

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986



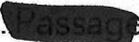
ENROLLED

SENATE BILL NO. 231

(By Senator Burdette et al)



PASSED March 8, 1986

In Effect July 1, 1986 

ENROLLED

Senate Bill No. 231

(BY SENATORS BURDETTE, HOLMES, WHITLOW, COLOMBO, LUCHT,
YANERO, R. WILLIAMS, SPEARS, CRAIGO, JARRELL, STACY, SHARPE, COOK,
B. WILLIAMS, PARKER, BOLEY AND TONKOVICH, MR. PRESIDENT)

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

AN ACT to amend chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-six-b, relating to state institutions of higher education; requiring the board of regents to establish a complete, uniform personnel classification system for classified employees by a specified date; defining terms; providing a minimum monthly salary schedule for such classified employees; providing for the payment of such salary to be reduced proportionately based upon amount of funds available; providing for assignment of each classified employee to the appropriate class, job title and pay grade; providing for a six hundred dollar annual salary increase; providing for prorated salary increase for certain employees; providing an additional salary increase of thirty-six dollars for each year of experience, with adjustments thereto, for certain employees; authorizing merit increases and/or salary adjustments in accordance with certain provisions; providing for annual review of the personnel classification system; requiring annual reports; granting classified employees certain rights regarding classification;

providing for hirings after the effective date of this article; and authorizing additional employment by mutual agreement.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 26B. CLASSIFIED EMPLOYEE SALARY SCHEDULE AND CLASSIFICATION SYSTEM.

§18-26B-1. Legislative purpose.

1 The purpose of the Legislature in the enactment of this
2 article is to require the board to establish, control, supervise
3 and manage a complete, uniform system of personnel
4 classification in accordance with the provisions of this
5 article for all employees other than faculty and
6 nonclassified employees at state institutions of higher
7 education.

§18-26B-2. Definitions.

1 As used in this article:
2 (a) "Board" means the West Virginia board of regents;
3 (b) "Classification" means a group of related job titles
4 including, but not limited to, those which are differentiated
5 by Roman numerals;
6 (c) "Classified employee" means any regular full-time
7 or regular part-time employee of the board who holds a
8 position that is assigned a particular job title and pay grade
9 in accordance with the personnel classification system
10 established by the board;
11 (d) "Nonclassified employee" means an individual who
12 is responsible for policy formation at the institutional level
13 or reports directly to the president: *Provided*, That the
14 percentage of personnel placed in the category of
15 "nonclassified" at any given institution may not exceed
16 four percent of the total number of employees of that
17 institution who are eligible for membership in any state
18 retirement system of the state of West Virginia or other
19 retirement plan authorized by the state. Final approval of
20 such placement shall rest with the board;

- 21 (e) "Institution" or "institutions" means the public
22 institutions of higher education within this state;
- 23 (f) "Job description" means the specific listing of duties
24 and responsibilities as determined by the board and
25 associated with a particular job title;
- 26 (g) "Job title" means the name of the position or job as
27 defined by board policy;
- 28 (h) "Merit increases and salary adjustments" means the
29 amount of additional salary increase allowed on a merit
30 basis or to rectify salary inequities or accommodate
31 competitive market conditions in accordance with policy
32 established by the board;
- 33 (i) "Pay grade" means the letter grade assigned by the
34 board to a particular job title and refers to the horizontal
35 column heading of the salary schedule established in
36 section three of this article;
- 37 (j) "Personnel classification system" means the process
38 of job evaluation adopted by the board by which job title,
39 job description, pay grade and placement on the salary
40 schedule are determined;
- 41 (k) "Salary" means the amount of compensation paid
42 through the state treasury per month to a classified
43 employee;
- 44 (l) "Schedule" or "salary schedule" means the grid of
45 monthly salary figures established in section three of this
46 article; and
- 47 (m) "Years of experience" means the number of years a
48 person has been an employee of the state of West Virginia
49 and refers to the vertical column heading of the salary
50 schedule established in section three of this article. For the
51 purpose of placement on the salary schedule pursuant to
52 said section three, employment for nine months or more
53 shall equal one year of experience, but no classified
54 employee may accrue more than one year of experience
55 during any given fiscal year. Employment for less than
56 full-time or less than nine months during any fiscal year
57 shall be prorated. For the purpose of determining the
58 amount of annual salary increase pursuant to subsection (b)
59 of section five of this article, employment for less than
60 twelve months during any fiscal year shall be prorated. In
61 accordance with rules and regulations established by the
62 board, a classified employee may be granted additional

63 years of experience not to exceed the actual number of years
 64 of prior, relevant work or experience at accredited
 65 institutions of higher education other than state
 66 institutions of higher education.

