STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 63-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, Executive Orders 7-20, 10-20, 11-20, 12-20, 17-20, 23-20, 26-20, 31-20, 46-20, 54-20, 57-20, and 59-20 suspended certain provisions and sections of statute that strict compliance therewith would prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, there has been an additional statutory regulation identified by the West Virginia Consolidated Public Retirement Board and WorkForce West Virginia that is preventing the state from best coping with the emergency and assisting the citizens of West Virginia; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby **DECLARE** and **ORDER** that, the following statutory regulation is to be suspended for the duration of the State of Emergency for the sole purpose of allowing certain individuals employed by WorkForce West Virginia to be eligible to continue in these positions without suspension of such individual's retirement annuity:

1. In the discretion of the West Virginia Consolidated Public Retirement Board who shall issue additional guidance, only with respect to temporary employees of WorkForce West Virginia, the requirement that persons having retired from public employment who render post-retirement employment may not receive annual compensation in excess of $20,000 without suspending such person's retirement annuity (W. Va. Code § 5-10-48(c)).

[*Signature Page Follows*]

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Nineteenth day of August, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE