

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4327

BY DELEGATES FOLK, PAYNTER, SYPOLT, ELLINGTON,

DEAN, KESSINGER AND JENNINGS

[Introduced January 26, 2018; Referred
to the Committee on Health and Human Resources then
the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §21-3-23, relating to prohibiting employers from requiring any employee to
 3 have or receive an influenza immunization; and prohibiting employers from discharging,
 4 failing to hire, discriminating against, or otherwise disadvantaging or penalizing any
 5 individual for failing to have or receive an influenza immunization.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. SAFETY AND WELFARE OF EMPLOYEES.

§21-3-23. Employers prohibited from requiring influenza immunizations; other unlawful acts.

1 It is unlawful for any employer, whether public or private, or the agent of such employer,
 2 to require an employee to have or receive an influenza immunization. It is also unlawful for any
 3 employer to discharge, fail to hire, discriminate against, or otherwise disadvantage or penalize
 4 any individual for failing to have or receive an influenza immunization.

NOTE: The purpose of this bill is to prohibit employers from requiring employees to have or receive an influenza immunization and prohibiting employers from failing to hire, discriminating against, or otherwise disadvantaging or penalizing any individual for failing to have or receive an influenza immunization.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.