

WEST VIRGINIA CODE: §18-7A-38

§18-7A-38. Maximum number of days a retired teacher may accept employment; calculating days worked for retirants engaged in substitute teaching.

(a) The Legislature finds that:

- (1) The Consolidated Public Retirement Board has determined that retired substitute teachers should not perform substitute teaching without limit;
 - (2) The Consolidated Public Retirement Board has established, by rule, a maximum number of days in which a retired teacher may accept employment prior to having his or her retirement benefit reduced; and
 - (3) There have been inconsistencies in the manner in which county boards calculate the maximum number of days established by rule.
- (b) The Consolidated Public Retirement Board may not set forth in rule a maximum number of days in which a retired teacher may accept employment prior to having his or her retirement benefit reduced that is less than one hundred forty days.
- (c) For the purpose of calculating whether a retired substitute teacher has exceeded the maximum number of days in which a substitute teacher may accept employment without incurring a reduction in his or her retirement benefit, the number of days worked shall be determined by:
- (1) Totaling the number of hours worked; and
 - (2) Dividing by the standard number of hours that a full-time teacher works per day.