

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time \_\_\_\_\_

No: 758

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981



# ENROLLED

HOUSE BILL No. 758

(By Mr. Stephens)



Passed April 11, 1981

In Effect Ninety Days From Passage



**ENROLLED**

**H. B. 758**

(By MR. STEPHENS)

[Passed April 11, 1981; in effect ninety days from passage.]

AN ACT to amend article fourteen, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section seventeen-b, relating to providing for sick leave for deputy sheriffs; accumulation thereof; emergency sick leave.

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

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

**ARTICLE 14. CIVIL SERVICE FOR DEPUTY SHERIFFS.**

**§7-14-17b. Sick leave for deputy sheriffs.**

1 (a) The county commission of each county shall allow the  
2 sheriff's deputies sick leave with pay to be computed as follows:  
3 Full-time deputies shall be entitled to one and one-half days  
4 sick leave for each calendar month worked, or greater part  
5 thereof; part-time deputies shall be entitled to sick leave at the  
6 same rate and in the same proportion that hours actually work-  
7 ed bears to hours regularly scheduled for full-time deputies.

8 (b) Sick leave shall be granted only when illness on the  
9 part of or injury to the deputy incapacitates him for duty:  
10 *Provided*, That the sheriff of the county in which the deputy  
11 is employed shall have the authority to require the deputy to  
12 produce a statement from an attending physician for each

13 day of sick leave beyond two days. This statement shall  
14 include dates of treatment and also state that the deputy was  
15 unable to work. In the absence of the required physician's  
16 statement, annual leave shall be charged for the entire  
17 period.

18 (c) Deputies with fifteen or more years of service may ac-  
19 cumulate not more than ninety sick leave days. Deputies  
20 with more than ten but less than fifteen years of service may  
21 accumulate not more than eighty sick leave days. Deputies  
22 with more than five but less than ten years of service may  
23 accumulate not more than seventy sick leave days. Deputies  
24 with not more than five years' service may accumulate not  
25 more than sixty sick leave days. The accumulation of sick  
26 leave pursuant to this subsection shall begin as of the effective  
27 date of this act.

28 (d) In the event of illness, a full-time deputy may take  
29 emergency sick leave without pay after all accrued sick leave,  
30 annual leave and compensatory time available to such full-  
31 time deputy has been exhausted: *Provided*, That the total  
32 number of days of sick leave and emergency sick leave used  
33 during such illness shall not exceed the total number of days  
34 of sick leave which may be accumulated under the provisions  
35 of subsection (c) of this section by any full-time deputy with  
36 the same number of years of service.

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

*R. P. Bayler*  
-----  
Chairman Senate Committee

*Tommy E. Whitlow*  
-----  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

*Todd C. Wilks*  
-----  
Clerk of the Senate

*V. Blankenship*  
-----  
Clerk of the House of Delegates

*Warren E. Hearnes*  
-----  
President of the Senate

*George H. Lee, Jr.*  
-----  
Speaker House of Delegates

The within *is approved* this the *29*  
day of *April*, 1981.

*Paul D. Abney*  
-----  
Governor

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