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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992



# ENROLLED

Com. Sub. for  
HOUSE BILL No. 4552

(By Delegates SPENCER AND WILLIAMS)



Passed MARCH 7, 1992

In Effect July 1, 1992 ~~Passage~~

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 4552**  
(By DELEGATES SPENCER AND WILLIAMS)

[Passed March 7, 1992; in effect July 1, 1992.]

AN ACT to amend article three, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nine; and to amend and reenact sections eight, eight-a and eight-e, article four of said chapter, all relating to creating county service personnel staff development councils; establishing a class title "autism mentor" and providing a pay scale grade for those personnel; providing minimum pay for service personnel engaged in the removal of asbestos material or related duties; and redefining certain instances when an employee is deemed qualified for a classification title.

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

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

**ARTICLE 3. TRAINING, CERTIFICATION, LICENSING, PROFESSIONAL DEVELOPMENT.**

**§18A-3-9. County service personnel staff development councils.**

1 The Legislature finds the professional expertise and  
2 insight of service personnel to be an invaluable ingre-  
3 dient in the development and delivery of staff develop-  
4 ment programs which meet the needs of service  
5 personnel.

6 Therefore, a service personnel staff development  
7 council comprised of representation from the various  
8 categories of service personnel employment shall be  
9 established in each school district in the state in  
10 accordance with rules adopted by the state board of  
11 education. Nominations of service personnel to serve on  
12 the county service personnel staff development council  
13 may be submitted by the six groups as defined in section  
14 one, article one, subsection (e) of the district to the  
15 county superintendent who shall prepare and distribute  
16 ballots and tabulate the votes of the counties service  
17 personnel voting on the persons nominated. Each county  
18 staff service personnel development council shall consist  
19 of two employees from each category of employment.  
20 Such councils shall have final authority to propose staff  
21 development programs for their peers based upon rules  
22 established by statute and the council on service  
23 personnel education. The county superintendent or a  
24 designee shall enjoy an advisory, nonvoting role on said  
25 council. The county board shall make available an  
26 amount equal to one tenth of one percent of the amounts  
27 provided in accordance with section five, article nine-a,  
28 chapter eighteen of this code and credit such funds to  
29 an account to be used by the council to fulfill its  
30 objectives. The local board will have the final approval  
31 of all proposed disbursements.

**ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.**

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

1 The purpose of this section is to establish an employ-  
2 ment term and class titles for service personnel. The  
3 employment term for service personnel shall be no less  
4 than ten months, a month being defined as twenty  
5 employment days: *Provided*, That the county board of

6 education may contract with all or part of these  
7 personnel for a longer term. The beginning and closing  
8 dates of the ten-month employment term shall not  
9 exceed forty-three weeks.

10 Service personnel employed on a yearly or twelve-  
11 month basis may be employed by calendar months.  
12 Whenever there is a change in job assignment during  
13 the school year, the minimum pay scale and any county  
14 supplement shall be applicable.

15 Service personnel employed in the same classification  
16 for more than the two hundred day minimum employ-  
17 ment term shall be paid for additional employment at  
18 a daily rate of not less than the daily rate paid for the  
19 two hundred day minimum employment term.

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

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

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

40 Upon the change in classification or upon meeting the  
41 requirements of an advanced classification of or by any  
42 employee, his salary shall be made to comply with the  
43 requirements of this article, and to any county salary  
44 schedule in excess of the minimum requirements of this

45 article, based upon his advanced classification and  
46 allowable years of employment.

47 An employee's contract as provided in section five,  
48 article two of this chapter shall state the appropriate  
49 monthly salary the employee is to be paid, based on the  
50 class title as provided in this article and any county  
51 salary schedule in excess of the minimum requirements  
52 of this article.

53 The column heads of the state minimum pay scale and  
54 class titles, set forth in section eight-a of this article, are  
55 defined as follows:

56 "Pay grade" means the monthly salary applicable to  
57 class titles of service personnel.

58 "Years of employment" means the number of years  
59 which an employee classified as service personnel has  
60 been employed by a board of education in any position  
61 prior to or subsequent to the effective date of this section  
62 and including service in the armed forces of the United  
63 States if the employee were employed at the time of his  
64 induction. For the purpose of section eight-a of this  
65 article, years of employment shall be limited to the  
66 number of years shown and allowed under the state  
67 minimum pay scale as set forth in section eight-a of this  
68 article.

