WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1984

ENROLLED
Committee Substitute for
SENATE BILL NO. 131

(By Mr. [Signature])

PASSED March 16, 1984
In Effect July 1, 1984
ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 131

(MR. McGRAW, MR. PRESIDENT, MR. HOLLIDAY, MR. NELSON, MR. STACY, MR. BOETTNER, MR. HECK, MR. DAVIS, MR. KAUFMAN, MR. CHERNENKO, MR. WHITACRE, MR. ASH, MR. TOMBLIN, MS. CHACE, MR. PARKER, MRS. SPEARS, MR. TONKOVICH, MS. LUCHT and MR. WRIGHT, original sponsors)

[Passed March 10, 1984; to take effect July 1, 1984.]

AN ACT to repeal section ten-a, article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend and reenact sections two and twenty-two of said article nine-a; to amend and reenact sections two, three, five, eight and eight-a, article four, chapter eighteen-a of said code; and to further amend article four of said chapter eighteen-a by adding thereto three new sections, designated sections five-a, five-b and five-c, all relating to increasing the minimum salary schedule for teachers and school service personnel; increasing the salary increment for principals; providing a salary increment for assistant principals; providing a state salary increment for teachers and school service personnel, subject to available state appropriations and certain other conditions, to assist in salary equity among the counties; requiring certain
surplus revenues to be expended therefor; authorizing counties to continue salary supplements with certain limitations and exceptions thereto; authorizing counties to provide benefits to school personnel with certain limitations to assist in benefit equity among the counties; providing for aides in special education programs; creating an "Aide IV" class title for school service personnel with a corresponding pay grade; excluding salary equity appropriations in the calculation of "basic resources per pupil"; providing for high quality educational standards; adding a recognition status of substantial approval; deleting the penalty clause for counties on nonapproval status for two years in succession; and repealing an obsolete code provision.

Be it enacted by the Legislature of West Virginia:

That section ten-a, article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; that sections two and twenty-two of said article nine-a be amended and reenacted; that sections two, three, five, eight and eight-a, article four, chapter eighteen-a of said code be amended and reenacted; and that article four of said chapter eighteen-a be further amended by adding thereto three new sections, designated sections five-a, five-b and five-c, all to read as follows:

CHAPTER 18. EDUCATION.

ARTICLE 9A. PUBLIC SCHOOL SUPPORT.


For the purpose of this article:

"State board" means the West Virginia board of education.

"County board" or "board" means a county board of education.

"Professional salaries" means the state legally mandated salaries of the professional educators as provided in article four, chapter eighteen-a of this code.

"Professional educator" shall be synonymous with and shall have the same meaning as "teacher" as defined in section one, article one, chapter eighteen of this code.

"Professional instructional personnel" means a professional educator whose regular duty is as that of a
classroom teacher, librarian or counselor. A professional educator having both instructional and administrative or other duties shall be included as professional instructional personnel for that ratio of the school day for which he is assigned and serves on a regular full-time basis in appropriate instruction, library or counseling duties.

"Service personnel salaries" shall mean the state legally mandated salaries for service personnel as provided in section eight-a, article four, chapter eighteen-a of the code. "Service personnel" shall mean all personnel as provided for in section eight, article four, chapter eighteen-a of this code. For the purpose of computations under this article of ratios of service personnel to adjusted enrollment, a service employee shall be counted as that number found by dividing his number of employment days in a fiscal year by two hundred: Provided, That the computation for any such person employed for three and one-half hours or less per day as provided in section eight-a, article four, chapter eighteen-a of this code, shall be calculated as one half an employment day.

"Net enrollment" means the number of pupils enrolled in special education programs, kindergarten programs and grades one to twelve, inclusive, of the public schools of the county.

"Adjusted enrollment" means the net enrollment plus twice the number of pupils enrolled for special education, all adjusted to the equivalent of the instructional term and in accordance with such eligibility requirements and regulations as established by the state board, but no pupil shall be counted more than once by reason of transfer within the county or from another county within the state, and no pupil shall be counted who attends school in this state from another state.

