

SB # 23

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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

Com. Sub. for Com. Sub. for
SENATE BILL NO. 23

(By Senators Burdette, Mr. President, and Boley, By Request of the Executive)



PASSED March 12, 1994

In Effect July 1, 1994 Passage

E N R O L L E D

COMMITTEE SUBSTITUTE

FOR

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 23

(BY SENATORS BURDETTE, MR. PRESIDENT, AND BOLEY,

By Request of the Executive)

[Passed March 12, 1994; to take effect July 1, 1994.]

AN ACT to amend article two, 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 thirteen; and to amend and reenact sections two, four and eight-a, article four, chapter eighteen-a of said code; all relating to providing an across the board salary increase for teachers and school service personnel; requiring information regarding school cooks work hours to be reported to the state board; and providing incremental increases to teachers and school service personnel for specialized training or service.

Be it enacted by the Legislature of West Virginia:

That article two, 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 thirteen; and that sections two, four and eight-a, article four of said chapter be amended and reenacted, all to read as follows:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-13. Guidelines for full-day and half-day cooks.

1 Each county board of education shall: (1) Require
2 each school to report: (a) the number of meals served;
3 (b) the number of cooks employed; and (c) the average
4 number of meals served per cooks hours worked; and
5 (2) submit a county-wide report to the state superin-
6 tendent of schools delineating the above information
7 by the first day of November, one thousand nine
8 hundred ninety-four. The state superintendent of
9 schools shall report such information to the legislative
10 oversight commission on education accountability by
11 the first day of January, one thousand nine hundred
12 ninety-five.

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

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

1 (a) Each teacher shall receive the amount prescribed
2 in "state minimum salary schedule I": *Provided*, That
3 effective the first day of July, one thousand nine
4 hundred ninety-four, and thereafter, each teacher
5 shall receive the amount prescribed in the "state
6 minimum salary schedule" as set forth in this section,
7 specific additional amounts prescribed in this section
8 or article, and any county supplement in effect in a
9 county pursuant to section five-a of this article during
10 the contract year.

STATE MINIMUM SALARY SCHEDULE I

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Years	4th	3rd	2nd		A.B.	
	Exp.	Class	Class	Class	A.B.	+ 15	M.A.
15	0	16,816	17,453	17,708	18,918	19,653	21,361
16	1	17,032	17,669	17,924	19,318	20,053	21,761
17	2	17,248	17,886	18,141	19,718	20,453	22,161
18	3	17,465	18,102	18,357	20,118	20,853	22,561

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19	4	17,917	18,554	18,810	20,754	21,489	23,197
20	5	18,133	18,771	19,026	21,154	21,889	23,597
21	6	18,350	18,987	19,242	21,554	22,289	23,997
22	7		19,203	19,459	21,954	22,689	24,397
23	8		19,420	19,675	22,354	23,089	24,797
24	9			19,891	22,754	23,489	25,197
25	10			20,107	23,155	23,890	25,598
26	11				23,555	24,290	25,998
27	12				23,955	24,690	26,398
28	13				24,355	25,090	26,798
29	14						27,198
30	15						27,598
31	16						27,998
32	17						
33	18						
34	19						
35		(8)	(9)	(10)			
36	Years	M.A.	M.A.	Doc-			
37	Exp.	+ 15	+ 30	torate			
38	0	22,096	22,831	23,831			
39	1	22,496	23,231	24,231			
40	2	22,896	23,631	24,631			
41	3	23,296	24,031	25,031			
42	4	23,932	24,667	25,667			
43	5	24,332	25,067	26,067			
44	6	24,732	25,467	26,467			
45	7	25,132	25,867	26,867			
46	8	25,532	26,267	27,267			
47	9	25,932	26,667	27,667			
48	10	26,333	27,068	28,068			
49	11	26,733	27,468	28,468			
50	12	27,133	27,868	28,868			
51	13	27,533	28,268	29,268			
52	14	27,933	28,668	29,668			
53	15	28,333	29,068	30,068			
54	16	28,733	29,468	30,468			
55	17		29,868	30,868			
56	18		30,268	31,268			
57	19		30,668	31,668			