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

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

74 "Accountant II" means personnel employed to main-  
75 tain accounting records and to be responsible for the  
76 accounting process associated with billing, budgets,  
77 purchasing and related operations.

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

81 "Aide I" means those personnel selected and trained  
82 for teacher-aide classifications such as monitor aide,

83 clerical aide, classroom aide or general aide.

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

91 “Aide III” means those personnel referred to in the  
92 “Aide I” classification who hold a high school diploma  
93 or a general educational development certificate, and  
94 have completed six semester hours of college credit at  
95 an institution of higher education or are employed as an  
96 aide in a special education program and have one year’s  
97 experience as an aide in special education.

98 “Aide IV” means personnel referred to in the “Aide  
99 I” classification who hold a high school diploma or a  
100 general educational development certificate and who  
101 have completed eighteen hours of state board-approved  
102 college credit at a regionally accredited institution of  
103 higher education, or who have completed fifteen hours  
104 of state board-approved college credit at a regionally  
105 accredited institution of higher education and success-  
106 fully completed an in-service training program deter-  
107 mined by the state board to be the equivalent of three  
108 hours of college credit.

109 “Audiovisual technician” means personnel employed  
110 to perform minor maintenance on audiovisual equip-  
111 ment, films, supplies and the filling of requests for  
112 equipment.

113 “Auditor” means personnel employed to examine and  
114 verify accounts of individual schools and to assist schools  
115 and school personnel in maintaining complete and  
116 accurate records of their accounts.

117 “Autism mentor” means personnel who work with  
118 autistic students and who meets standards and expe-  
119 rience to be determined by the state board: *Provided,*  
120 That the state board shall determine these standards  
121 and experience on or before the first day of July, one

122 thousand nine hundred ninety-two.

123 "Braille or sign language specialist" means personnel  
124 employed to provide braille and/or sign language  
125 assistance to students.

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

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

134 "Cabinetmaker" means personnel employed to con-  
135 struct cabinets, tables, bookcases and other furniture.

136 "Cafeteria manager" means personnel employed to  
137 direct the operation of a food services program in a  
138 school, including assigning duties to employees, approv-  
139 ing requisitions for supplies and repairs, keeping  
140 inventories, inspecting areas to maintain high standards  
141 of sanitation, preparing financial reports and keeping  
142 records pertinent to food services of a school.

143 "Carpenter I" means personnel classified as a carpen-  
144 ter's helper.

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

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

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

153 "Clerk II" means personnel employed to perform  
154 general clerical tasks, prepare reports and tabulations  
155 and operate office machines.

156 "Computer operator" means qualified personnel  
157 employed to operate computers.

158 “Cook I” means personnel employed as a cook’s helper.

159 “Cook II” means personnel employed to interpret  
160 menus, to prepare and serve meals in a food service  
161 program of a school and shall include personnel who  
162 have been employed as a “Cook I” for a period of four  
163 years, if such personnel have not been elevated to this  
164 classification within that period of time.

165 “Cook III” means personnel employed to prepare and  
166 serve meals, make reports, prepare requisitions for  
167 supplies, order equipment and repairs for a food service  
168 program of a school system.

169 “Crew leader” means personnel employed to organize  
170 the work for a crew of maintenance employees to carry  
171 out assigned projects.

172 “Custodian I” means personnel employed to keep  
173 buildings clean and free of refuse.

174 “Custodian II” means personnel employed as a  
175 watchman or groundsman.

176 “Custodian III” means personnel employed to keep  
177 buildings clean and free of refuse, to operate the heating  
178 or cooling systems and to make minor repairs.

179 “Custodian IV” means personnel employed as head  
180 custodians. In addition to providing services as defined  
181 in “Custodian III,” their duties may include supervising  
182 other custodian personnel.

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

187 “Draftsman” means personnel employed to plan,  
188 design and produce detailed architectural/engineering  
189 drawings.

190 “Electrician I” means personnel employed as an  
191 apprentice electrician helper or who holds an electrician  
192 helper license issued by the state fire marshal.

193 “Electrician II” means personnel employed as an  
194 electrician journeyman or who holds a journeyman



195 electrician license issued by the state fire marshal.

