WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

ENROLLED
SENATE BILL NO. 131

(By Mr. Willis and Mr. Gilligan)

PASSED March 7, 1975

In Effect July 1, 1975
ENROLLED

Senate Bill No. 121
(By Mr. Willis and Mr. Gilligan)

[Passed March 7, 1975; in effect July 1, 1975.]

AN ACT to repeal section eight-a, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section eight, article four of said chapter eighteen-a, all relating to minimum pay scales and employment terms for school auxiliary and service personnel; defining terms in this connection; relating to other rights, privileges and benefits of such personnel; authorizing county boards of education to establish higher salary schedules; relating to the authority of the state board of education in connection with the foregoing; relating to enforcement; providing an effective date; and said repealed section relating to the use of the foundation allowance for the employment, adjustment of and increase in the pay of such personnel and other provisions in connection therewith.

Be it enacted by the Legislature of West Virginia:

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article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that section eight, article four of said chapter eighteen-a be amended and reenacted to read as follows:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-8. Minimum monthly pay for service and auxiliary personnel.

1. The purpose of this section is to establish a state min-
2. mum monthly pay scale and employment term for auxilia-
Enr. S. B. No. 121

The employment term for auxiliary and service personnel shall be no less than ten months, a month being defined as twenty employment days: Provided, That the county board of education may contract with all or part of such personnel for a longer term. The beginning and closing dates of the ten-month term shall not exceed forty-three weeks. Auxiliary and service personnel employed on a yearly or twelve-month basis may be employed by calendar months. Whenever there is a change in job assignment during the school year, the minimum pay scale and any county supplement shall be applicable.

Upon the change in classification or upon meeting the requirements of an advanced classification of or by any employee, his salary shall be made to comply with the requirements of this article, and to any county salary schedule in excess of the minimum requirements of this article, based upon his advanced classification and allowable years of employment.

An employee's contract as provided in sections four and five, article two, of this chapter shall state the appropriate monthly salary the employee is to be paid based on the class title as provided in this article and any county salary schedule in excess of the minimum requirements of this article.

The column heads of the state minimum pay scale and class titles, set forth below are defined as follows:

"Pay grade" means the monthly salary applicable to class titles of auxiliary and service personnel.

"Years of employment" means the number of years which an employee classified as auxiliary or service personnel has been employed by a board of education in any position prior to or subsequent to the effective date of this section and including service in the armed forces of the United States if the employee were employed at the time of his induction. For the purpose of this section, years of employment shall be limited to the number of years shown and allowed under the state minimum pay scale set forth hereinafter.

"Class title" means the name of the position or job held by auxiliary and service personnel.
“Aide I” means auxiliary personnel as defined in section one, article one of this chapter.

“Aide II” means auxiliary personnel as defined in section one, article one of this chapter who have completed a training program approved by the state board of education.

“Custodian I” means personnel employed to keep buildings clean and free of refuse.

“Custodian II” means personnel employed as a watchman or groundsman.

“Custodian III” means personnel employed to keep buildings clean and free of refuse, to operate the heating or cooling systems and to make minor repairs.

“Custodian IV” means personnel employed as head custodians. In addition to providing services as defined in “Custodian III,” their duties may include supervising other custodian personnel.

“Carpenter I” means personnel classified as a carpenter’s helper.

“Carpenter II” means personnel classified as a journeyman carpenter.

“Electrician I” means personnel employed as an apprentice electrician and helper or holds an electrician helper license issued by the state fire marshal.

“Electrician II” means personnel employed as an electrician journeyman or holds a journeyman electrician license issued by the state fire marshal.

“Foreman” means skilled persons employed for supervision of personnel who work in the areas of repair and maintenance of school property and equipment.

“General maintenance” means personnel employed as helpers to skilled maintenance employees and to perform minor repairs to equipment and buildings of a county school system.

“Groundsmen” means personnel employed to perform duties that relate to the appearance, repair and general care of school grounds in a county school system. Additional assignments may include the operation of a small heating plant and routine cleaning duties in buildings.
“Handyman” means personnel employed to perform routine manual tasks in any operation of the county school system.