STATE MINIMUM SALARY SCHEDULE							
59	(1)	(2)	(3)	(4)	(5)	(6)	(7)
60	Years	4th	3rd	2nd	A.B.	A.B.	M.A.
61	Exp.	Class	Class	Class	A.B.	+ 15	M.A.
62	0	17,316	17,953	18,208	19,418	20,153	21,861
63	1	17,572	18,209	18,464	19,858	20,593	22,301
64	2	17,828	18,466	18,721	20,298	21,033	22,741
65	3	18,085	18,722	18,977	20,738	21,473	23,181
66	4	18,577	19,214	19,470	21,414	22,149	23,857
67	5	18,833	19,471	19,726	21,854	22,589	24,297
68	6	19,090	19,727	19,982	22,294	23,029	24,737
69	7		19,983	20,239	22,734	23,469	25,177
70	8		20,240	20,495	23,174	23,909	25,617
71	9			20,751	23,614	24,349	26,057
72	10			21,007	24,055	24,790	26,498
73	11				24,495	25,230	26,938
74	12				24,935	25,670	27,378
75	13				25,375	26,110	27,818
76	14						28,258
77	15						28,698
78	16						29,138
79	17						
80	18						
81	19						
82		(8)	(9)	(10)	(11)		
83	Years	M.A.	M.A.	M.A.	Doc-		
84	Exp.	+ 15	+ 30	+ 45	torate		
85	0	22,596	23,331	24,066	25,066		
86	1	23,036	23,771	24,506	25,506		
87	2	23,476	24,211	24,946	25,946		
88	3	23,916	24,711	25,386	26,386		
89	4	24,592	25,327	26,062	27,062		
90	5	25,332	25,767	26,502	27,502		
91	6	25,472	26,207	26,942	27,942		
92	7	25,912	26,647	27,382	28,382		
93	8	26,352	27,087	27,822	28,822		
94	9	26,792	27,527	28,262	29,262		
95	10	27,233	27,968	28,703	29,703		
96	11	27,673	28,408	29,143	30,143		
97	12	28,113	28,848	29,583	30,583		

98	13	28,553	29,288	30,023	31,023
99	14	28,993	29,728	30,463	31,463
100	15	29,433	30,168	30,903	31,903
101	16	29,873	30,608	31,343	32,343
102	17		31,048	31,783	32,783
103	18		31,488	32,223	33,223
104	19		31,928	32,663	33,663

105 (b) Six hundred dollars shall be paid annually to
 106 each classroom teacher who has at least twenty years
 107 of teaching experience. Such payments: (i) Shall be in
 108 addition to any amounts prescribed in the “state
 109 minimum salary schedule”; (ii) shall be paid in equal
 110 monthly installments; and (iii) shall be deemed a part
 111 of the state minimum salaries for teachers.

§18A-4-4. Minimum salary schedule for teachers having specialized training.

1 The state board of education shall establish the
 2 minimum salary schedule for teachers where special-
 3 ized training may be required for vocational, technical
 4 and adult education, and such other permits as may be
 5 authorized by said board.

6 On and after the first day of July, one thousand nine
 7 hundred eighty-five, any vocational industrial, techni-
 8 cal, occupational home economics, or health occupa-
 9 tions teacher who is required to hold a vocational
 10 certificate and is paid a salary equivalent to the
 11 amount prescribed for “A.B. + 15” training classifica-
 12 tion in the state minimum salary schedule for teachers
 13 under section two of this article shall, upon application
 14 therefor, receive advanced salary classification and be
 15 entitled to increased compensation on and after such
 16 date in respect to and based upon additional semester
 17 hours, approved by the state board of education and
 18 completed either prior to or subsequent to such date.
 19 All such hours earned must be from a regionally
 20 accredited institution of higher education.

21 The advanced salary classification shall be as follows:

22 (1) Those who have earned fifteen such additional
 23 semester hours shall receive an amount equal to that

24 prescribed for the "M.A." training classification under
25 section two of this article.

26 (2) Those who have earned thirty such additional
27 semester hours shall receive an amount equal to that
28 prescribed for the "M.A. + 15" training classification
29 under section two of this article.