196 “Electronic technician I” means personnel employed  
197 at the apprentice level to repair and maintain electronic  
198 equipment.

199 “Electronic technician II” means personnel employed  
200 at the journeyman level to repair and maintain elec-  
201 tronic equipment.

202 “Executive secretary” means personnel employed as  
203 the county school superintendent’s secretary or as a  
204 secretary who is assigned to a position characterized by  
205 significant administrative duties.

206 “Food services supervisor” means qualified personnel  
207 not defined as professional personnel or professional  
208 educators in section one, article one of this chapter,  
209 employed to manage and supervise a county school  
210 system’s food service program. The duties would include  
211 preparing in-service training programs for cooks and  
212 food service employees, instructing personnel in the  
213 areas of quantity cooking with economy and efficiency,  
214 and keeping aggregate records and reports.

215 “Foremen” means skilled persons employed for  
216 supervision of personnel who work in the areas of repair  
217 and maintenance of school property and equipment.

218 “General maintenance” means personnel employed as  
219 helpers to skilled maintenance employees and to  
220 perform minor repairs to equipment and buildings of a  
221 county school system.

222 “Glazier” means personnel employed to replace glass  
223 or other materials in windows and doors and to do minor  
224 carpentry tasks.

225 “Graphic artist” means personnel employed to prepare  
226 graphic illustrations.

227 “Groundsmen” means personnel employed to perform  
228 duties that relate to the appearance, repair and general  
229 care of school grounds in a county school system.  
230 Additional assignments may include the operation of a  
231 small heating plant and routine cleaning duties in  
232 buildings.

233 “Handyman” means personnel employed to perform  
234 routine manual tasks in any operation of the county  
235 school system.

236 “Heating and air conditioning mechanic I” means  
237 personnel employed at the apprentice level to install,  
238 repair and maintain heating and air conditioning plants  
239 and related electrical equipment.

240 “Heating and air conditioning mechanic II” means  
241 personnel employed at the journeyman level to install,  
242 repair and maintain heating and air conditioning plants  
243 and related electrical equipment.

244 “Heavy equipment operator” means personnel em-  
245 ployed to operate heavy equipment.

246 “Inventory supervisor” means personnel who are  
247 employed to supervise or maintain operations in the  
248 receipt, storage, inventory and issuance of materials and  
249 supplies.

250 “Key punch operator” means qualified personnel  
251 employed to operate key punch machines or verifying  
252 machines.

253 “Locksmith” means personnel employed to repair and  
254 maintain locks and safes.

255 “Lubrication man” means personnel employed to  
256 lubricate and service gasoline or diesel-powered equip-  
257 ment of a county school system.

258 “Machinist” means personnel employed to perform  
259 machinist tasks which include the ability to operate a  
260 lathe, planer, shaper, threading machine and wheel  
261 press. Such personnel should also have ability to work  
262 from blueprints and drawings.

263 “Mail clerk” means personnel employed to receive,  
264 sort, dispatch, deliver or otherwise handle letters,  
265 parcels and other mail.

266 “Maintenance clerk” means personnel employed to  
267 maintain and control a stocking facility to keep ade-  
268 quate tools and supplies on hand for daily withdrawal  
269 for all school maintenance crafts.

270 “Mason” means personnel employed to perform tasks  
271 connected with brick and block laying and carpentry  
272 tasks related to such laying.

273 “Mechanic” means personnel employed who can  
274 independently perform skilled duties in the maintenance  
275 and repair of automobiles, school buses and other  
276 mechanical and mobile equipment to use in a county  
277 school system.

278 “Mechanic assistant” means personnel employed as a  
279 mechanic apprentice and helper.

280 “Multi-classification” means personnel employed to  
281 perform tasks that involve the combination of two or  
282 more class titles in this section or as created by the West  
283 Virginia board of education. In such instances the  
284 minimum salary scale shall be the higher pay grade of  
285 the class titles involved.

286 “Office equipment repairman I” means personnel  
287 employed as an office equipment repairman apprentice  
288 or helper.

289 “Office equipment repairman II” means personnel  
290 responsible for servicing and repairing all office  
291 machines and equipment. Personnel shall be responsible  
292 for parts being purchased necessary for the proper  
293 operation of a program of continuous maintenance and  
294 repair.