“Lubrication man” means personnel employed to lubricate and service gasoline or diesel-powered equipment of a county school system.

“Machinist” means personnel employed to perform machinist tasks which include the ability to operate lathes, planer, shaper, threading machine and wheel press. Such personnel should also have ability to work from blueprints and drawings.

“Mechanic” means personnel employed who can independently perform skilled duties in the maintenance and repair of automobiles, school buses and other mechanical and mobile equipment to use in a county school system.

“Mechanic assistant” means personnel employed as a mechanic apprentice and helper.

“Office equipment repairman I” means personnel employed as an office equipment repairman apprentice or helper.

“Office equipment repairman II” means personnel responsible for servicing and repairing all office machines and equipment. Such personnel shall be responsible for parts being purchased necessary for the proper operation of a program of continuous maintenance and repair.

“Painter” means personnel employed to perform duties of painting, finishing and decorating of wood, metal and concrete surfaces of buildings, other structures, equipment, machinery and furnishings of a county school system.

“Plumber I” means personnel employed as an apprentice plumber and helper.

“Plumber II” means personnel employed as journeyman plumber.

“Supervisor of maintenance” means skilled personnel not defined as professional personnel or professional educators as in section one, article one, of this chapter. His responsibilities would include directing the upkeep
of buildings and shops, issuing instructions to subor-
dinates relating to cleaning, repairs and maintenance
of all structures, mechanical and electrical equipment of
a board of education.

"Truck driver" means personnel employed to operate
light or heavy duty gasoline and diesel-powered vehi-
cles.

"Watchman" means personnel employed to protect
school property against damage or theft. Additional as-
signments may include operation of a small heating plant
and routine cleaning duties.

"Clerk I" means personnel employed to perform cler-
ical tasks.

"Clerk II" means personnel employed to perform gen-
eral clerical tasks, prepare reports and tabulations and
operate office machines.

"Secretary I" means personnel employed to transcribe
from notes or mechanical equipment, receive callers,
perform clerical tasks, prepare reports and operate office
machines.

"Secretary II" means personnel employed as school,
office or program secretaries to perform general clerical
tasks, transcribe, prepare reports, receive callers and
refer them to proper persons, operate office machines,
keep records and handle routine correspondence.

"Secretary III" means personnel assigned to the county
board of education office administrators in charge
of various departments or with particular responsi-
abilities of purchasing and financial control.

"Cafeteria manager" means personnel employed to
direct the operation of a food services program in a school,
including assigning duties to employees, approving
requisitions for supplies and repairs, keeping inventories,
inspecting areas to maintain high standards of sanita-
tion, preparing financial reports and keeping records
pertinent to food services of a school.

"Cook I" means personnel employed as a cook's helper.

"Cook II" means personnel employed to interpret
menus, to prepare and serve meals in a lunch program
of a school system.
“Cook III” means personnel employed to prepare and serve meals, make reports, prepare requisitions for supplies, order equipment and repairs for a lunch program of a school system.

“Food services supervisor” means qualified personnel not defined as professional personnel or professional educators as in section one, article one, of this chapter, employed to manage and supervise a county school system's food service or school lunch program. The duties would include preparing in-service training programs for cooks and food service employees, instructing personnel in the areas of quantity cooking with economy and efficiency, keeping aggregate records and reports.

“Bus operator” means personnel employed to operate school buses and other school transportation vehicles as provided by the state board of education.

“School bus supervisor” means qualified personnel employed to assist in selecting school bus operators and routing and scheduling of school buses, operate a bus when needed, relay instructions to bus operators, plan emergency routing of buses and promote good relationships with parents, pupils, bus operators and other employees.

