

## **West Virginia Amends Direct Deposit, Paycard Requirements**

Effective June 9, 2022, the requirements in *West Virginia* related to paying employee wages by direct deposit and paycards will change. Additional disclosures to employees will be required for paying employee wages via paycard – but written consent will no longer be needed for payment via paycard or direct deposit (this updates [The Payroll Source®](#), §5.3-3 and [APA's Guide to State Payroll Laws](#), §2.9). [S.B. 245, L. 2022].

### **Written agreement not required**

Payment of wages by direct deposit or paycard will no longer require a prior agreement in writing by the employee and the employer.

If an employee does not identify the information necessary to enable payment via direct deposit (e.g., the identification of the employee's financial institution, the type of account, and the account number), the employer may pay the employee via paycard.

### **Paycard requirements address fees**

Employers paying wages via paycards must provide employees with full written disclosure of any applicable fees associated with the paycard. The employer must ensure that the employee has the ability to make at least one withdrawal or transfer from the paycard per pay period without cost or fee to the employee for any amount contained on the card. In addition, the employer must ensure that the employee has the ability to make in-network withdrawals or transfers from the paycard without cost or fee to the employee contained on the card.

Employers that choose to pay employee wages via paycards must also give employees the option of being paid via direct deposit.