30 (3) Those who have earned forty-five such additional
31 semester hours shall receive an amount equal to that
32 prescribed for the "M.A. + 30" training classification
33 under section two of this article.

34 (4) Those who have earned sixty such additional
35 semester hours shall receive an amount equal to that
36 prescribed for the "M.A. + 45" training classification
37 under section two of this article.

38 Any such teacher who has a permanent vocational
39 certificate and who has earned or earns a bachelor's
40 degree prior or subsequent to the issuance of such
41 certificate shall be entitled to receive the amount
42 prescribed for the "M.A. + 30" training classification
43 upon application: *Provided*, That any such teacher
44 who has a permanent vocational certificate and who
45 has earned or earns fifteen graduate hours prior or
46 subsequent to the issuance of such certificate shall be
47 entitled to receive the amount prescribed for the
48 "M.A. + 45" training classification upon application
49 therefor, such advanced salary to take effect immedi-
50 ately upon qualification therefor: *Provided, however*,
51 That any vocational teacher receiving the amount
52 prescribed for the "M.A. + 30" training classification
53 under prior enactments of this section who have not
54 been issued a permanent vocational certificate shall
55 not have such salary reduced as a result of this section:
56 *Provided further*, That any teacher with a vocational
57 certificate and under contract for the school year one
58 thousand nine hundred eighty-five—eighty-six who
59 has earned a bachelor's degree prior to the end of such
60 school year shall be entitled to receive the amount
61 prescribed for the "M.A. + 30" training classification,
62 upon application therefor, for the school year begin-
63 ning on the first day of July, one thousand nine

64 hundred eighty-six, and thereafter.

65 No teacher holding a valid professional certificate
 66 shall incur a salary reduction resulting from assign-
 67 ment out of the teacher's field by the superintendent,
 68 with the approval of the county board, under any
 69 authorization or regulation of the state board.

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

1 STATE MINIMUM PAY SCALE PAY GRADE

2	3	4	5	A	B	C	D	E	F	G	H
6	0	Years	of	950	970	1,010	1,060	1,110	1,170	1,200	1,270
7	1	employment		972	992	1,032	1,082	1,132	1,192	1,222	1,292
8	2			994	1,014	1,054	1,104	1,154	1,214	1,244	1,314
9	3			1,016	1,036	1,076	1,126	1,176	1,236	1,266	1,336
10	4			1,038	1,058	1,098	1,148	1,198	1,258	1,288	1,358
11	5			1,060	1,080	1,120	1,170	1,220	1,280	1,310	1,380
12	6			1,082	1,102	1,142	1,192	1,242	1,302	1,332	1,402
13	7			1,104	1,124	1,164	1,214	1,264	1,324	1,354	1,424
14	8			1,126	1,146	1,186	1,236	1,286	1,346	1,376	1,446
15	9			1,148	1,168	1,208	1,258	1,308	1,368	1,398	1,468
16	10			1,170	1,190	1,230	1,280	1,330	1,390	1,420	1,490
17	11			1,192	1,212	1,252	1,302	1,352	1,412	1,442	1,512
18	12			1,214	1,234	1,274	1,324	1,374	1,434	1,464	1,534
19	13			1,236	1,256	1,296	1,346	1,396	1,456	1,486	1,556
20	14			1,258	1,278	1,318	1,368	1,418	1,478	1,508	1,578
21	15			1,280	1,300	1,340	1,390	1,440	1,500	1,530	1,600
22	16			1,302	1,322	1,362	1,412	1,462	1,522	1,552	1,622
23	17			1,324	1,344	1,384	1,434	1,484	1,544	1,574	1,644
24	18			1,346	1,366	1,406	1,456	1,506	1,566	1,596	1,666
25	19			1,368	1,388	1,428	1,478	1,528	1,588	1,618	1,688
26	20			1,390	1,410	1,450	1,500	1,550	1,610	1,640	1,710
27	21			1,412	1,432	1,472	1,522	1,572	1,632	1,662	1,732
28	22			1,434	1,454	1,494	1,544	1,594	1,654	1,684	1,754
29	23			1,456	1,476	1,516	1,566	1,616	1,676	1,706	1,776
30	24			1,478	1,498	1,538	1,588	1,638	1,698	1,728	1,798
31	25			1,500	1,520	1,560	1,610	1,660	1,720	1,750	1,820
32	26			1,522	1,542	1,582	1,632	1,682	1,742	1,772	1,842
33	27			1,544	1,564	1,604	1,654	1,704	1,764	1,794	1,864

