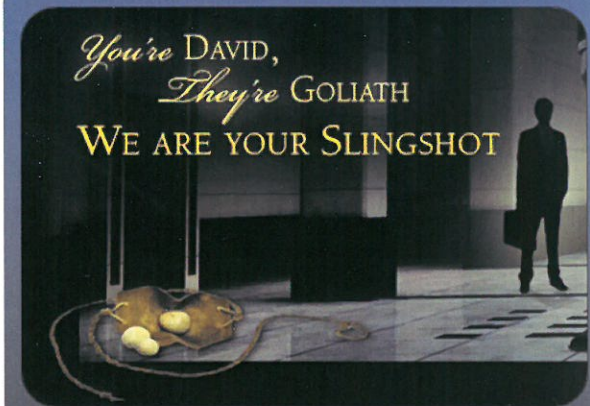


Hamilton Burgess Young Pollard *J*

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Legal News *You* Can Use

- *Tribute to Ralph C. Young Jr.*
- *At-Will Employment Rights*

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Ralph C. Young, Jr.

As many of you know, our law firm suffered the tragic loss of partner Ralph Young in October of 2018. Ralph spent his entire career as an attorney in Fayette County where he began and finished at the law firm which now bears his name. Mr. Young is survived by his wife Cathy, his daughter Ashton, sons Clint and Joel, and his grandson Christian.

Ralph was always a tireless advocate for his clients and an innovator in his field. Although he can never be replaced, our law firm continues to strive to embody the traits that made Ralph the great man, lawyer, and friend that we all knew him to be.

We are proud to announce that thanks to the ongoing generosity of his contemporaries in the consumer bar, Ralph's innovation lives on through the West Virginia College of Law Ralph C. Young, Jr. Consumer Law Fellowship which was established shortly after his passing to further the cause of consumer protection and advocacy.



At-Will Employment Rights

Most people believe they have job security and their employer cannot fire them unless they have good cause. Unfortunately, that is not correct. Most states, including West Virginia, have adopted the "at-will" doctrine. The "at-will" doctrine provides that either party, the employer or the employee, can end the employment relationship with no liability provided there was no express contract governing the employment relationship and that the employee does not belong to a collective bargaining group (union) recognized by the employer. Under this legal doctrine, any hiring is deemed to be "at-will" and the employer can fire employees for good cause, bad cause, or no cause at all, and the employee is free to quit at any time.

The only legal restrictions placed on employers by the State are that employers cannot fire an employee for discriminatory reasons such as race, gender, or physical disability.

However, terminated employees do have some rights under West Virginia Wage Payment Collection Act. One of the most important protections is that employers must provide discharged employees with their final paychecks on the next regular payday after the employment relationship has ended. If an employer fails to provide the final paycheck within that time frame, the discharged employee

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can sue the employer and recover two times the unpaid amount as well as any attorney fees and costs associated with filing suit. There are no exceptions to this rule. It is important to note that the "the check's in the mail" defense is not available to employers.

If you or someone you know lost their job and did not receive a final paycheck on the next regular payday, you have rights which may entitle you to additional compensation.

**Contact us to learn
more about options
available to you.**

**YOU'RE DAVID,
THEY'RE GOLIATH
WE ARE YOUR SLINGSHOT**



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