WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

ENROLLED
SENATE BILL NO. 120
(By Mr. Williams and Mr. Yellig)

PASSED March 8, 1975
In Effect ninety days from Passage
AN ACT to amend and reenact section ten, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to personal leave for full-time employees of county boards of education.

Be it enacted by the Legislature of West Virginia:

That section ten, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.
§18A-4-10. Personal leave for illness and other causes.

1 At the beginning of his employment term, any full-time employee of a county board of education shall be entitled annually to at least one and one-half days personal leave for each employment month or major fraction thereof in the employee’s employment term. Unused leave shall be accumulative without limitation and shall be transferable within the state. A change in job assignment during the school year shall in no way affect the employee’s rights or benefits.

2 A regular full-time employee who is absent from assigned duties due to accident, sickness, death in the immediate family, or other cause authorized or approved by the board, shall be paid his full salary from his regular budgeted salary appropriation during the period which he is absent, but not to exceed the total amount of leave to which he is entitled. Where the cause for leave had its origin prior to the beginning of the employment term, the employee shall be paid for time lost after the start
of the employment term. If an employee should use personal leave which he has not yet accumulated on a monthly basis and subsequently leave his employment, he shall be required to reimburse the board for the salary or wages paid to him for such unaccumulated leave.

The board may establish reasonable regulations for reporting and verification of absence for causes; and if any error in reporting absences should occur it shall have authority to make necessary salary adjustments in the next pay after the employee has returned to duty or in the final pay if the absence should occur during the last month of his employment term. When such allowable absence does not directly affect the instruction of the pupils or when a substitute employee may not be required because of the nature of the work and the duration of the cause for the allowable absence of the regular employee, the administration, subject to board approval, may use its discretion as to the need for a substitute where limited absence may prevail. Any board of education shall have authority to supplement such leave provisions in any manner it may deem advisable.

If funds in any fiscal year, including transfers, are insufficient to pay the full cost of substitutes for meeting the provisions of this section, the remainder shall be paid on or before the thirty-first day of August from the budget of the next fiscal year.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 22nd day of March, 1975.

Governor