"Levies for general current expense purposes" means on each hundred dollars of valuation, twenty-two and five-tenths cents on Class I property, forty-five cents on Class II property and ninety cents on Classes III and IV property. "Basic resources per pupil" for the state and the several counties means the total of (a) property tax revenues computed at the maximum regular levy rates as provided by section six-c, article eight, chapter eleven of this code, at a uniform rate of ninety-five percent, but excluding revenues
from increased levies as provided in section ten, article X of the Constitution of West Virginia, and (b) basic state aid as provided in sections twelve and thirteen of this article, but excluding the foundation allowance to improve instructional programs as provided in section ten of this article, and excluding any funds appropriated for the purpose of achieving salary equity among county board employees, this total divided by the number of students in adjusted enrollment: Provided, however, That any year's allocations to the counties of the eighty percent portion of the foundation allowance to improve instructional programs, as provided in section ten of this article, shall be determined on the basis of the immediately preceding school year's basic resources per pupil.


The purpose of this section is to declare the intent of the Legislature to provide a thorough and efficient system of education for West Virginia public school students. High quality educational standards shall be provided all public school students on an equal educational opportunity basis. A system for the review of county educational plans and the on-site reviews of county educational programs shall provide assurances that the high quality standards, established pursuant to this section, are being met.

On or before January one, one thousand nine hundred eighty-five, the state board of education shall establish and adopt high quality educational standards and shall provide each county board of education a copy thereof.

On or before July one, one thousand nine hundred eighty-five, and each July one thereafter, each county board of education shall file an annual specific program plan with the state department of education. The program plan shall, at a minimum, meet the statewide high quality educational standards as established by the state board of education.

The purpose of the program plan is to allow county boards of education flexibility in developing school improvement programs structured around locally identified needs, but in compliance with the high quality standards adopted by the state board of education. High quality standards must be met in curriculum, finance, transportation, special education, facilities, textbooks,
personnel qualifications and other such areas as
determined by the state board of education.

The state department of education shall review the plans
annually and conduct an on-site review of each county's
educational program every fourth year. The state board of
education shall have authority to issue four types of
recognition status: (1) Full approval, (2) substantial
approval, (3) probationary, and (4) nonapproval.

Full approval status may be granted to a county board of
education whose educational program has undergone an
on-site evaluation by representatives of the state
department of education and has met the high quality
standards adopted by the state board of education. Full
approval status shall be for a period not to exceed four
years.

Substantial approval status may be granted to a county board of
education whose educational program has
satisfied all conditions identified under full approval
status, with exception of an on-site review, or all conditions
identified under full approval have been satisfied except
that one or more of the high quality standards have not been
met but will be attained within one year, as described in an
acceptable plan of action.

Probationary status is given to a county board of
education whose educational program has not met the high
quality standards. Probationary status is a warning that the
county board of education must make specified
improvements. If progress is not made toward meeting the
high quality standards during the succeeding year, the
county board of education is automatically placed on
nonapproval status.

Nonapproval status is given to a county board of
education which fails to submit an annual program plan,
fails to give evidence of meeting the high quality standards
or has not demonstrated a reasonable effort to meet such
standards.
CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.

§18A-4-2. State minimum salaries for teachers.

STATE MINIMUM SALARY SCHEDULE

<table>
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<th>(1) Years Exp.</th>
<th>(2) 4th Class</th>
<th>(3) 3rd Class</th>
<th>(4) 2nd Class</th>
<th>(5) A.B.</th>
<th>(6) +15</th>
<th>(7) M.A.</th>
<th>(8) +15</th>
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On and after the first day of July, one thousand nine hundred eighty-four, each teacher shall receive the amount prescribed in the "state minimum salary schedule" as set forth in this section, specific additional amounts prescribed in this article, and any county supplement in effect in a county pursuant to section five-a of this article during the contract year.

§18A-4-3. State minimum annual salary increments for principals and assistant principals.

In addition to any salary increments for principals and assistant principals in effect on the first day of January, one thousand nine hundred eighty-four, and paid from local funds, and in addition to the county schedule in effect for teachers, the county board shall pay each principal a principal's salary increment and each assistant principal an assistant principal's salary increment as prescribed by this section commencing on the first day of July, one thousand nine hundred eighty-four, from state funds appropriated therefor.

State funds for this purpose shall be paid within the West Virginia public school support plan in accordance with article nine-a, chapter eighteen of this code.

The salary increment herein for each principal shall be determined by multiplying the basic salary for teachers in accordance with the classification of certification and of training of said principal as prescribed in this article, by the appropriate percentage rate prescribed herein according to the number of teachers supervised. The salary increment herein for each assistant principal shall be determined in the same manner as that for principals, utilizing the number of teachers supervised by the principal under whose direction the assistant principal works, except that the percentage rate shall be fifty percent of the rate prescribed for said principal.

