

WEST VIRGINIA DIVISION OF LABOR  
1900 KANAWHA BOULEVARD EAST  
CAPITOL COMPLEX, BUILDING 3, ROOM 200  
CHARLESTON, WEST VIRGINIA 25305

**WAGE PAYMENT SURETY BOND FOR  
LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP,  
CORPORATION OR OTHER BUSINESS ENTITY**  
Authorized by W. Va. Code §21-5-14(c)

BOND NUMBER \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS THAT (1) \_\_\_\_\_  
Name of Principal

limited liability company  limited liability partnership  corporation  other business entity

(2) \_\_\_\_\_ the Principal, and (3) \_\_\_\_\_, as Surety,  
Explain Name of Surety

licensed to do business in the State of West Virginia by the Office of the Insurance Commissioner, bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, to the West Virginia Division of Labor in the full amount of (4) \_\_\_\_\_ dollars (\$ \_\_\_\_\_) to secure and guarantee the payment of wages and fringe benefits of the Principal's employees.

The Principal is engaged in (5)  construction work or  the severance, production or transportation of minerals, and is required by the Wage Payment and Collection Act, W. Va. Code §21-5-14, to furnish this wage bond. As long as the Principal honors its statutory responsibility to pay employee wages and fringe benefits when they are due, no claim will be made against this bond. If the Principal defaults or otherwise fails to pay employee wages and fringe benefits as required by the Wage Payment and Collection Act, the Surety guarantees that it will honor the Division of Labor's demand for payment under this bond upon the Principal's default or failure to pay employee wages and fringe benefits.

The continuing nature of this bond is such that it is required to remain in effect for a period of 1 year from the bond's effective date unless the Surety gives written notice by certified mail, return receipt requested, to the Commissioner of the Division of Labor and the Principal that the Surety intends to cancel the bond 60 days after the post-marked date of the written notice.

Pertinent sections of the Wage Payment and Collection Act and the legislative rule promulgated thereunder, "Employer Wage Bonds," 42 CSR 33, are expressly incorporated as if they were fully set forth herein and are made a part of this bond. The effective date of the bond is the (6) \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

IN WITNESS WHEREOF, the said Principal has hereunder set its hand and affixed its seal, and the said surety has caused its corporate name to be signed hereto and its corporate seal to be hereunder affixed by its duly authorized officer or agent and executed this the (7) \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_.

8) \_\_\_\_\_  
Principal

9) \_\_\_\_\_  
Surety Corporation

\_\_\_\_\_  
Complete Address of Principal

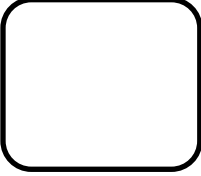
\_\_\_\_\_  
Address of Surety Corporation

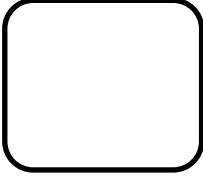
\_\_\_\_\_  
Telephone Number of Principal

\_\_\_\_\_  
Phone Number of Surety Corporation

10) \_\_\_\_\_  
Signature of Principal

11) \_\_\_\_\_  
Signature of Surety

12) Principal's Seal 

13) Raised Surety Seal 

\*If the principal has not adopted a seal,  
one may be drawn by printing the name of the  
company and the word "SEAL"  
and circling them

W.Va. Code §2-2-6 requires a  
raised or embossed seal.

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**Acknowledgment by Principal if LLC or Corporation**

14) State of \_\_\_\_\_)

15) County of \_\_\_\_\_), to-wit:

16) I, \_\_\_\_\_, a Notary Public in and for the county

17) and state aforesaid, do hereby certify that \_\_\_\_\_,

18) who, as \_\_\_\_\_, signed the writing above or hereto annexed,

19) for \_\_\_\_\_, a corporation, has this day, in

my said county before me acknowledged the said writing to be the act and deed of said corporation.

20) Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

21) \_\_\_\_\_  
Notary Public

22) My Commission Expires \_\_\_\_\_

23) Notary Seal



**Acknowledgment for Surety**

- 24) State of \_\_\_\_\_)
  - 25) County of \_\_\_\_\_), to-wit:
  - 26) I, \_\_\_\_\_, a Notary Public in and for the county
  - 27) and state aforesaid, do hereby certify that \_\_\_\_\_, who, as  
Attorney of Fact
  - 28) \_\_\_\_\_, signed the writing above or hereto annexed, for  
Title
  - 29) \_\_\_\_\_, a corporation, has this day, in my  
Name of Surety Company
- said county before me, acknowledged the said writing to be the act and deed of said corporation.
- 29) Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.
  - 30) \_\_\_\_\_  
Notary Public
  - 31) My Commission Expires \_\_\_\_\_.
  - 32) Notary Seal




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Approved as to sufficiency of form and manner of execution this  
 \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Attorney General of the State of West Virginia

By: \_\_\_\_\_

**\*\*\*Please note that page 4 must be completed before the bond can be approved by the Attorney General.**

**EMPLOYER'S AUTHORIZATION TO MAKE A DEMAND  
FOR PAYMENT UPON THE SURETY BOND FOR  
FAILURE TO PAY EMPLOYEE WAGES AND FRINGE BENEFITS**

I, \_\_\_\_\_, as the Employer engaged in  construction  
Printed Name  
work or  the severance, production or transportation of minerals, understand that I am required by the Wage Payment and  
Collection Act, W. Va. Code §21-5-14, to furnish a wage bond.

I understand that as long as I honor my statutory responsibility to pay employee wages and fringe benefits when  
they are due, the Division of Labor will not make a demand upon the wage bond. If I default or otherwise fail to pay  
employee wages and fringe benefits as required by the Wage Payment and Collection Act, I further understand that the  
Division of Labor will make a demand on the Surety for payment under the bond. I hereby expressly authorize the Division  
of Labor to use as much of the surety bond proceeds as necessary to pay employee wages and fringe benefits that are due  
and owing.

I also understand that, if I default on my obligation to pay employee wages and fringe benefits, the Surety has the  
right to take action against me to recover the amount of wages and fringe benefits it has paid to the Division of Labor on my  
behalf.

\_\_\_\_\_  
Original Signature

\_\_\_\_\_  
Date\*\*\*

State of \_\_\_\_\_)

County of \_\_\_\_\_), to-wit:

I, \_\_\_\_\_, a Notary Public in and for  
the county and state aforesaid, do hereby certify that \_\_\_\_\_,  
who, as \_\_\_\_\_, signed the writing above or hereto annexed,  
for \_\_\_\_\_, a corporation, has this day, in  
my said county before me acknowledged the said writing to be the act and deed of said corporation.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. \*\*\*

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

Notary Seal



\*\*\*Please note this form must be signed before a Notary Public.  
The signature date and the acknowledgment date must match.