34	28	1,566	1,586	1,626	1,676	1,726	1,786	1,816	1,886
35	29	1,588	1,608	1,648	1,698	1,748	1,808	1,838	1,908
36	30	1,610	1,630	1,670	1,720	1,770	1,830	1,860	1,930

37 STATE MINIMUM PAY SCALE PAY GRADE I

38	Years								
39	of								
40	employ-								
41	ment	A	B	C	D	E	F	G	H
42	0	1,010	1,030	1,070	1,120	1,170	1,230	1,260	1,330
43	1	1,035	1,055	1,095	1,145	1,195	1,255	1,285	1,355
44	2	1,060	1,080	1,120	1,170	1,220	1,280	1,310	1,380
45	3	1,085	1,105	1,145	1,195	1,245	1,305	1,335	1,405
46	4	1,110	1,130	1,170	1,220	1,270	1,330	1,360	1,430
47	5	1,135	1,155	1,195	1,245	1,295	1,355	1,385	1,455
48	6	1,160	1,180	1,220	1,270	1,320	1,380	1,410	1,480
49	7	1,185	1,205	1,245	1,295	1,345	1,405	1,435	1,505
50	8	1,210	1,230	1,270	1,320	1,370	1,430	1,460	1,530
51	9	1,235	1,255	1,295	1,345	1,395	1,455	1,485	1,555
52	10	1,260	1,280	1,320	1,370	1,420	1,480	1,510	1,580
53	11	1,285	1,305	1,345	1,395	1,445	1,505	1,535	1,605
54	12	1,310	1,330	1,370	1,420	1,470	1,530	1,560	1,630
55	13	1,335	1,355	1,395	1,445	1,495	1,555	1,585	1,655
56	14	1,360	1,380	1,420	1,470	1,520	1,580	1,610	1,680
57	15	1,385	1,405	1,445	1,495	1,545	1,605	1,635	1,705
58	16	1,410	1,430	1,470	1,520	1,570	1,630	1,660	1,730
59	17	1,435	1,455	1,495	1,545	1,595	1,655	1,685	1,755
60	18	1,460	1,480	1,520	1,570	1,620	1,680	1,710	1,780
61	19	1,485	1,505	1,545	1,595	1,645	1,705	1,735	1,805
62	20	1,510	1,530	1,570	1,620	1,670	1,730	1,760	1,830
63	21	1,535	1,555	1,595	1,645	1,695	1,755	1,785	1,855
64	22	1,560	1,580	1,620	1,670	1,720	1,780	1,810	1,880
65	23	1,585	1,605	1,645	1,695	1,745	1,805	1,835	1,905
66	24	1,610	1,630	1,670	1,720	1,770	1,830	1,860	1,930
67	25	1,635	1,655	1,695	1,745	1,795	1,855	1,885	1,955
68	26	1,660	1,680	1,720	1,770	1,820	1,880	1,910	1,980
69	27	1,685	1,705	1,745	1,795	1,845	1,905	1,935	2,005
70	28	1,710	1,730	1,770	1,820	1,870	1,930	1,960	2,030
71	29	1,735	1,755	1,795	1,845	1,895	1,955	1,985	2,055
72	30	1,760	1,780	1,820	1,870	1,920	1,980	2,010	2,080