STATE MINIMUM SALARY INCREMENT RATES FOR PRINCIPALS AND ASSISTANT PRINCIPALS

<table>
<thead>
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<th>No. of Teachers</th>
<th>Rates</th>
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<tr>
<td>Supervised</td>
<td></td>
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<tr>
<td>1-5</td>
<td>2%</td>
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<tr>
<td>6-20</td>
<td>3%</td>
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<tr>
<td>21-35</td>
<td>4%</td>
</tr>
<tr>
<td>36 and up</td>
<td>5%</td>
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Salaries for employment beyond the minimum employment term shall be at the same daily rate as the salaries for the minimum employment term. For the purpose of determining the number of teachers supervised by a principal, the county board shall use data for the second school month of the prior school term and the number of teachers shall be interpreted to mean the total number of professional educators assigned to each school on a full-time equivalency basis: Provided, That due to a change in circumstances because of consolidation or catastrophe, the county board of education shall determine what is a reasonable number of supervised teachers in order to establish the appropriate increment percentage rate.

No county shall reduce local funds allocated for salary increments for principals and assistant principals in effect on the first day of January, one thousand nine hundred eighty-four, and used in supplementing the state minimum salaries as provided for in this article, unless forced to do so by defeat of a special levy, or a loss in assessed values or event over which it has no control and for which the county board has received approval from the state board prior to making such reduction.

Nothing herein shall prevent a county board from providing, in a uniform manner, salary increments greater than those required by this section.

§18A-4-5. Salary equity among the counties; state salary supplement.

To assist the state in meeting its objective of salary equity among the counties, on and after the first day of July, one thousand nine hundred eighty-four, subject to available state appropriations and the conditions set forth herein, each teacher and school service personnel shall receive a supplemental amount in addition to the amount from the state minimum salary schedules provided for in this article. State funds for this purpose shall be paid within the West Virginia public school support plan in accordance with article nine-a, chapter eighteen of this code. The amount allocated for salary equity shall be apportioned between teachers and school service personnel in direct proportion to that amount necessary to support the professional salaries and service personnel salaries statewide under
sections four and five, article nine-a, chapter eighteen of
this code: Provided, That in making such division an
adequate amount of state equity funds shall be reserved to
finance the appropriate foundation allowances and staffing
incentives provided for in said article nine-a.

Pursuant to this section, each teacher and school service
personnel shall receive the amount that is the difference
between their authorized state minimum salary and ninety-
five percent of the maximum salary schedules prescribed in
sections five-a and five-b of this article, reduced by any
amount provided by the county as a salary supplement for
teachers and school service personnel on the first day of
January of the fiscal year immediately preceding that in
which the salary equity appropriation is distributed:
Provided, That such amount may be reduced
proportionately based upon the amount of funds
appropriated for this purpose.

No county may reduce any salary supplement that was in
effect on the first day of January, one thousand nine
hundred eighty-four, except as permitted by sections five-a
and five-b of this article.

§18A-4-5a. County salary supplements for teachers.

