received
16	Employee Safety Complaints Formally Addressed
25	Hazards Identified
3	OSHA-10 Inspections
38	OSHA-10 Violations

High-Pressure Steam Boiler

592	High-Pressure Steam Boiler Inspections with 0 Violations
674	High-Pressure Steam Boiler Inspections – Total
82	High-Pressure Steam Boiler Inspections with Violations - Closed

Elevator

4,731	Elevator Devices Inspected for Safety Requirements
4,185	Elevator Devices Passing Safety Inspections
140	Elevator Mechanic Licenses Issued
43	Registered Elevator Mechanic Apprentices

Amusement Rides & Amusement Attractions

991	Rides/Attractions Inspected for Safety Requirements
983	Rides/Attractions Passing Safety Inspections
8	Temporary Cessation of Operations Issued

WAGE AND HOUR

Workload Indicators:

40	New Wage Bonds Processed With 28 Releases and 79 Cancellations
3,169	Wage Bond Inspections Conducted
78	Wage Bond Cease and Desist Orders Served
558	Request for Assistance for Wage and Hour Compliance Issues Received
50	Child Labor Investigations Conducted. 47 Child Labor Violations
858	Work Permits And 309 Certificates of Age Processed
170	Undocumented Worker Inspections Performed
170	Notice to Produce Records Served
251	Mine Permit Approvals Processed
3,344	Jobs Act Inspections and Record Reviews Performed, 2 Violations
7	Minimum Wage Inspections Performed 2 Violations
26	Polygraph Examiner Licenses Renewed

Effective Measures:

\$753,933.00	New Wage Bonds Processed
\$5,112,789.01	Wage Bonds Released And/or Cancelled.
\$357,503.56	Unpaid Wages and Fringe Benefits Collected For 253 Employees

WEIGHTS AND MEASURES

4,305	Bedding Permits Processed
33,619	Devices Tested - Inspections of Commercial Measuring Devices to Ensure Accurate Transaction in The Marketplace
1,664	Requests for Assistance - Accommodated Request for Assistance from Businesses and Consumers Relating to Weights & Measures
4,592	Standards Calibrations - Performed at the W&M Laboratory to Ensure Traceability to NIST
431	Pricing Scanners/Packages – Ensure Accuracy of Price Scanning Systems
1,282	Packaged Commodities - Tested to Ensure Correct Net Weight & Labeling
4	Going-Out-of-Business License Issued and Sales Regulated