

ADVISORY OPINION NO. 2001-1

COPY

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WEST VIRGINIA ETHICS COMMISSION

OPINION SOUGHT

A **State Health Care Agency** asks if it would be a violation to provide free meals to agency personnel who are required to work unscheduled emergency overtime, if the practice were authorized by appropriate legislation.

FACTS RELIED UPON BY THE COMMISSION

The Agency is responsible for the operation of State health care facilities which must be staffed 24 hours a day, 7 days a week. Agency personnel are sometimes required to stay overtime and work additional shifts without any prior notice.


The Agency is considering seeking legislation which would authorize it to provide staff free meals in cases where they are required to work overtime without prior notice. The Agency asks whether such a practice would, if approved by the Legislature, be consistent with the Ethics Act.

CODE PROVISIONS RELIED UPON BY COMMISSION

WV Code § 6B-1-1 et seq.

ADVISORY OPINION

It would not be a violation of the Ethics Act for the Agency, in accordance with appropriate legislative authority, to provide or pay for employee meals when those employees are required to work unscheduled emergency overtime.



Chairman