County boards of education in fixing the salaries of
teachers shall use at least the state minimum salaries
established under the provisions of this article. The board
may establish salary schedules which shall be in excess of
the state minimums fixed by this article, such county
schedules to be uniform throughout the county as to the
above stipulated training classifications, experience,
responsibility and other requirements, except that no such
county schedule may exceed one hundred two and one-half
percent of a schedule which incorporates the state
minimum salary for teachers in effect on the first day of
July, one thousand nine hundred eighty-four, and adopts a
supplement which equals the highest supplement provided
by a county on the first day of January, one thousand nine
hundred eighty-four, so as to assist the state in meeting its
objective of salary equity among the counties: Provided,
That all teachers in the state shall be entitled to any
increases in the minimum salary schedules established
under the provisions of this article, and when a county
20 schedule changes due to said increase in the state minimum
21 salary taking effect after the first day of July, one thousand
22 nine hundred eighty-four, it shall not be deemed to exceed
23 the maximum salary schedule prescribed herein.
24 Counties may fix higher salaries for teachers placed in
25 special instructional assignments, for those assigned to or
26 employed for duties other than regular instructional duties
27 and for teachers of one-teacher schools, and they may
28 provide additional compensation for any teacher assigned
29 duties in addition to his regular instructional duties
30 wherein such noninstructional duties are not a part of the
31 scheduled hours of the regular school day. Uniformity also
32 shall apply to such additional salary increments or
33 compensation for all persons performing like assignments
34 and duties within the county: Provided, That in
35 establishing such local salary schedules, no county shall
36 reduce local funds allocated for salaries in effect on the first
37 day of January, one thousand nine hundred and eighty-
38 four, and used in supplementing the state minimum salaries
39 as provided for in this article, unless forced to do so by
40 defeat of a special levy, or a loss in assessed values, or events
41 over which it has no control and for which the county board
42 has received approval from the state board prior to making
43 such reduction.
44 Counties may provide, in a uniform manner, benefits for
45 teachers which require an appropriation from local funds
46 including, but not limited to dental, optical, health and
47 income protection insurance, vacation time and retirement
48 plans excluding the state teachers retirement system:
49 Provided, That no county may expend per teacher an
50 amount which exceeds one hundred twelve percent of the
51 amount expended by the county having the highest
52 expenditure per teacher on January one, one thousand nine
53 hundred eighty-four, unless such excessive amount is
54 approved by the state board of education to allow for an
55 inflation factor to maintain or obtain a comparable benefit
56 or a higher per unit rate among smaller groups. The state
57 board shall determine what benefits are authorized by this
58 section and whether any county's expenditure per teacher
59 exceeds the maximum prescribed by this section, so as to
60 assist the state in meeting its objective of benefit equity
61 among the counties. Nothing herein shall prohibit the
maintenance nor result in the reduction of any benefits in effect on January one, one thousand nine hundred eighty-four, by any county board of education.

To further assist the state in meeting such objective, each county board of education shall provide to the state board of education on or before the first day of November, one thousand nine hundred eighty-four, such information as the state board directs to assist the state superintendent of schools in preparing a report to be submitted to the Legislature on the first day of the regular session thereof in the year one thousand nine hundred eighty-five. Such report shall include findings, conclusions, and recommendations with respect to benefits provided and meeting the objective of benefit equity among the counties.

§18-4-5b. County salary supplements for school service personnel.

The county board of education may establish salary schedules which shall be in excess of the state minimums fixed by this article, except that no such schedule may exceed one hundred two and one-half percent of a schedule which incorporates the state minimum salary for school service personnel in effect on the first day of July, one thousand nine hundred eighty-four, and adopts a monthly supplement of two hundred and five dollars for zero years of experience for all pay grades and which increases said monthly supplement by two dollars for each year of experience codified for school service personnel in this article, so as to assist the state in meeting its objective of salary equity among the counties: Provided, That all service personnel in the state shall be entitled to any increase in the minimum salary for school service personnel established under the provisions of this article, and when a county schedule changes due to said increase in the state minimum salary taking effect after the first day of July, one thousand nine hundred eighty-four, it shall not be deemed to exceed the maximum salary schedule prescribed herein. Any county supplement for any position which, on the first day of January, one thousand nine hundred eighty-four, extends the schedule beyond the maximum prescribed herein for such position shall be exempt from the maximums stated herein, subject to the approval of the
state board, but no such supplement shall be increased beyond the amount received on the first day of January, one thousand nine hundred eighty-four. 

These county schedules shall be uniform throughout the county with regard to any training classification, experience, years of employment, responsibility, duties, pupil participation, pupil enrollment, size of buildings, operation of equipment or other requirements. Further, uniformity shall apply to all salaries, rates of pay, benefits, increments or compensation for all persons regularly employed and performing like assignments and duties within the county: Provided, That in establishing such local salary schedules, no county shall reduce local funds allocated for salaries in effect on the first day of January, one thousand nine hundred eighty-four, and used in supplementing the state minimum salaries as provided for in this article, unless forced to do so by defeat of a special levy, or a loss in assessed values, or events over which it has no control and for which the county board has received approval from the state board prior to making such reduction.