§18-26B-3. Higher education classified employee monthly salary schedule.

1 There is hereby established a state monthly salary
 2 schedule for classified employees consisting of a minimum
 3 monthly salary for each pay grade in accordance with years
 4 of experience: *Provided*, That payment of the minimum
 5 salary shall be subject to the availability of funds, and
 6 nothing in this article shall be construed to guarantee
 7 payment to any classified employee of the salary indicated
 8 on the schedule at the actual years of experience. The
 9 minimum salary herein indicated shall be prorated for
 10 regular part-time classified employees.

11 **HIGHER EDUCATION**

12 **CLASSIFIED EMPLOYEE MONTHLY SALARY SCHEDULE**

13 **PAY GRADE**

14 Years 15 of 16 Experi- 17 ence	A	B	C	D	E	F	G	H	I
18 0	861	921	985	1,054	1,127	1,206	1,294	1,393	1,504
19 1	881	941	1,005	1,074	1,147	1,226	1,334	1,433	1,544
20 2	901	961	1,025	1,094	1,167	1,246	1,374	1,473	1,584
21 3	921	981	1,045	1,114	1,187	1,266	1,414	1,513	1,624
22 4	941	1,001	1,065	1,134	1,207	1,286	1,454	1,553	1,664
23 5	961	1,021	1,085	1,154	1,227	1,306	1,494	1,593	1,704
24 6	981	1,041	1,105	1,174	1,247	1,326	1,534	1,633	1,744
25 7	1,001	1,061	1,125	1,194	1,267	1,346	1,574	1,673	1,784
26 8	1,021	1,081	1,145	1,214	1,287	1,366	1,614	1,713	1,824
27 9	1,041	1,101	1,165	1,234	1,307	1,386	1,654	1,753	1,864
28 10	1,066	1,126	1,190	1,259	1,332	1,411	1,704	1,803	1,914
29 11	1,091	1,151	1,215	1,284	1,357	1,436	1,754	1,853	1,964
30 12	1,116	1,176	1,240	1,309	1,382	1,461	1,804	1,903	2,014
31 13	1,141	1,201	1,265	1,334	1,407	1,486	1,854	1,953	2,064
32 14	1,166	1,226	1,290	1,359	1,432	1,511	1,904	2,003	2,114
33 15	1,191	1,251	1,315	1,384	1,457	1,536	1,954	2,053	2,164
34 16	1,216	1,276	1,340	1,409	1,482	1,561	2,004	2,103	2,214

35	17	1,241	1,301	1,365	1,434	1,507	1,586	2,054	2,153	2,264
36	18	1,266	1,326	1,390	1,459	1,532	1,611	2,104	2,203	2,314
37	19	1,291	1,351	1,415	1,484	1,557	1,636	2,154	2,253	2,364
38	20	1,316	1,376	1,440	1,509	1,582	1,661	2,204	2,303	2,414

HIGHER EDUCATION

CLASSIFIED EMPLOYEE MONTHLY SALARY SCHEDULE

PAY GRADE

42	Years										
43	of										
44	Experi-	J	K	L	M	N	O	P	Q	R	
45	ence										
46	0	1,629	1,770	1,929	2,109	2,312	2,543	2,805	3,103	3,443	
47	1	1,669	1,810	1,969	2,169	2,372	2,603	2,865	3,163	3,503	
48	2	1,709	1,850	2,009	2,229	2,432	2,663	2,925	3,223	3,563	
49	3	1,749	1,890	2,049	2,289	2,492	2,723	2,985	3,283	3,623	
50	4	1,789	1,930	2,089	2,349	2,552	2,783	3,045	3,343	3,683	
51	5	1,829	1,970	2,129	2,409	2,612	2,843	3,105	3,403	3,743	
52	6	1,869	2,010	2,169	2,469	2,672	2,903	3,165	3,463	3,803	
53	7	1,909	2,050	2,209	2,529	2,732	2,963	3,225	3,523	3,863	
54	8	1,949	2,090	2,249	2,589	2,792	3,023	3,285	3,583	3,923	
55	9	1,989	2,130	2,289	2,649	2,852	3,083	3,345	3,643	3,983	
56	10	2,039	2,180	2,339	2,724	2,927	3,158	3,420	3,718	4,058	
57	11	2,089	2,230	2,389	2,799	3,002	3,233	3,495	3,793	4,133	
58	12	2,139	2,280	2,439	2,874	3,077	3,308	3,570	3,868	4,208	
59	13	2,189	2,330	2,489	2,949	3,152	3,383	3,645	3,943	4,283	
60	14	2,239	2,380	2,539	3,024	3,227	3,458	3,720	4,018	4,358	
61	15	2,289	2,430	2,589	3,099	3,302	3,533	3,795	4,093	4,433	
62	16	2,339	2,480	2,639	3,174	3,377	3,608	3,870	4,168	4,508	
63	17	2,389	2,530	2,689	3,249	3,452	3,683	3,945	4,243	4,583	
64	18	2,439	2,580	2,739	3,324	3,527	3,758	4,020	4,318	4,658	
65	19	2,489	2,630	2,789	3,399	3,602	3,833	4,095	4,393	4,733	
66	20	2,539	2,680	2,839	3,474	3,677	3,908	4,170	4,468	4,808	

