

MYTHS VS FACTS

ABOUT HB 4005

MYTH

FACT

HB 4005 Creates a Youth Apprenticeship Program

Bill sponsors have claimed that HB 4005 “creates a structured, supervised apprenticeship program.”[1] In reality, the Youth Apprenticeship Program referenced in this bill was created through legislation in 2024 and is already working.[2]

Further, through the West Virginia Department of Education, thousands of students are participating in safe, supervised work-based learning opportunities and apprenticeships earning wages and gaining practical work experience in trades and industries including welding, manufacturing, construction, robotics, and aviation.[3]

HB 4005 is Only About Apprenticeships

Proponents only talk about the changes in HB 4005 that involve apprenticeships, but the legislation is much broader.[4] Rather than simply allowing 16- and 17-year-olds in registered apprenticeships to work in industries that are generally deemed too hazardous for child workers, the legislation largely eliminates state-level protections defining hazardous occupations too dangerous for all minors to work in. In addition, the bill eliminates state-level protections limiting the time children can work with dangerous machinery, as well as requirements for direct supervision of dangerous work.

Put simply, HB 4005 opens up any employer to employ any child who is 16 or 17 years old to work in some industries currently banned as hazardous, even unscrupulous employers who are not participating in safe, registered apprenticeship environments.

Federal Child Labor Laws are Adequate to Protect Youth Workers

Federal child labor protections have long been considered the floor, with the Federal Labor Standards Act dictating minimum standards. Because federal law is increasingly outdated and under threat, states have long codified federal standards into state law and implemented additional, stronger protections to ensure children working are doing so in safe, supervised work environments.

Current West Virginia law has stronger protections than federal rules in defining some hazardous industries, requiring supervision of youth workers, and setting limits on youth usage of dangerous machinery. Striking these state-level protections as envisioned in HB 4005 will significantly reduce West Virginia’s child labor protections.

HB 4005 is Necessary to Expand Skill Training Opportunities for Youth

16- and 17-year-olds can already work in most jobs, including non-hazardous jobs in inherently dangerous industries. There are also recognized pathways in West Virginia for these minors to perform some hazardous work as part of bona fide registered apprenticeship or student learner programs in certain conditions under close supervision. These existing pathways are meant to balance safety with career and skills training—ensuring minors can gain valuable career skills without risking life and limb.



Minors are more likely than adults to be injured or killed on the job.[5] Federal law prohibits minors from working in a list of jobs that have been deemed too dangerous for this group based on the fatal injury rate for adults in these occupations. Striking the protections currently enshrined in state law will take West Virginia backward on its commitment to protecting working children and will increase the risk of minors being injured or killed on the job.

Child labor law violations are on the rise across the country, and federal child labor protections are at serious risk of being eroded. West Virginia should prioritize protecting and advancing workers' rights, including by strengthening child labor protections, not further weakening them to give employers—including unscrupulous ones—greater access to cheap labor.[6]

[1] Video posted to West Virginia House Republicans Facebook page on February 11, 2026 at 11:01am. Retrieved from <https://www.facebook.com/reel/2394189914351350/>.

[2] West Virginia Legislature, 2024, HB 5162: Establish a program to promote creation and expansion of registered apprenticeship programs.

[3] WVCBP email correspondence with WVDE and Randy Yohe, “High School Pre-Apprenticeship Program to Enhance Career Pathways,” *WV Public Broadcasting*, May 6, 2025.

[4] Post to West Virginia House Republicans Facebook page on February 9, 2026 at 2:39pm. Retrieved from: <https://www.facebook.com/photo/?fbid=1200347025603398&set=pb.100068843365330.-2207520000>.

[5] Rebecca J. Guerin, et al., Nonfatal Occupational Injuries to Younger Workers- United States, 2012-2018, Centers for Disease Control Morbidity and Mortality Weekly Report, September 4, 2020.

[6] Nina Mast, Holding the Line: State solutions to the U.S. worker rights crisis, Economic Policy Institute, July 30, 2025.



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