Counties may provide, in a uniform manner, benefits for service personnel which require an appropriation from local funds including, but not limited to dental, optical, health and income protection insurance, vacation time and retirement plans excluding the state teachers retirement system: Provided, That no county may expend per school service personnel an amount which exceeds one hundred twelve percent of the amount expended by the county having the highest expenditure per service personnel on January one, one thousand nine hundred eighty-four, unless such excessive amount is approved by the state board of education to allow for an inflation factor to maintain or obtain a comparable benefit or a higher per unit rate among smaller groups. The state board shall determine what benefits are authorized by this section and whether any county's expenditure per service personnel exceeds the maximum prescribed by this section, so as to assist the state in meeting its objective of benefit equity among the counties. Nothing herein shall prohibit the maintenance nor result in the reduction of any benefits in effect on January one, one thousand nine hundred eighty-four, by any county board of education.
To further assist the state in meeting such objective, each county board of education shall provide to the state board of education on or before the first day of November, one thousand nine hundred eighty-four, such information as the state board directs to assist the state superintendent of schools in preparing a report to be submitted to the Legislature on the first day of the regular session thereof in the year one thousand nine hundred eighty-five. Such report shall include findings, conclusions and recommendations with respect to benefits provided and meeting the objective of benefit equity among the counties.

§18A-4-5c. Equity appropriation from surplus revenues.

The first twenty-nine million dollars of surplus funds from the state fund, general revenue, that have accrued as of the thirtieth day of June, one thousand nine hundred eighty-four, shall be appropriated and shall be expended during fiscal year one thousand nine hundred eighty-four—eighty-five in accordance with section five of this article, subject to the terms and conditions set forth in this section and in said section five.

In the event that the surplus revenues as of the thirtieth day of June, one thousand nine hundred eighty-four, are not sufficient to meet all of the appropriation mandated by this section, then the appropriation shall be available only to the extent of the total actual surplus accrued as of said date.

§18A-4-8. Employment term and class titles of service personnel; definitions.

The purpose of this section is to establish an employment term and class titles for service personnel. The employment term for 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 these personnel for a longer term. The beginning and closing dates of the ten-month term shall not exceed forty-three weeks. 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.

Service personnel employed in the same classification for
more than the two hundred day minimum employment term
shall be paid for additional employment at a daily rate of
not less than the daily rate paid for the two hundred day
minimum employment term.

No service employee, without his agreement, shall be
required to report for work more than five days per week
and no part of any working day may be accumulated by the
employer for future work assignments, unless the employee
agrees thereto.

Should an employee whose regular work week is
scheduled from Monday through Friday agree to perform
any work assignments on a Saturday or Sunday, the
employee shall be paid for at least one-half day of work for
each such day he reports for work, and if the employee
works more than three and one-half hours on any Saturday
or Sunday, he shall be paid for at least a full day of work for
each such day.

Custodians required to work a daily work schedule that is
interrupted, that is, who do not work a continuous period in
one day, shall be paid additional compensation which shall
be equal to at least one eighth of their total salary as
provided by their state minimum salary and any county pay
supplement, and payable entirely from county funds.

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 in section eight-a of this article are
defined as follows:

"Pay grade" means the monthly salary applicable to class
titles of service personnel.
"Years of employment" means the number of years which an employee classified as 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 section eight-a of this article, years of employment shall be limited to the number of years shown and allowed under the state minimum pay scale as set forth in section eight-a of this article.

"Class title" means the name of the position or job held by service personnel.

"Accountant I" means personnel employed to maintain payroll records and reports and perform one or more operations relating to a phase of the total payroll.

"Accountant II" means personnel employed to maintain accounting records and to be responsible for the accounting process associated with billing, budgets, purchasing and related operations.

"Accountant III" means personnel who are employed in the county board of education office to manage and supervise accounts payable and/or payroll procedures.

"Aide I" means those personnel selected and trained for teacher-aid classifications such as monitor aide, clerical aide, classroom aide or general aide.

"Aide II" means those personnel referred to in the "Aide I" classification who have completed a training program approved by the state board of education, or who hold a high school diploma or have received a general educational development certificate. Only personnel classified in an Aide II class title shall be employed as an aide in any special education program.

"Aide III" means those personnel referred to in the "Aide I" classification who hold a high school diploma or a general educational development certificate and have completed six semester hours of college credit at an institution of higher education or are employed as an aide in a special education program and have one year's experience as an aide in special education.

"Aide IV" means personnel referred to in the "Aide I" classification who hold a high school diploma or a general educational development certificate and who have
completed eighteen hours of state board-approved college credit at a regionally accredited institution of higher education, or who have completed fifteen hours of state board-approved college credit at a regionally accredited institution of higher education and successfully completed an inservice training program determined by the state board to be the equivalent of three hours of college credit.