§18-26B-4. Establishment of personnel classification system; assignment to classification and to salary schedule.

1 Before the first day of July, one thousand nine hundred
 2 eighty-six, the board shall establish by board policy a
 3 system of job classifications, each classification to consist
 4 of related job titles and corresponding job descriptions for
 5 each position within a classification, together with the
 6 designation of an appropriate pay grade for each job title.

7 By such date and with consideration to recommendations
8 of the institutions, the board shall furnish each classified
9 employee written confirmation of the assignment to the
10 appropriate classification, job title and pay grade and of the
11 proper placement on the salary schedule pursuant to
12 section three of this article notwithstanding the actual
13 salary paid. Such assignment may be appealed in
14 accordance with article twenty-nine of this chapter:
15 *Provided*, That nothing herein shall nullify or void prior to
16 the first day of January, one thousand nine hundred eighty-
17 seven, any personnel classification system in effect on the
18 effective date of this article.

§18-26B-5. Classified employee salary.

1 (a) Each classified employee who is employed by the
2 board on the effective date of this article shall receive for
3 the same employment at the same pay grade during the
4 fiscal year commencing on the first day of July, one
5 thousand nine hundred eighty-six, and thereafter, a
6 monthly salary which is at least equal to the final monthly
7 salary paid such classified employee for the fiscal year
8 commencing on the first day of July, one thousand nine
9 hundred eighty-five, and an annual salary increase of six
10 hundred dollars in addition thereto, to be paid in equal
11 installments within the regular pay periods. Such increase
12 shall be prorated for regular part-time employees or those
13 employed for less than a twelve-month period.

14 (b) Commencing with the fiscal year beginning on the
15 first day of July, one thousand nine hundred eighty-six, and
16 each fiscal year thereafter, each classified employee with
17 three or more years of experience shall receive an annual
18 salary increase equal to thirty-six dollars times the
19 employee's years of experience, less any incremental salary
20 increase granted in a prior fiscal year and actually
21 incorporated into and becoming an integral part of base
22 salary prior to fiscal year one thousand nine hundred
23 eighty-seven: *Provided*, That such annual salary increase
24 shall not exceed the amount granted for the maximum of
25 twenty years of experience. These incremental increases
26 shall be in lieu of any salary increase received pursuant to
27 section two, article five, chapter five of this code; shall be in
28 addition to any across-the-board, cost-of-living or

29 percentage salary increases which may be granted in any
30 fiscal year by the Legislature; and shall be paid in equal
31 installments within the regular pay periods.

32 (c) Each classified employee whose monthly salary
33 under subsections (a) and (b) of this section is less than the
34 minimum monthly salary for zero years of experience for
35 the appropriate pay grade as set forth in section three of this
36 article shall receive for the fiscal year commencing on July
37 first, one thousand nine hundred eighty-six, additional
38 compensation such that the monthly salary is at least the
39 minimum amount prescribed for the appropriate pay grade
40 at zero years of experience: *Provided*, That such amounts
41 may be reduced proportionately based upon the amount of
42 funds available for such purpose.

43 (d) Funds remaining after increasing the monthly salary
44 of each classified employee to at least the minimum amount
45 prescribed for the appropriate pay grade at zero years of
46 experience shall be used to place classified employees on
47 the salary schedule at their appropriate years of experience:
48 *Provided*, That such amount may be reduced
49 proportionately based upon the amount of funds available
50 for such purposes.

51 (e) Any classified employee may receive merit increases
52 and/or salary adjustments in accordance with policies
53 established by the board: *Provided*, That funds for such
54 increases and/or adjustments shall be distributed in
55 accordance with board policy and shall be available to all
56 state institutions of higher education on an equitable basis.

57 (f) The current monthly salary of any classified
58 employee may not be reduced by the provisions of this
59 article nor by any other action inconsistent with the
60 provisions of this article, and nothing in this article shall be
61 construed to prohibit promotion of any classified employee
62 to a job title carrying a higher pay grade if such promotion is
63 in accordance with the provisions of this article and the
64 personnel classification system established by the board.