295 “Painter” means personnel employed to perform  
296 duties of painting, finishing and decorating of wood,  
297 metal and concrete surfaces of buildings, other struc-  
298 tures, equipment, machinery and furnishings of a  
299 county school system.

300 “Paraprofessional” means a person certified pursuant  
301 to section two-a, article three of this chapter to perform  
302 duties in a support capacity including, but not limited  
303 to, facilitating in the instruction and direct or indirect  
304 supervision of pupils under the direction of a principal,  
305 a teacher, or another designated professional educator:  
306 *Provided*, That no person employed on the effective date  
307 of this section in the position of an aide may be reduced  
308 in force or transferred to create a vacancy for the

309 employment of a paraprofessional.

310 “Plumber I” means personnel employed as an appren-  
311 tice plumber and helper.

312 “Plumber II” means personnel employed as a journey-  
313 man plumber.

314 “Printing operator” means personnel employed to  
315 operate duplication equipment, and as required, to cut,  
316 collate, staple, bind and shelve materials.

317 “Printing supervisor” means personnel employed to  
318 supervise the operation of a print shop.

319 “Programmer” means personnel employed to design  
320 and prepare programs for computer operation.

321 “Roofing/sheet metal mechanic” means personnel  
322 employed to install, repair, fabricate and maintain roofs,  
323 gutters, flashing and duct work for heating and  
324 ventilation.

325 “Sanitation plant operator” means personnel employed  
326 to operate and maintain a water or sewage treatment  
327 plant to ensure the safety of the plant’s effluent for  
328 human consumption or environmental protection.

329 “School bus supervisor” means qualified personnel  
330 employed to assist in selecting school bus operators and  
331 routing and scheduling of school buses, operate a bus  
332 when needed, relay instructions to bus operators, plan  
333 emergency routing of buses and promoting good  
334 relationships with parents, pupils, bus operators and  
335 other employees.

336 “Secretary I” means personnel employed to transcribe  
337 from notes or mechanical equipment, receive callers,  
338 perform clerical tasks, prepare reports and operate  
339 office machines.

340 “Secretary II” means personnel employed in any  
341 elementary, secondary, kindergarten, nursery, special  
342 education, vocational or any other school as a secretary.  
343 The duties may include performing general clerical  
344 tasks, transcribing from notes or stenotype or mechan-  
345 ical equipment or a sound-producing machine, prepar-

346 ing reports, receiving callers and referring them to  
347 proper persons, operating office machines, keeping  
348 records and handling routine correspondence. There is  
349 nothing implied herein that would prevent such em-  
350 ployees from holding or being elevated to a higher  
351 classification.

352 "Secretary III" means personnel assigned to the  
353 county board of education office administrators in  
354 charge of various instructional, maintenance, transpor-  
355 tation, food services, operations and health departments,  
356 federal programs or departments with particular  
357 responsibilities of purchasing and financial control or  
358 any personnel who have served in a position which meets  
359 the definition of "Secretary II" or "Secretary III" herein  
360 for eight years.

361 "Supervisor of maintenance" means skilled personnel  
362 not defined as professional personnel or professional  
363 educators as in section one, article one of this chapter.  
364 The responsibilities would include directing the upkeep  
365 of buildings and shops, issuing instructions to subordi-  
366 nates relating to cleaning, repairs and maintenance of  
367 all structures and mechanical and electrical equipment  
368 of a board of education.

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

375 "Switchboard operator-receptionist" means personnel  
376 employed to refer incoming calls, to assume contact with  
377 the public, to direct and to give instructions as neces-  
378 sary, to operate switchboard equipment and to provide  
379 clerical assistance.

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

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

385 “Watchman” means personnel employed to protect  
386 school property against damage or theft. Additional  
387 assignments may include operation of a small heating  
388 plant and routine cleaning duties.

389 “Welder” means personnel employed to provide  
390 acetylene or electric welding services for a school  
391 system.

392 In addition to the compensation provided for in section  
393 eight-a of this article, for service personnel, each service  
394 employee shall, notwithstanding any provisions in this  
395 code to the contrary, be entitled to all service personnel  
396 employee rights, privileges and benefits provided under  
397 this or any other chapter of this code without regard to  
398 such employee’s hours of employment or the methods or  
399 sources of compensation.

