

HB 2341

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1996

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# ENROLLED

*Com. Sub. for*

HOUSE BILL No. 2341

(By Delegates *Smirl, Kiss, Hutchins,*  
*Amores, Leggett and Pino*)

— • —

Passed March 9, 1996

In Effect Ninety Days from Passage

®  326-C

**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**  
**H. B. 2341**

(BY DELEGATES SMIRL, KISS, HUTCHINS, AMORES,  
LEGGETT AND PINO)

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[Passed March 9, 1996; in effect ninety days from passage.]

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AN ACT to amend article five, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifteen-a, relating generally to emergency services; authorizing paid leave for not more than fifteen work days for a state employee who is a certified disaster service volunteer of the American Red Cross; requiring American Red Cross to request leave; requiring approval by supervisors; and providing that no loss of pay or benefits will result from leave.

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

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

**ARTICLE 5. EMERGENCY SERVICES.**

**§15-5-15a. Paid leave for disaster service volunteers.**

- 1 Any state employee who is a certified disaster service
- 2 volunteer of the American Red Cross may be granted
- 3 leave from his or her state employment with pay, for not

4 more than fifteen work days in each year, to participate in  
5 specialized disaster relief services for the American Red  
6 Cross. Leave shall be granted under this section upon the  
7 request of the American Red Cross for the services of that  
8 employee and only upon the approval of that employee's  
9 immediate supervisor. Leave shall be granted without loss  
10 of pay, annual leave, sick leave, earned overtime compen-  
11 sation, seniority or compensatory time. The state shall  
12 compensate an employee granted leave under this section  
13 at the employee's regular rate of pay for those regular  
14 work hours during which the employee is absent from his  
15 or her state employment. Any supervisor granting leave  
16 to an employee for purposes of participating in special-  
17 ized disaster relief shall make a report to the governor  
18 which includes the name of the employee and the cost of  
19 salary and benefits of that employee during the period of  
20 the leave. The governor shall keep a record of the total  
21 cost of the salary and benefits of employees who have  
22 been granted leave and in no event shall the total cost for  
23 all state agencies exceed one hundred thousand dollars:  
24 *Provided*, That upon approval of the governor and repay-  
25 ment of the cost to the employing agency, from the civil  
26 contingent fund, leave may be granted in an excess of a  
27 total cost of one hundred thousand dollars if a state of  
28 emergency has been proclaimed pursuant to section six of  
29 this article.

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

Randy Schoonover  
Chairman Senate Committee

Randy Seavert  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Darrell Holmes  
Clerk of the Senate

Burgess W. Bony  
Clerk of the House of Delegates  
Carl Ray Imboden  
President of the Senate

Robert L. Berman  
Speaker of the House of Delegates

The within is approved this the 21st  
day of March, 1996.

Gaston Caperton  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/19/96

Time 3:31 pm