On and after the first day of July, one thousand nine hundred seventy-five, the minimum monthly pay for each auxiliary or service employee whose employment is for a period of more than three and one-half hours a day shall be at least the amounts indicated in the following “State Minimum Pay Scale,” and the minimum monthly pay for each auxiliary or service employee whose employment is for a period of less than three and one-half hours a day shall be at least one-half the amount indicated in the following “State Minimum Pay Scale”:
## STATE MINIMUM PAY SCALE

**YEARS OF EMPLOYMENT**

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<th>PAY GRADE</th>
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<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
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<td>A. Monthly</td>
<td>350</td>
<td>360</td>
<td>370</td>
<td>380</td>
<td>390</td>
<td>400</td>
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<td>B. Monthly</td>
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<td>380</td>
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<tr>
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### CLASS TITLE

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<th>PAY GRADE</th>
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<tr>
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<td>Painter</td>
</tr>
<tr>
<td>C</td>
<td>Plumber I</td>
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<tr>
<td>D</td>
<td>Plumber II</td>
</tr>
<tr>
<td>E</td>
<td>Supervisor of Maintenance</td>
</tr>
<tr>
<td>F</td>
<td>Truck Driver</td>
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<tr>
<td>G</td>
<td>Watchman</td>
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<tr>
<td>H</td>
<td>Clerk I</td>
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<td>I</td>
<td>Clerk II</td>
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<tr>
<td>J</td>
<td>Secretary I</td>
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<td>K</td>
<td>Secretary II</td>
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<tr>
<td>L</td>
<td>Secretary III</td>
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<tr>
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<td>Cafeteria Manager</td>
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<tr>
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<td>Cook I</td>
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<tr>
<td>O</td>
<td>Cook II</td>
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<tr>
<td>P</td>
<td>Cook III</td>
</tr>
<tr>
<td>Q</td>
<td>Food Services Supervisor</td>
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<tr>
<td>R</td>
<td>Bus Operator</td>
</tr>
<tr>
<td>S</td>
<td>School Bus Supervisor</td>
</tr>
</tbody>
</table>
In addition to the compensation herein provided for auxiliary and service personnel, each auxiliary or service employee shall, notwithstanding any provision in this code to the contrary, be entitled to all auxiliary and service personnel employee rights, privileges and benefits provided under this or any other chapter of this code without regard to such employee’s hours of employment or the methods or sources of compensation.

Auxiliary and service personnel whose years of employment exceed the number of years shown and provided for under the state minimum pay scale herefore set forth shall not be paid less than the amount shown for the maximum years of employment shown and provided for in the classification in which he is employed.

The county board of education may establish salary schedules which shall be in excess of the state minimum fixed by this article, such county schedules to be uniform throughout the county with regard to any training classifications, experience, years of employment, responsibility, duties, pupil participation, pupil enrollment, size of buildings, operation of equipment or other requirements. Uniformity shall apply to any additional salary increments or compensation for all persons performing like assignments and duties within the county. In establishing such local salary schedules, no county, from the effective date of this article, shall reduce local funds allocated for auxiliary and service personnel salaries used for supplementing federal and state funds provided for such salaries.

The state board of education is hereby authorized to establish other class titles of auxiliary and service personnel positions and jobs not listed in this section. The state board of education is further authorized to provide appropriate pay grades for such positions and jobs but pay shall be established within the minimum salary scale of this section.

No person employed as an auxiliary or service employee by a county board during the school year ending
the thirtieth day of June, one thousand nine hundred seventy-five, shall have his annual salary reduced as a result of the enactment of this section. Any board failing to comply with the provisions of this article may be compelled to do so by mandamus. The provisions of this section shall become effective July one, one thousand nine hundred seventy-five.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Clarence E. Christo, J.
Chairman House Committee

Originated in the Senate.

In effect July 1, 1975.

E. Mahan
Clerk of the Senate

O.A. Blanchards
Clerk of the House of Delegates

D.C. Brown
President of the Senate

James F. B. Mann
Speaker House of Delegates

The within disappeared this the 24th day of March, 1975.

Andra B. Shank
Governor
PRESENTED TO THE
GOVERNOR

Date  3/18/75
Time  4:55 p.m.