400 Service personnel whose years of employment exceed  
401 the number of years shown and provided for under the  
402 state minimum pay scale set forth in section eight-a of  
403 this article may not be paid less than the amount shown  
404 for the maximum years of employment shown and  
405 provided for in the classification in which he is  
406 employed.

407 The county boards shall review each service personnel  
408 employee job classification annually and shall reclassify  
409 all service employees as required by such job classifi-  
410 cations. The state superintendent of schools is hereby  
411 authorized to withhold state funds appropriated pursu-  
412 ant to this article for salaries for service personnel who  
413 are improperly classified by such county boards.  
414 Further, he shall order county boards to correct  
415 immediately any improper classification matter and  
416 with the assistance of the attorney general shall take any  
417 legal action necessary against any county board to  
418 enforce such order.

419 The state board of education is authorized to establish  
420 other class titles of service personnel positions and jobs  
421 not listed in this section. The state board of education  
422 is further authorized to provide appropriate pay grades  
423 for such positions and jobs but pay shall be established  
424 within the minimum salary scale in section eight-a of

425 this article.

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

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

441 Notwithstanding any provisions in this code to the  
442 contrary, service personnel who hold a continuing  
443 contract in a specific job classification and are physi-  
444 cally unable to perform the job's duties as confirmed by  
445 a physician chosen by the employee shall be given  
446 priority status over any employee not holding a contin-  
447 uing contract in filling other service personnel job  
448 vacancies if qualified as provided in section eight-e of  
449 this article.

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

1	STATE MINIMUM PAY SCALE PAY GRADE								
2	Years of								
3	Employ-								
4	ment	A	B	C	D	E	F	G	H
5	0	950	970	1,010	1,060	1,110	1,170	1,200	1,270
6	1	972	992	1,032	1,082	1,132	1,192	1,222	1,292
7	2	994	1,014	1,054	1,104	1,154	1,214	1,244	1,314
8	3	1,016	1,036	1,076	1,126	1,176	1,236	1,266	1,336
9	4	1,038	1,058	1,098	1,148	1,198	1,258	1,288	1,358
10	5	1,060	1,080	1,120	1,170	1,220	1,280	1,310	1,380
11	6	1,082	1,102	1,142	1,192	1,242	1,302	1,332	1,402
12	7	1,104	1,124	1,164	1,214	1,264	1,324	1,354	1,424
13	8	1,126	1,146	1,186	1,236	1,286	1,346	1,376	1,446

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14	9	1,148	1,168	1,208	1,258	1,308	1,368	1,398	1,468
15	10	1,170	1,190	1,230	1,280	1,330	1,390	1,420	1,490
16	11	1,192	1,212	1,252	1,302	1,352	1,412	1,442	1,512
17	12	1,214	1,234	1,274	1,324	1,374	1,434	1,464	1,534
18	13	1,236	1,256	1,296	1,346	1,396	1,456	1,486	1,556
19	14	1,258	1,278	1,318	1,368	1,418	1,478	1,508	1,578
20	15	1,280	1,300	1,340	1,390	1,440	1,500	1,530	1,600
21	16	1,302	1,322	1,362	1,412	1,462	1,522	1,552	1,622
22	17	1,324	1,344	1,384	1,434	1,484	1,544	1,574	1,644
23	18	1,346	1,366	1,406	1,456	1,506	1,566	1,596	1,666
24	19	1,368	1,388	1,428	1,478	1,528	1,588	1,618	1,688
25	20	1,390	1,410	1,450	1,500	1,550	1,610	1,640	1,710
26	21	1,412	1,432	1,472	1,522	1,572	1,632	1,662	1,732
27	22	1,434	1,454	1,494	1,544	1,594	1,654	1,684	1,754
28	23	1,456	1,476	1,516	1,566	1,616	1,676	1,706	1,776
29	24	1,478	1,498	1,538	1,588	1,638	1,698	1,728	1,798
30	25	1,500	1,520	1,560	1,610	1,660	1,720	1,750	1,820
31	26	1,522	1,542	1,582	1,632	1,682	1,742	1,772	1,842
32	27	1,544	1,564	1,604	1,654	1,704	1,764	1,794	1,864
33	28	1,566	1,586	1,626	1,676	1,726	1,786	1,816	1,886
34	29	1,588	1,608	1,648	1,698	1,748	1,808	1,838	1,908
35	30	1,610	1,630	1,670	1,720	1,770	1,830	1,860	1,930

