WEST VIRGINIA CODE: §16B-17-9A

§16B-17-9a. Veterans and military spouses preference not a violation of equal employment opportunity under certain circumstances.

(a) An employer may grant preference in hiring to a veteran or disabled veteran who has been honorably discharged from the United States Armed Services, or to a military spouse, provided that the person granted the hiring preference meets all of the knowledge, skills, and eligibility requirements of the job to be filled. Such hiring preference may be granted without violating the provisions of this article or any other state equal employment opportunity law.

(b) For purposes of this section:

(1) "Veteran" means any person who has received an honorable discharge and:

(A) Has provided more than 180 consecutive days of full-time, active-duty service in the United States Armed Services or Reserve components thereof, including the National Guard; or

(B) Has a service-connected disability rating fixed by the United States Department of Veterans Affairs.

(2) "Military spouse" means the husband or wife of a member of the Armed Forces who, as determined by the United States Secretary of Defense, is performing active duty pursuant to orders that authorize a permanent change of station move, if such husband or wife relocates to the member's new permanent duty station.

WV Legislature