WEST VIRGINIA CODE CHAPTER 5b ARTICLE 2Q

WV Legislature

§5B-2Q-1. Short title.

This article may be cited as the West Virginia Youth Summer Employment and Career Readiness Act.

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§5B-2Q-2. Purpose; legislative findings and declarations.

(a) The purpose of this article is to establish a statewide summer employment program for West Virginia's students and young adults that:

(1) Provides paid work experience, career exposure, and skill development through public and private partnerships;

(2) Supports emerging employment sectors and entrepreneurship in the state;

(3) Grows the state's workforce; and

(4) Attracts new businesses in search of prepared and job-ready young adults to the state.

(b) The Legislature hereby finds and declares the following:

(1) Early paid work experience improves educational attainment and workforce outcomes for students and young adults in the state.

(2) West Virginia faces persistent workforce shortages and youth out-migration, and preparing students and young adults for careers within the state is a valuable tool not only for the retention of the state's youth but also to prepare them for successful careers at a critical juncture in their lives.

(3) The creation of a paid summer employment program in the state will aid in retaining the state's youngest citizens and will further boost the state's economic vitality by helping to build a robust workforce that will incentivize businesses to locate in the state.

(4) Such a program will enhance West Virginia's workforce with motivated and career-ready young citizens, reduce dependence on governmental assistance and services, help to carry the state forward toward economic prosperity, and is therefore one of the most valuable investments that can be made for the future of the state.

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§5B-2Q-3. Definitions.

For purposes of this article:

(1) "Department" means the Department of Commerce.

(2) "Priority youth population" means youth who are at least 14 and not more than 20 years of age at the time of participation in the program.

(3) "Employer partner" means a private business, nonprofit organization, local or state agency or government, or public agency that provides paid work placements under the program.

(4) "Matching contribution" means a monetary or documented in-kind contribution from an employer partner or non-state entity.

(5) "Program" means the West Virginia Youth Summer Employment and Career Readiness Program created by this article and administered by the Division of Workforce Development within the Department of Commerce.

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§5B-2Q-4. Creation of West Virginia Youth Summer Employment and Career Readiness Program.

(a) Program created. – The West Virginia Youth Summer Employment and Career Readiness Program is hereby established within the Department of Commerce's Division of Workforce Development. The department shall administer the program to provide youth who are at least 14 and not more than 20 years of age at the time of participation in the program with paid summer employment, structured work-based learning, and career exploration opportunities aligned with workforce needs of the State of West Virginia.

(b) Grant placements. – In awarding grants and approving placements in the program, the department shall direct funding across all regions of the state and shall emphasize training and exposure to employment opportunities that include apprenticeships, internships, and paid employment experiences that prepare participating youth for emerging and essential job growth sectors.

(c) Program design. – The department shall, in administering the program, prioritize the facilitation of work experiences that emphasize:

(1) High-demand and emerging industries identified through labor market data and workforce development plans;

(2) Opportunities that provide foundational skills for long-term employment and career advancement;

(3) Public service opportunities that provide participating youth with the chance to assist and improve their local community and to be exposed to the rewards and benefits of public service;

(4) Exposure to entrepreneurship, self-employment, and small business development, including skills relevant to starting and operating a business; and

(5) Career pathways that align with regional economic development strategies.

(d) Coordination. – In administering the program and awarding grants, the department shall coordinate with the West Virginia Department of Education and with individual county boards of education to identify the types of training opportunities currently being provided in the state and in individual counties. The department shall further coordinate with the Division of Labor and with its economic development partners to identify emerging job growth trends and to communicate those trends to employer partners and program participants. The department shall actively engage with employers, industry associations, public and private educational institutions, and economic development partners to identify current and projected employment trends and to inform, recruit, and encourage employer partners to offer placements aligned with those trends.

(e) Participation. – In administering the program, the department shall provide equal access

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to all eligible youth.

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§5B-2Q-5. Employer partnerships and matching requirements.

Program funds shall be awarded by the department through state grants to private and public employer partners. Each employer partner shall apply grant contributions toward participant wages, supervision, training, or related costs. The department shall establish, by legislative rule, minimum matching requirements, participant eligibility criteria, valuation of in-kind contributions, and criteria for waivers or reductions for small employers or nonprofit agencies and organizations.

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§5B-2Q-6. Eligible activities and participant protections.

(a) Program funds received by employer partners may be used only for wage subsidies, payroll-related costs, training, transportation, equipment, supportive services, and reasonable administrative expenses, all of which must be related to youth participants hired by the employer partner under the program.

(b) Youth participants in the program shall be paid by employer partners not less than the applicable minimum wage established by §21-5C-2 of this code.

(c) An employer partner's participation in the program shall not directly result in the displacement of the employer partner's existing employees or a reduction in the wages or hours of said employees.

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§5B-2Q-7. Reporting and accountability.

On or before December 1, 2026, and annually thereafter, the department shall submit a report to the Governor and the Joint Committee on Government and Finance detailing implementation of the program, participant outcomes, expenditures, and leveraged matching contributions.

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§5B-2Q-8. Rulemaking authority.

The department shall propose legislative rules in accordance with §29A-3-1 *et seq*. of this code and may promulgate any emergency rules necessary to effectuate the provisions of this article.

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§5B-2Q-9. Funding.

(a) The department may receive private and public grants and donations, and appropriations from the Legislature, to fund the program. All moneys collected shall be deposited in a special revenue account in the State Treasury to be known as the "West Virginia Youth Summer Employment and Career Readiness Fund", which is hereby created and shall administered by the Secretary of the Department of Commerce. Expenditures from the fund shall be for the purposes set forth in this article and are not authorized from collections but are to be made only in accordance with appropriations by the Legislature and in accordance with the provisions of §12-3-1 *et seq*. of this code and upon fulfillment of the provisions of §11B-2-1 *et seq*. of this code: Provided, That for the fiscal years ending June 30, 2026 and June 30, 2027, expenditures are authorized from collections rather than pursuant to appropriations by the Legislature.

(b) The department shall make applications for any available federal, public, non-profit or private grants and donations in support of the program. The department may, if it is a condition of such grant or donation, direct the grant or donation toward any portion of a priority youth population to which the grant or donation is directed.

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§5B-2Q-10. Immunities.

Any employer partner, and any officer, employee, or agent of an employer partner, who in good faith participates in the program and complies with the provisions of this article and any rules promulgated thereunder is immune from any civil, criminal, or administrative liability arising from the employer partner's hiring of a youth participant who is under 18 years of age for a work placement under the program, unless the employer partner or its officers, employees, or agents acted with a malicious purpose.

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