36	CLASS TITLE	PAY GRADE
37	Accountant I .....	D
38	Accountant II .....	E
39	Accountant III .....	F
40	Aide I .....	A
41	Aide II .....	B
42	Aide III .....	C
43	Aide IV .....	D
44	Audiovisual Technician .....	C
45	Auditor .....	G
46	Autism Mentor .....	E
47	Braille or Sign Language Specialist .....	E
48	Bus Operator .....	D
49	Buyer .....	F
50	Cabinetmaker .....	G
51	Cafeteria Manager .....	D
52	Carpenter I .....	E
53	Carpenter II .....	F
54	Chief Mechanic .....	G
55	Clerk I .....	B



56	Clerk II .....	C
57	Computer Operator .....	E
58	Cook I .....	A
59	Cook II .....	B
60	Cook III .....	C
61	Crew Leader .....	F
62	Custodian I .....	A
63	Custodian II .....	B
64	Custodian III .....	C
65	Custodian IV .....	D
66	Director or Coordinator of Services .....	H
67	Draftsman .....	D
68	Electrician I .....	F
69	Electrician II .....	G
70	Electronic Technician I .....	F
71	Electronic Technician II .....	G
72	Executive Secretary .....	G
73	Food Services Supervisor .....	G
74	Foreman .....	G
75	General Maintenance .....	C
76	Glazier .....	D
77	Graphic Artist .....	D
78	Groundsman .....	B
79	Handyman .....	B
80	Heating and Air Conditioning Mechanic I .....	E
81	Heating and Air Conditioning Mechanic II .....	G
82	Heavy Equipment Operator .....	E
83	Inventory Supervisor .....	D
84	Key Punch Operator .....	B
85	Locksmith .....	G
86	Lubrication Man .....	C
87	Machinist .....	F
88	Mail Clerk .....	D
89	Maintenance Clerk .....	C
90	Mason .....	G
91	Mechanic .....	F
92	Mechanic Assistant .....	E
93	Office Equipment Repairman I .....	F
94	Office Equipment Repairman II .....	G
95	Painter .....	E
96	Paraprofessional .....	F
97	Plumber I .....	E

98 Plumber II .....G  
 99 Printing Operator.....B  
 100 Printing Supervisor .....D  
 101 Programmer .....H  
 102 Roofing/Sheet Metal Mechanic.....F  
 103 Sanitation Plant Operator .....F  
 104 School Bus Supervisor .....E  
 105 Secretary I .....D  
 106 Secretary II .....E  
 107 Secretary III .....F  
 108 Supervisor of Maintenance .....H  
 109 Supervisor of Transportation .....H  
 110 Switchboard Operator-Receptionist .....D  
 111 Truck Driver .....D  
 112 Warehouse Clerk.....C  
 113 Watchman.....B  
 114 Welder .....F

115 On and after the first day of July, one thousand nine  
 116 hundred ninety-two, the minimum monthly pay for each  
 117 service employee whose employment is for a period of  
 118 more than three and one-half hours a day shall be at  
 119 least the amounts indicated in the “state minimum pay  
 120 scale pay grade” as set forth in this section, and the  
 121 minimum monthly pay for each service employee whose  
 122 employment is for a period of three and one-half hours  
 123 or less a day shall be at least one half the amount  
 124 indicated in the “state minimum pay scale pay grade”  
 125 set forth in this section: *Provided*, That upon the  
 126 effective date of this section through the remainder of  
 127 the school year one thousand nine hundred ninety-one —  
 128 ninety-two, in lieu of the minimum monthly pay scale  
 129 pay grade for service employees in effect as set forth in  
 130 this section, each service employee shall be paid such  
 131 amount as he or she would be due under the provisions  
 132 of this section over his or her full employment term on  
 133 the basis of the “state minimum pay scale pay grade”.  
 134 The difference between such amount and any amount  
 135 already paid to such employee in such school year shall  
 136 be prorated over such portion of the employees employ-  
 137 ment term as remains: *Provided, however*, That the state  
 138 department of education shall notify each service  
 139 employee that the amounts paid to them for the