73	CLASS TITLE	PAY GRADE
74	Accountant I	D
75	Accountant II	E
76	Accountant III	F
77	Aide I	A
78	Aide II	B
79	Aide III	C
80	Aide IV	D
81	Audiovisual Technician	C
82	Auditor	G
83	Autism Mentor	E
84	Braille or Sign Language Specialist	E
85	Bus Operator	D
86	Buyer	F
87	Cabinetmaker	G
88	Cafeteria Manager	D
89	Carpenter I	E
90	Carpenter II	F
91	Chief Mechanic	G
92	Clerk I	B
93	Clerk II	C
94	Computer Operator	E
95	Cook I	A
96	Cook II	B
97	Cook III	C
98	Crew Leader	F
99	Custodian I	A
100	Custodian II	B
101	Custodian III	C
102	Custodian IV	D
103	Director or Coordinator of Services	H
104	Draftsman	D
105	Electrician I	F
106	Electrician II	G
107	Electronic Technician I	F
108	Electronic Technician II	G
109	Executive Secretary	G
110	Food Services Supervisor	G
111	Foreman	G
112	General Maintenance	C
113	Glazier	D
114	Graphic Artist	D

115	Groundsman	B
116	Handyman	B
117	Heating and Air Conditioning Mechanic I	E
118	Heating and Air Conditioning Mechanic II	G
119	Heavy Equipment Operator	E
120	Inventory Supervisor	D
121	Key Punch Operator	B
122	Locksmith	G
123	Lubrication Man	C
124	Machinist	F
125	Mail Clerk	D
126	Maintenance Clerk	C
127	Mason	G
128	Mechanic	F
129	Mechanic Assistant	E
130	Office Equipment Repairman I	F
131	Office Equipment Repairman II	G
132	Painter	E
133	Paraprofessional	F
134	Plumber I	E
135	Plumber II	G
136	Printing Operator	B
137	Printing Supervisor	D
138	Programmer	H
139	Roofing/Sheet Metal Mechanic	F
140	Sanitation Plant Operator	F
141	School Bus Supervisor	E
142	Secretary I	D
143	Secretary II	E
144	Secretary III	F
145	Supervisor of Maintenance	H
146	Supervisor of Transportation	H
147	Switchboard Operator-Receptionist	D
148	Truck Driver	D
149	Warehouse Clerk	C
150	Watchman	B
151	Welder	F
152	(1) The minimum monthly pay for each service	
153	employee whose employment is for a period of more	
154	than three and one-half hours a day shall be at least	
155	the amounts indicated in the "state minimum pay	
156	scale pay grade" and the minimum monthly pay and	

DA

157 ~~the minimum monthly pay~~ ^{DN} for each service employee
158 whose employment is for a period of three and one-
159 half hours or less a day shall be at least one-half the ^{DN}
160 amount indicated in the "state minimum pay scale ^{- pay}
161 grade" set forth in this section: *Provided*, That on and
162 after the first day of July, one thousand nine hundred
163 ninety-four, the minimum monthly pay for each
164 service employee whose employment is for a period of
165 more than three and one-half hours a day shall be at
166 least the amounts indicated in the "state minimum
167 pay scale pay grade I" as set forth in this section, and
168 the minimum monthly pay for each service employee
169 whose employment is for a period of three and one-
170 half hours or less a day shall be at least one-half the
171 amount indicated in the "state minimum pay scale pay
172 grade I" set forth in this section.

173 (2) An additional ten dollars per month shall be
174 added to the minimum monthly pay of each service
175 employee who holds a high school diploma or its
176 equivalent.

177 (3) An additional ten dollars per month shall also be
178 added to the minimum monthly pay of each service
179 employee who holds twelve college hours or compara-
180 ble credit obtained in a trade or vocational school as
181 approved by the state board of education.

182 (4) When any part of a school service employee's
183 daily shift of work is performed between the hours of
184 six o'clock p.m. and five o'clock a.m. following, the
185 employee shall be paid no less than an additional ten
186 dollars per month and one half of such pay shall be
187 paid with local funds.

188 (5) Any service employee required to work on any
189 legal school holiday shall be paid at a rate one and
190 one-half times such employee's usual hourly rate.

191 (6) Any full-time service personnel required to work
192 in excess of their normal working day during any
193 week which contains a school holiday for which they
194 are paid shall be paid for such additional hours or
195 fraction thereof at a rate of one and one-half times
196 their usual hourly rate and paid entirely from county

197 board of education funds.

198 (7) No service employee shall have his or her daily
199 work schedule changed during the school year without
200 such employee's written consent, and such employee's
201 required daily work hours shall not be changed to
202 prevent the payment of time and one-half wages or
203 the employment of another employee.

