Age of Employment

No Licensee:

- is required to employ persons who are between 16 and 20 years of age.
- is required to allow employed persons between 16 and 20 years of age to sell or serve alcohol.

With the prior approval of the commissioner, a Class A or Class B licensee may employ persons who are less than 18 years of age, but at least 16 years of age and the person’s duties may include the sale of nonintoxicating beer or alcoholic liquors only when directly supervised by a person 21 years of age or older: Note, the authorization to employ persons under the age of 18 years shall be clearly indicated on the licensee’s license.

With the prior approval of the commissioner, a retail liquor outlet may employ persons at any retail outlet operated by a retail licensee who are less than 18 years of age but at least 16 years of age, the persons’ duties may include the sale of liquor, nonintoxicating beer or wine, only when directly supervised by a person 21 years of age or older and the authorization to employ the persons under the age of 18 years shall be clearly indicated on the retail licensee’s license.

Penalties:

It is unlawful for any licensee, or agent, employee, or member thereof, on such licensee’s premises to:

- Employ any person who is less than 16 years of age in a position where the primary responsibility for such employment is to sell, furnish, tender, serve, or give nonintoxicating beer, wine, or alcoholic liquors to any person;
- Employ any person who is between 16 years of age and younger than 21 years of age who is not directly supervised by a person aged 21 or over in a position where the primary responsibility for such employment is to sell, furnish, tender, serve or give nonintoxicating beer, wine, or alcoholic liquors to any person; or

This is a summary, the completed legislation can be found at www.abca.wv.gov