WEST VIRGINIA CODE: §29-6-2

§29-6-2. Definition of terms.

As used in this article, unless the context indicates otherwise, the term:

"Administrator" means any person who fills a statutorily created position within or related to an agency or board (other than a board member) and who is designated by statute as the head of the agency or board;

"Agency" means any authority, board, bureau, commission, division, or other entity of state government, however designated, transferred to or incorporated in one of the departments created in §5F-1-2 of this code, as well as any affiliated county or municipal agency: *Provided*, That individual districts, offices, regions, sections and units within the same agency, however designated, shall not be considered a separate agency;

"Appointing authority" means the executive head of a department or agency who is authorized by statute to appoint employees in the classified or classified-exempt service;

"Class" or "class of positions" means one or more positions sufficiently similar in duties, training, experience, and responsibilities, as determined by specifications, that the same qualifications, the same title, and the same schedule of compensation and benefits may be equitably applied to each position in the class;

"Class specification" means the official description of a class of positions for the purpose of describing the nature of the work, providing examples of work performed, and identifying the knowledge, skills, and abilities required for the work while stating the generally accepted minimum qualifications required for employment;

"Classification plan" means the plan by which positions in the classified service have been allocated by class;

"Classified-exempt service" means those positions that:

(1) May be categorized in the Division of Personnel’s system by job title, knowledge, skill, abilities, experience, or description;

(2) May be filled by a department or agency of the state even if the applicant does not meet the knowledge, skill, abilities, experience, or description established by the Division of Personnel;

(3) Are at the will and pleasure of the hiring department or agency;

(4) Are not subject to Division of Personnel pay schedules; and

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(5) May not be covered under the Division of Personnel classified system or employed by the Higher Education Policy Commission, Council for Community and Technical College Education, or higher education governing boards, as defined in §18B-1-2 of this code;

"Classified service" means those positions which satisfy the definitions for "class" and "classify" and which are covered under the Division of Personnel classified system;

"Classify" means the process of ascertaining, analyzing, and evaluating the duties and responsibilities of positions to determine the number and kind of classes existing in the service and to group the positions in classes;

"Department" or "departments" means the departments of the executive branch of state government provided in §5F-1-2 of this code;

"Director" means the head of the Division of Personnel as appointed by section seven of this article;

"Division" means the Division of Personnel;

"Exempt service" means all positions specifically exempted by statute from administrative oversight of the Division of Personnel;

"Policy-making position" means a position in which the person occupying it: (1) Acts as an advisor to or formulates plans for the implementation of broad goals for an administrator or the Governor; (2) is in charge of a major administrative component of the agency; or (3) reports directly and is directly accountable to the administrator or the Governor;

"Position" means an authorized and identified group of duties and responsibilities assigned by the hiring authority requiring the full-time or part-time employment of at least one person;

"Promotion" means a change in the status of an employee from a position to another position of higher rank as measured by salary range and increased level of duties or responsibilities;

"Secretary" means the Secretary of the Department of Administration created in §5F-1-2 of this code;

"Veteran" means any person who meets the requirements of §6-13-1 of this code.

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