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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1975**



**ENROLLED**

**SENATE BILL NO. 120**

(By Mr. *Willis and Mr. Gellinger*)



PASSED *March 8,* 1975

In Effect *ninety days from* Passage

120

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**ENROLLED**  
**Senate Bill No. 120**  
(By MR. WILLIS and MR. GILLIGAN)

[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-  
2 time employee of a county board of education shall be  
3 entitled annually to at least one and one-half days per-  
4 sonal leave for each employment month or major fraction  
5 thereof in the employee's employment term. Unused  
6 leave shall be accumulative without limitation and shall  
7 be transferable within the state. A change in job assign-  
8 ment during the school year shall in no way affect the  
9 employee's rights or benefits.

10 A regular full-time employee who is absent from as-  
11 signed duties due to accident, sickness, death in the  
12 immediate family, or other cause authorized or approved  
13 by the board, shall be paid his full salary from his regular  
14 budgeted salary appropriation during the period which  
15 he is absent, but not to exceed the total amount of leave  
16 to which he is entitled. Where the cause for leave had  
17 its origin prior to the beginning of the employment term,  
18 the employee shall be paid for time lost after the start

19 of the employment term. If an employee should use  
20 personal leave which he has not yet accumulated on a  
21 monthly basis and subsequently leave his employment,  
22 he shall be required to reimburse the board for the salary  
23 or wages paid to him for such unaccumulated leave.

24 The board may establish reasonable regulations for  
25 reporting and verification of absence for causes; and if  
26 any error in reporting absences should occur it shall have  
27 authority to make necessary salary adjustments in the  
28 next pay after the employee has returned to duty or in  
29 the final pay if the absence should occur during the last  
30 month of his employment term. When such allowable  
31 absence does not directly affect the instruction of the  
32 pupils or when a substitute employee may not be re-  
33 quired because of the nature of the work and the dura-  
34 tion of the cause for the allowable absence of the regular  
35 employee, the administration, subject to board approval,  
36 may use its discretion as to the need for a substitute  
37 where limited absence may prevail. Any board of educa-  
38 tion shall have authority to supplement such leave pro-  
39 visions in any manner it may deem advisable.

40 If funds in any fiscal year, including transfers, are  
41 insufficient to pay the full cost of substitutes for meeting  
42 the provisions of this section, the remainder shall be paid  
43 on or before the thirty-first day of August from the budget  
44 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

Clarence C. Christensen Jr.  
Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

J. J. McElroy  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

W. B. Burton Jr.  
President of the Senate

Lewis F. H. Thomas  
Speaker House of Delegates

The within approved this the 22<sup>nd</sup>  
day of March, 1975.

Arthur A. Shaffer Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

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