

● **WAGE PAYMENT AND COLLECTION LAW (*COMPULSORY PURCHASES*)**

STATUTORY CITATION: W. Va. Code § 21-5-5

GENERAL SUMMARY: Article 5 of the West Virginia labor laws regulates the payment of agricultural and non-agricultural wages in the state, and includes a provision outlawing compulsory purchases as a form of payment.

SPECIFIC TERMS AND CONDITIONS: It is a misdemeanor for an employer to compel an employee to purchase goods or supplies, from any source, in payment of wages. Furthermore, if a worker is coerced into such a purchase at a price higher than the reasonable or current market value, the employer is liable to the employee in an amount equal to *double* the difference between the price paid and fair value.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — The prohibition against forced trade in lieu of cash wages is enforced by public prosecuting attorneys in criminal court.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*

PRIVATE CIVIL ACTION — Utilizing a private attorney or public legal service provider, a worker who has been victimized by a violation of this provision may recover unpaid wages and the excess cost of the goods involved, if any, by bringing suit against the offending employer. The court is authorized to award the worker reasonable attorney's fees if the worker prevails in any such action.