



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

4/24/2024 11:08:05 AM

Office of West Virginia  
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-10  
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No  
RULE NAME: Rule Governing Reporting Requirements for  
Independent Contractors  
CITE STATUTORY AUTHORITY: W. Va. Code 22A-1-6

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) H.B. 4086

Section W. Va. Code 64-10-3(c) Passed On 2/29/2024 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

April 24, 2024

This rule shall terminate and have no further force or effect from the following date:

August 01, 2029

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

**Yes**

**Garner Marks -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

56CSR10

TITLE 56

LEGISLATIVE RULE

OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

SERIES 10

RULE GOVERNING REPORTING

REQUIREMENTS FOR INDEPENDENT CONTRACTORS

**§56-10-1. General.**

1.1. Scope. -- This rule governs reporting requirements for independent contractors registered with the West Virginia Office of Miners' Health, Safety and Training.

1.2. Authority. -- W. Va. Code §22A-1-6.

1.3. Filing Date. -- April 24, 2024.

1.4. Effective Date. -- April 24, 2024.

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect upon August 1, 2029.

1.6. Applicability. -- This rule applies to each independent contractor registered with the West Virginia Office of Miners' Health, Safety and Training as required by W. Va. Code §22A-2-63(e).

**§56-10-2. Reporting Requirements.**

2.1. On or before the end of each calendar quarter, each independent contractor registered with the West Virginia Office of Miner's Health, Safety and Training as required by W. Va. Code §22A-2-63(e), shall file with the Director a report covering the preceding calendar quarter on forms approved by the Director. Such report shall contain the following information for each mine(s) where the independent contractor performed work or provided services:

2.1.1. The total number of employees performing services at a mining operation.

2.1.2. The employee hours worked at a mining operation.

2.1.3. The total reported accidents and occupational injuries that occurred to employees while performing services at a mining operation pursuant to W. Va. Code R. §36-19-1.

2.1.4. Each mine's identification number where employee hours were worked and/or where the accident(s) or occupational injury (injuries) occurred.