140 remainder of their employment term in the school year  
141 one thousand nine hundred ninety-one — ninety-two will  
142 be greater than they would normally be due under the  
143 minimum monthly pay scale, because of the pro rata  
144 distribution, and that their minimum monthly salaries  
145 will decrease slightly during the next school year when  
146 the salary increase is paid over the full employment  
147 term: *Provided further*, That on and after the first day  
148 of July, one thousand nine hundred ninety-two, the  
149 minimum monthly pay for each service employee whose  
150 employment is for a period of more than three and one-  
151 half hours a day shall be at least the amounts indicated  
152 in the “state minimum pay scale pay grade” as set forth  
153 in this section, and the minimum monthly pay for each  
154 service employee whose employment is for a period of  
155 three and one-half hours or less a day shall be at least  
156 one half the amount indicated in the “state minimum  
157 pay scale pay grade” set forth in this section. An  
158 additional ten dollars per month shall be added to the  
159 minimum monthly pay of each service employee who  
160 holds a high school diploma or its equivalent.

161 Any service employee required to work on any legal  
162 school holiday shall be paid at a rate one and one-half  
163 times such employee’s usual hourly rate.

164 Any full-time service personnel required to work in  
165 excess of their normal working day during any week  
166 which contains a school holiday for which they are paid  
167 shall be paid for such additional hours or fraction  
168 thereof at a rate of one and one-half times their usual  
169 hourly rate and paid entirely from county board of  
170 education funds.

171 No service employee shall have his or her daily work  
172 schedule changed during the school year without such  
173 employee’s written consent, and such employee’s re-  
174 quired daily work hours shall not be changed to prevent  
175 the payment of time and one-half wages or the employ-  
176 ment of another employee.

177 The minimum hourly rate of pay for extra-duty  
178 assignments as defined in section eight-b of this article  
179 shall be no less than one seventh of the employee’s daily

180 total salary for each hour the employee is involved in  
 181 performing the assignment and paid entirely from local  
 182 funds: *Provided*, That an alternative minimum hourly  
 183 rate of pay for performing extra-duty assignments  
 184 within a particular category of employment may be  
 185 utilized if the alternate hourly rate of pay is approved  
 186 both by the county board of education and by the  
 187 affirmative vote of a two-thirds majority of the regular  
 188 full-time employees within that classification category of  
 189 employment within that county: *Provided, however*, That  
 190 the vote shall be by secret ballot if so requested by a  
 191 service personnel employee within that classification  
 192 category within that county. The salary for any fraction  
 193 of an hour the employee is involved in performing the  
 194 assignment shall be prorated accordingly. When per-  
 195 forming extra-duty assignments, employees who are  
 196 regularly employed on a one-half day salary basis shall  
 197 receive the same hourly extra-duty assignment pay  
 198 computed as though such an employee were employed  
 199 on a full-day salary basis.

200 The minimum pay for any service personnel em-  
 201 ployees engaged in the removal of asbestos material or  
 202 related duties required for asbestos removal shall be  
 203 their regular total daily rate of pay and no less than an  
 204 additional three dollars per hour or no less than five  
 205 dollars per hour for service personnel supervising  
 206 asbestos removal responsibilities for each hour these  
 207 employees are involved in asbestos related duties.  
 208 Related duties required for asbestos removal ~~which~~ shall  
 209 include, but not be limited to, travel, preparation of the  
 210 work site, removal of asbestos, decontamination of the  
 211 work site, placing and removal of equipment and  
 212 removal of structures from the site. If any member of  
 213 an asbestos crew is engaged in asbestos related duties  
 214 outside of the employee's regular employment county,  
 215 the daily rate of pay shall be no less than the minimum  
 216 amount as established in the employee's regular employ-  
 217 ment county for asbestos removal and an additional  
 218 thirty dollars per each day the employee is engaged in  
 219 asbestos removal and related duties. The additional pay  
 220 for asbestos removal and related duties shall be payable  
 221 entirely from county funds. Before service personnel

*ed/*  
*Jim B*

222 employees may be utilized in the removal of asbestos  
223 material or related duties they shall have completed a  
224 federal Environmental Protection Act approved train-  
225 ing program and be licensed. The employer shall  
226 provide all necessary protective equipment and main-  
227 tain all records required by the Environmental Protec-  
228 tion Act.

