WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

ENROLLED

Com. sub. for
HOUSE BILL No. 1952.

(By Mr. Speaker, Mr. Albright, Del. Henry)
[By request of the Executive.]

Passed ........................................... March 8, 1986

In Effect ........................................... Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1952
(By Mr. Speaker, Mr. Albright, and Delegate Swann)
[By request of the Executive]

[Passed March 8, 1986; in effect from passage.]

AN ACT to amend and reenact section one-a, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to conservation officers exclusion from provisions of wage and hour laws; elimination of supplemental pay in lieu of overtime; providing for adjustment of base salary.

Be it enacted by the Legislature of West Virginia:

That section one-a, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 7. LAW ENFORCEMENT, PROCEDURES AND PENALTIES; MOTORBOATING; WEST VIRGINIA LITTER CONTROL PROGRAM.

§20-7-1a. Conservation officers excluded from coverage of wage and hour laws; supplemental pay in lieu of overtime; regulation.

1 The Legislature finds and declares that the supreme
court of appeals of West Virginia has held that conser-
vation officers are covered by the provisions of the state
wage and hour law, article five-c, chapter twenty-one of this code. The Legislature further finds and declares that because of the unique duties of conservation officers, it is not appropriate to apply said wage and hour provisions to them. Accordingly, conservation officers are hereby excluded from the provisions of said wage and hour law and department of civil service guidelines, rules or regulations relating thereto. They shall be subject to duty whenever and wherever required by the functions, services and needs of the department.

The minimum workweek for conservation officers shall be forty hours. The maximum number of days and hours per day shall be unrestricted. Conservation officers shall be entitled to compensatory time for hours worked in excess of the minimum in a twenty-eight day work period and a compensatory day shall be granted for any holiday worked.

In lieu of any benefits to which they would have been entitled by the coverage from which they are hereby excluded, conservation officers, except those classified by the West Virginia civil service system as conservation officer IV and natural resources administrator, shall receive in addition to their salaries an annual premium payment of two thousand one hundred dollars which sum shall be prorated and included in the payment of their salary checks, effective for the fiscal year beginning the first day of July, one thousand nine hundred eighty and ending the fourteenth day of April, one thousand nine hundred eighty-six. In lieu of the prorated annual premium payment, each conservation officer who is receiving the prorated annual premium payment as of the fourteenth day of April, one thousand nine hundred eighty-six, shall receive a one-time salary adjustment, effective upon the fifteenth day of April, one thousand nine hundred eighty-six. That adjustment shall be accomplished by determining the base monthly salary of each such officer as listed for his pay grade and pay step assigned by the civil service system, increasing that base salary by one hundred seventy-five dollars, and then adjusting the combined total upward
to the nearest (next highest) civil service pay step. This
article shall not be construed to prohibit eligibility for
other pay increases based on merit, seniority, promotion
or other reason, if funds are available for such other
increases.

This section shall not apply to special nor emergency
conservation officers appointed under the authority of
section one of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

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

Governor
PRESENTED TO THE
GOVERNOR
Date 3/31/86
Time 3:00 p.m.