"Audiovisual technician" means personnel employed to perform minor maintenance on audiovisual equipment, films, supplies and the filling of requests for equipment.

"Auditor" means personnel employed to examine and verify accounts of individual schools and to assist schools and school personnel in maintaining complete and accurate records of their accounts.

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

"Buyer" means personnel employed to review and write specifications, negotiate purchase bids and recommend purchase agreements for materials and services that meet predetermined specifications at the lowest available costs.

"Cabinetmaker" means personnel employed to construct cabinets, tables, bookcases and other furniture.

"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 sanitation, preparing financial reports and keeping records pertinent to food services of a school.

"Carpenter I" means personnel classified as a carpenter's helper.

"Carpenter II" means personnel classified as a journeyman carpenter.

"Chief mechanic" means personnel employed to be responsible for directing activities which ensure that student transportation or other board-owned vehicles are properly and safely maintained.

"Clerk I" means personnel employed to perform clerical tasks.

"Clerk II" means personnel employed to perform general clerical tasks, prepare reports and tabulations and operate office machines.
"Computer operator" means qualified personnel employed to operate computers.

"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 food service program of a school and shall include personnel who have been employed as a "Cook I" for a period of four years, if such personnel have not been elevated to this classification within that period of time.

"Cook III" means personnel employed to prepare and serve meals, make reports, prepare requisitions for supplies, order equipment and repairs for a food service program of a school system.

"Crew leader" means personnel employed to organize the work for a crew of maintenance employees to carry out assigned projects.

"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.

"Director or coordinator of services" means personnel not defined as professional personnel or professional educators in section one, article one of this chapter, who are assigned to direct a department or division.

"Draftsman" means personnel employed to plan, design and produce detailed architectural/engineering drawings.

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

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

"Electronic technician I" means personnel employed at the apprentice level to repair and maintain electronic equipment.
"Electronic technician II" means personnel employed at the journeyman level to repair and maintain electronic equipment.

"Executive secretary" means personnel employed as the county school superintendent's secretary or as a secretary who is assigned to a position characterized by significant administrative duties.

"Foods 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 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, and keeping aggregate records and reports.

"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.

"Glazier" means personnel employed to replace glass or other materials in windows and doors and to do minor carpentry tasks.

"Graphic artist" means personnel employed to prepare graphic illustrations.

"Groundsman" 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.

"Heating and air conditioning mechanic I" means personnel employed at the apprentice level to install, repair and maintain heating and air conditioning plants and related electrical equipment.

"Heating and air conditioning mechanic II" means personnel employed at the journeyman level to install,
repair and maintain heating and air conditioning plants
and related electrical equipment.
"Heavy equipment operator" means personnel employed
to operate heavy equipment.
"Inventory supervisor" means personnel who are
employed to supervise or maintain operations in the receipt,
storage, inventory and issuance of materials and supplies.
"Key punch operator" means qualified personnel
employed to operate key punch machines or verifying
machines.
"Locksmith" means personnel employed to repair and
maintain locks and safes.
"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 a lathe,
planer, shaper, threading machine and wheel press. Such
personnel should also have ability to work from blueprints
and drawings.
"Mail clerk" means personnel employed to receive, sort,
dispatch, deliver or otherwise handle letters, parcels and
other mail.
"Maintenance clerk" means personnel employed to
maintain and control a stocking facility to keep adequate
tools and supplies on hand for daily withdrawal for all
school maintenance crafts.
"Mason" means personnel employed to perform tasks
connected with brick and block laying and carpentry tasks
related to such laying.
"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. 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 a journeyman plumber.

"Printing operator" means personnel employed to operate duplication equipment, and as required to cut, collate, staple, bind and shelve materials.

"Printing supervisor" means personnel employed to supervise the operation of a print shop.

"Programmer" means personnel employed to design and prepare programs for computer operation.

"Roofing/sheet metal mechanic" means personnel employed to install, repair, fabricate and maintain roofs, gutters, flashing and duct work for heating and ventilation.

"Sanitation plant operator" means personnel employed to operate and maintain a water or sewage treatment plant to ensure the safety of the plant's effluent for human consumption or environmental protection.

"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 promoting good relationships with parents, pupils, bus operators and other employees.

"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 in any elementary, secondary, kindergarten, nursery, special education, vocational or any other school as a secretary. The duties may include performing general clerical tasks, transcribing from notes or stenotype or mechanical equipment or a sound-producing machine, preparing reports, receiving callers and referring them to proper
persons, operating office machines, keeping records and handling routine correspondence. There is nothing implied herein that would prevent such employees from holding or being elevated to a higher classification.