**§18A-4-8e. Competency testing for service personnel.**

1 The state board of education shall develop and cause  
2 to be made available competency tests for all of the  
3 classification titles defined in section eight and listed in  
4 section eight-a of this article for service personnel. Each  
5 classification title defined and listed shall be considered  
6 a separate classification category of employment for  
7 service personnel and shall have a separate competency  
8 test, except for those class titles having Roman numeral  
9 designations, which shall be considered a single classi-  
10 fication of employment and shall have a single compet-  
11 ency test. The cafeteria manager class title shall be  
12 included in the same classification category as cooks and  
13 shall have the same competency test. The executive  
14 secretary class title shall be included in the same  
15 classification category as secretaries and shall have the  
16 same competency test. The classification titles of chief  
17 mechanic, mechanic, and assistant mechanic shall be  
18 included in one classification title and shall have the  
19 same competency test.

20 The purpose of these tests shall be to provide county  
21 boards of education a uniform means of determining  
22 whether school service personnel employees who do not  
23 hold a classification title in a particular category of  
24 employment can meet the definition of the classification  
25 title in another category of employment as defined in  
26 section eight of this article. Competency tests shall not  
27 be used to evaluate employees who hold the classification  
28 title in the category of their employment.

29 The competency test shall consist of an objective  
30 written and/or performance test: *Provided*, That appli-  
31 cants shall have the opportunity of taking the written  
32 test orally if requested. Oral tests shall be recorded

33 mechanically and kept on file. Persons administering  
34 the oral test shall not know the applicant personally. The  
35 performance test for all classifications and categories  
36 other than Bus Operator shall be administered by a  
37 vocational school which serves the county board of  
38 education. A standard passing score shall be established  
39 by the state department of education for each test and  
40 shall be used by county boards of education. The subject  
41 matter of each competency test shall be commensurate  
42 with the requirements of the definitions of the classifi-  
43 cation titles as provided in section eight of this article.  
44 The subject matter of each competency test shall be  
45 designed in such a manner that achieving a passing  
46 grade will not require knowledge and skill in excess of  
47 the requirements of the definitions of the classification  
48 titles. Achieving a passing score shall conclusively  
49 demonstrate the qualification of an applicant for a  
50 classification title. Once an employee passes the compet-  
51 ency test of a classification title, said applicant shall be  
52 fully qualified to fill vacancies in that classification  
53 category of employment as provided in, section eight-b  
54 of this article and shall not be required to take the  
55 competency test again.

56 An applicant who fails to achieve a passing score shall  
57 be given other opportunities to pass the competency test  
58 when making application for another vacancy within the  
59 classification category.

60 Competency tests shall be administered to applicants  
61 in a uniform manner under uniform testing conditions.  
62 County boards of education shall be responsible for  
63 scheduling competency tests and shall not utilize a  
64 competency test other than the test authorized by this  
65 section.

66 When scheduling of the competency test conflicts with  
67 the work schedule of a school employee who has applied  
68 for a vacancy, said employee must be excused from work  
69 to take said competency test without loss of pay.

70 A minimum of one day of appropriate inservice  
71 training shall be provided employees to assist them in  
72 preparing to take the competency tests.

73 Competency tests shall be utilized to determine the  
74 qualification of new applicants seeking initial employ-  
75 ment in a particular classification title as either a  
76 regular or substitute employee.

77 Notwithstanding any provisions in this code to the  
78 contrary, once an employee holds or has held a classi-  
79 fication title in a category of employment, that employee  
80 shall be deemed as qualified for said classification title  
81 even though that employee no longer holds that  
82 classification.

83 The requirements of this section shall not be construed  
84 to alter the definitions of class titles as provided in  
85 section eight of this article nor the procedure and  
86 requirements of section eight-b of this article.

87 The testing procedures of this section shall be  
88 implemented effective the first day of July, one thousand  
89 nine hundred ninety-one.

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

*James Deer*

Chairman Senate Committee

*Honest C. Moore*

Chairman House Committee

Originating in the House.

Takes effect July 1, 1992.

*Darrell Edelman*

Clerk of the Senate

*Donald L. Kapp*

Clerk of the House of Delegates

*Paul Priddy*

President of the Senate

*Byrdell*

Speaker of the House of Delegates

The within *is approved* this the *1st* day of *April*, 1992.

*Yaston Caperton*  
Governor



PRESENTED TO THE

GOVERNOR

Date 3/30/92

Time 2:45 pm