WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

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ENROLLED

HOUSE BILL No. 1252

(By Rep. Murenisko & Del. C. Martin)

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Passed March 8, 1986

In Effect July 1, 1986
ENROLLED

H. B. 1252

(By Delegate Murensky and Delegate E. Martin)

[Passed March 8, 1986; in effect July 1, 1986.]

AN ACT to amend and reenact sections one and two, article five, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to granting state employees incremental salary increases up to a specified maximum amount, definitions specifically providing for magistrate court clerks, deputy clerks and magistrate assistants to be eligible for the incremental salary increases even though their maximum compensation is set by statute and providing for such incremental salary increases to be in addition to otherwise maximum statutorily set compensation and definitions providing for any part-year of employee service to be dropped in arriving at full-years of total service only after final total is computed, where an employee has worked for more than one state employer; and requiring incremental salary increases to be payable prorata as a part of and within each of the state employee's respective pay periods throughout the year and after rendition of services.

Be it enacted by the Legislature of West Virginia:

That sections one and two, article five, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.

§5-5-1. Definitions.
For the purposes of this article: (1) "Eligible employee" means any regular full-time employee of the state or any spending unit thereof who is eligible for membership in any state retirement system of the state of West Virginia or other retirement plan authorized by the state: Provided, That the mandatory salary increase required by this article shall not apply to any faculty employee at public institutions of higher learning or any employee of the state whose compensation is fixed by statute or by statutory schedule, (except that the clerks, deputy clerks and magistrate assistants of magistrate courts shall be eligible for the incremental salary increases provided in this article and with such increases to be allowable in addition to the maximum salaries and compensation for such employee offices under the magistrate court system statutes of article one, chapter fifty of the code), nor shall this article be construed to mandate an increase in the salary of any elected or appointed officer of the state; (2) "years of service" means full years of totaled service as an employee of the state of West Virginia; (3) "spending unit" means any state office, department, agency, board, commission, institution, bureau or other designated body authorized to hire employees.

§5-5-2. Granting incremental salary increases based on years of service and making same payable as part of respective pay periods.

Effective for the fiscal year beginning the first day of July, one thousand nine hundred eighty-five, every eligible employee with three or more years of service shall receive an annual salary increase equal to thirty-six dollars times the employees' years of service, not to exceed twenty years of service. In each fiscal year thereafter and on the first day thereof, each such employee shall receive an annual increment increase of thirty-six dollars for such fiscal year: Provided, That every employee becoming newly eligible as a result of meeting the three years of service minimum requirement on the first day of July in any fiscal year subsequent to one thousand nine hundred eighty-five, shall be entitled to the annual salary increase equal to
the aforesaid thirty-six dollars times the employee's years of service, where he has not theretofore received the benefit of any such increment computation; and shall receive a single annual increment increase thereafter of thirty-six dollars for each such subsequent fiscal year up to the maximum of twenty years of service. These incremental increases shall be in addition to any across-the-board, cost-of-living or percentage salary increases which may be granted in any fiscal year by the Legislature, and shall be payable throughout the year prorata as a part of each of the state employee's respective pay periods. This article shall not be construed to prohibit other pay increases based on merit, seniority, promotion or other reason, if funds are available for such other pay increases: Provided, however, That the executive head of each spending unit shall first grant the herein mandated increase in compensation to all eligible employees prior to the consideration of any increases based on merit, seniority, promotion or other reason.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce C. Williams  
Chairman Senate Committee

Floyd Fuller  
Chairman House Committee

Originating in the House.

Takes effect July 1, 1986.

Joe C. Wells  
Clerk of the Senate

Donald J. Kepp  
Clerk of the House of Delegates

Don Tortis  
President of the Senate

Joseph P. Alvey  
Speaker of the House of Delegates

The within message this the 26th day of March, 1986.

Andrew O. Schenck  
Governor