

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-10-80

Time 2:00 p.m.

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1980**



**ENROLLED**

**SENATE BILL NO. 90**

(By Mr. Hamilton, Mr. Nelson et al.)



PASSED March 3, 1980

In Effect ninety days from Passage



*70: 90*

# ENROLLED

## Senate Bill No. 90

(By MR. HAMILTON, MR. NELSON, MR. SUSMAN and MR. MCGRAW)

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[Passed March 3, 1980; in effect ninety days from passage.]

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AN ACT to amend article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen, providing duty-free lunch periods for teachers, and permitting teachers to waive such right under certain conditions.

*Be it enacted by the Legislature of West Virginia:*

That article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fourteen, to read as follows:

**ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.**

**§18A-4-14. Duty-free lunch period for teachers.**

1 (1) Notwithstanding the provisions of section seven,  
2 article two of this chapter, every public schoolteacher  
3 shall be provided a daily lunch recess of not less than  
4 thirty consecutive minutes, and no teacher shall be as-  
5 signed any responsibilities during this recess.

6 (2) Nothing in this section shall be construed to prevent  
7 any teacher from exchanging his right to a lunch recess  
8 for any compensation or benefit mutually agreed upon by  
9 that teacher and the county superintendent of schools  
10 or his agent: *Provided*, That the parties may not agree to  
11 terms which are different from those available to any  
12 other teacher within the individual school or in any way  
13 discriminate among teachers within the individual school.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*James L. Davis*  
Chairman Senate Committee

*James C. Christman*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Todd C. Welkie*  
Clerk of the Senate

*Blankenship*  
Clerk of the House of Delegates

*H. J. Brubaker*  
President of the Senate

*Clayton M. Lee*  
Speaker House of Delegates

The within *is approved* this the *10*  
day of *March*, 1980

*John D. Ralston*  
Governor



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GOV. OF STATE