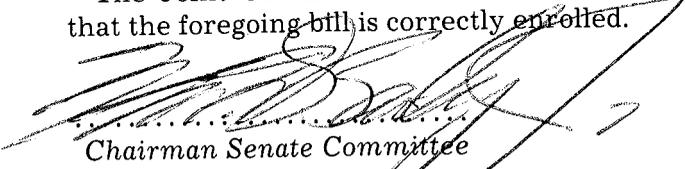
204 (8) The minimum hourly rate of pay for extra duty
205 assignments as defined in section eight-b of this article
206 shall be no less than one seventh of the employee's
207 daily total salary for each hour the employee is
208 involved in performing the assignment and paid
209 entirely from local funds: *Provided*, That an alterna-
210 tive minimum hourly rate of pay for performing extra
211 duty assignments within a particular category of
212 employment may be utilized if the alternate hourly
213 rate of pay is approved both by the county board of
214 education and by the affirmative vote of a two-thirds
215 majority of the regular full-time employees within
216 that classification category of employment within that
217 county: *Provided, however*, That the vote shall be by
218 secret ballot if so requested by a service personnel
219 employee within that classification category within
220 that county. The salary for any fraction of an hour the
221 employee is involved in performing the assignment
222 shall be prorated accordingly. When performing extra
223 duty assignments, employees who are regularly
224 employed on a one-half day salary basis shall receive
225 the same hourly extra duty assignment pay computed
226 as though such an employee were employed on a full-
227 day salary basis.

228 (9) The minimum pay for any service personnel
229 employees engaged in the removal of asbestos material
230 or related duties required for asbestos removal shall
231 be their regular total daily rate of pay and no less than
232 an additional three dollars per hour or no less than
233 five dollars per hour for service personnel supervising
234 asbestos removal responsibilities for each hour these
235 employees are involved in asbestos related duties.
236 Related duties required for asbestos removal shall
237 include, but not be limited to, travel, preparation of

238 the work site, removal of asbestos, decontamination of
239 the work site, placing and removal of equipment and
240 removal of structures from the site. If any member of
241 an asbestos crew is engaged in asbestos related duties
242 outside of the employee's regular employment county,
243 the daily rate of pay shall be no less than the mini-
244 mum amount as established in the employee's regular
245 employment county for asbestos removal and an
246 additional thirty dollars per each day the employee is
247 engaged in asbestos removal and related duties. The
248 additional pay for asbestos removal and related duties
249 shall be payable entirely from county funds. Before
250 service personnel employees may be utilized in the
251 removal of asbestos material or related duties, they
252 shall have completed a federal Environmental Protec-
253 tion Act approved training program and be licensed.
254 The employer shall provide all necessary protective
255 equipment and maintain all records required by the
256 Environmental Protection Act.

257 (10) For the purpose of qualifying for additional pay
258 as provided in section eight, article five of this chapter,
259 an aide shall be considered to be exercising the
260 authority of a supervisory aide and control over pupils
261 if the aide is required to supervise, control, direct,
262 monitor, escort or render service to a child or children
263 when not under the direct supervision of certificated
264 professional personnel within the classroom, library,
265 hallway, lunchroom, gymnasium, school building,
266 school grounds or wherever such supervision is
267 required.

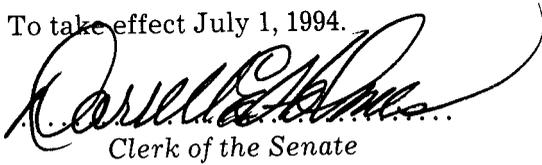
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


.....
Chairman Senate Committee

Ernest C Moore.....
Chairman House Committee

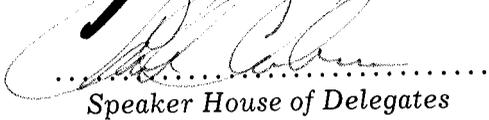
Originated in the Senate.

To take effect July 1, 1994.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved...this the 25th
day of March....., 1994.


.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/18/94

Time 4.32pm