"Secretary III" means personnel assigned to the county board of education office administrators in charge of various instructional, maintenance, transportation, food services, operations and health departments, federal programs or departments with particular responsibilities of purchasing and financial control or any personnel who have served in a position which meets the definition of "secretary II" herein for twelve continuous years.

"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 subordinates relating to cleaning, repairs and maintenance of all structures, mechanical and electrical equipment of a board of education.

"Supervisor of transportation" means qualified personnel employed to direct school transportation activities, properly and safely, and to supervise the maintenance and repair of vehicles, buses and other mechanical and mobile equipment used by the county school system.

"Switchboard operator-receptionist" means personnel employed to refer incoming calls, to assume contact with the public, to direct and to give instructions as necessary, to operate switchboard equipment and to provide clerical assistance.

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

"Warehouse clerk" means personnel employed to be responsible for receiving, storing, packing and shipping goods.

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

"Welder" means personnel employed to provide acetylene or electrical welding services for a school system.
In addition to the compensation provided for in section eight-a of this article, for service personnel, each service employee shall, notwithstanding any provisions in this code to the contrary, be entitled to all 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.

Service personnel whose years of employment exceed the number of years shown and provided for under the state minimum pay scale set forth in section eight-a of this article, may 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 boards shall review each service personnel employee job classification annually and shall reclassify all service employees as required by such job classifications. The state superintendent of schools is hereby authorized to withhold state funds appropriated pursuant to this article for salaries for service personnel who are improperly classified by such county boards. Further, he shall order county boards to correct immediately any improper classification matter and with the assistance of the attorney general shall take any legal action necessary against any county board to enforce such order.

The state board of education is authorized to establish other class titles of 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 in section eight-a of this article.

No service employee, without his written consent, may be reclassified by class title, nor may a service employee, without his written consent, be relegated to any condition of employment which would result in a reduction of his salary, rate of pay, compensation or benefits earned during the current fiscal year or which would result in a reduction of his salary, rate of pay, compensation or benefits for which he would qualify by continuing in the same job position and classification held during said fiscal year and subsequent years.

Any board failing to comply with the provisions of this
article may be compelled to do so by mandamus, and shall be liable to any party prevailing against the board for court costs and his reasonable attorney fee, as determined and established by the court.

§18A-4-8a. Service personnel minimum monthly salaries.

STATE MINIMUM PAY SCALE PAY GRADE

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<th>C</th>
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CLASS TITLE PAY GRADE

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23 Accountant II .................................... E
24 Accountant III .................................. F
25 Aide I ............................................. A
26 Aide II ........................................... B
27 Aide III .......................................... C
28 Aide IV ........................................... D
29 Audiovisual Technician ................................ C
30 Auditor ........................................... G
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</tr>
<tr>
<td>Printing Supervisor</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Programmer</td>
<td>H</td>
<td></td>
</tr>
<tr>
<td>Roofing/Sheet Metal Mechanic</td>
<td>F</td>
<td></td>
</tr>
<tr>
<td>Sanitation Plant Operator</td>
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<td></td>
</tr>
<tr>
<td>School Bus Supervisor</td>
<td>E</td>
<td></td>
</tr>
<tr>
<td>Secretary I</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Secretary II</td>
<td>E</td>
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<tr>
<td>Secretary III</td>
<td>F</td>
<td></td>
</tr>
<tr>
<td>Supervisor of Maintenance</td>
<td>H</td>
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</tr>
<tr>
<td>Supervisor of Transportation</td>
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</tr>
<tr>
<td>Switchboard Operator-Receptionist</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Truck Driver</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Warehouse Clerk</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Watchman</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Welder</td>
<td>F</td>
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</tr>
</tbody>
</table>

On and after the first day of July, one thousand nine hundred eighty-four, the minimum monthly pay for each 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 “state minimum pay scale” as set forth in this section, and the minimum monthly pay for each service employee whose employment is for a period of three and one-half hours or less a day shall be at least one half the amount indicated in the “state minimum pay scale” set forth in this section.

Any service employee required to work on any legal school holiday shall be paid at a rate one and one-half times his usual hourly rate.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Donald Anello
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1984.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ............... this the ....... day of ............... 1984.

Governor