§18-26B-6. Annual review of classifications and classification system; notice and reports required.

1 Each institution shall review annually each job
2 description in relationship to the assigned duties and
3 responsibilities, current job title and pay grade of each

4 classified employee of that institution. Based upon the data
5 collected through such review, each institution shall
6 determine which, if any, of its classified employees should
7 be recommended for a change in job title in order to
8 conform to the personnel classification system of the board:
9 *Provided*, That any classified employee filling a position or
10 carrying out the duties and responsibilities of a position
11 normally assigned a higher pay grade in accordance with
12 the personnel classification system established by the board
13 shall be recommended for a change in job title or shall be
14 returned immediately to the duties and responsibilities
15 outlined in such employee's appropriate job description.

16 Each institution shall submit to the board by the first day
17 of September, one thousand nine hundred eighty-six, and
18 each year thereafter, a report which shall include the steps
19 being taken to ensure proper employee classification in
20 accordance with the appropriate job titles and pay grades
21 as established by the board, any recommended changes in
22 job title, the justification for such recommendations, the
23 effect of such changes on existing personnel, and the fiscal
24 impact thereof.

25 Each institution also may submit, as part of its annual
26 report to the board, recommendations for alterations in job
27 descriptions or classifications, changes in corresponding
28 pay grades, or creation of new job titles or classifications.
29 Such changes, if approved by the board, shall be made a
30 part of the personnel classification system of the board and
31 shall be applied uniformly at all institutions: *Provided*,
32 That when necessary, the board may order changes in
33 classifications or changes in job titles upon its own
34 authority and shall notify the institutions of such changes
35 within thirty days.

36 The board, upon receipt and review of the annual report
37 submitted by each institution, shall notify the reporting
38 institution by the first day of December, one thousand nine
39 hundred eighty-six, and each year thereafter, of any action
40 taken in response to recommendations made by the
41 institution. Immediately upon receipt of notification of any
42 changes in the personnel classification system by the board,
43 the institution shall post copies of such notice in prominent
44 campus locations. Changes in classification or changes in
45 job title, as approved by the board, shall be effective no later

46 than the first day of July of each year. When such changes
47 affect currently employed personnel, each classified
48 employee so affected shall be notified in writing regarding
49 such change and the effect thereof.

§18-26B-7. Conferences regarding personnel classification.

1 (a) The president of the institution or the designees
2 charged with responsibility to develop any personnel
3 recommendations for inclusion in the institution's annual
4 report to the board shall meet and confer during
5 development of the recommendations with the classified
6 employees who (1) may be affected by proposed
7 recommendations to the board; or (2) have requested a
8 change in job title.

9 (b) In accordance with the provisions of article twenty-
10 nine of this chapter relating to employee grievance
11 procedures, a classified employee may appeal the initial
12 assignment, any change in the assigned classification or job
13 title, or any change in the system of classification, whether
14 such change is the result of action taken by the board upon
15 its own authority or upon the recommendations of the
16 institutions.

§18-26B-8. Hirings after effective date.

1 Any individual hired as a full-time classified employee
2 after the effective date of this section shall be assigned by
3 the board, with consideration to any recommendations of
4 the institution, to a placement on the salary schedule which
5 is appropriate to such individual's classification, job title,
6 pay grade and years of experience: *Provided*, That nothing
7 in this section shall be construed to guarantee to a newly
8 hired classified employee payment of the salary prescribed
9 in section three of this article.

**§18-26B-9. Additional employment by mutual agreement;
provision for board approval.**

1 In accordance with policy established by the board and
2 by mutual agreement, the president of an institution, or a
3 designated representative, and a classified employee at
4 such institution may agree on duties to be performed by
5 such employee in addition to those duties listed in the job
6 description. The terms and conditions of any such

7 agreement shall be in writing, signed by both parties, and
8 shall describe the additional duties to be performed, the
9 length of time such agreement shall be in force and the
10 additional compensation to be paid. Such agreement shall
11 be submitted to the board and shall be in effect unless and
12 until the institution receives notice of non-approval within
13 ten working days following the submission thereof.

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

Originated in the Senate.

To take effect July 1, 1986.

Judd C. Huth
.....
Clerk of the Senate

Donald L. Hoop
.....
Clerk of the House of Delegates

Sam Tombari
.....
President of the Senate

Joseph P. Allright
.....
Speaker House of Delegates

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

Archie S. Hanes, Jr.
.....
Governor



PRESENTED TO THE
GOVERNOR

Date 3/21/86

Time 4:31 p.m.

RECEIVED

1986 MAR 26 PM 6:56

OFFICE OF THE SECRETARY
SECRETARY OF STATE

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/26/86