

# WEST VIRGINIA LEGISLATURE

EXTRAORDINARY SESSION, 1998



# ENROLLED

## House Bill No. 5001

(By Mr. Speaker, Mr. Kiss, and Delegate Ashley)  
(By Request of the Executive)



Passed March 21, 1998

In Effect July 1, 1998



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STATE OF WEST VIRGINIA

## ENROLLED

# H. B. 5001

(BY MR. SPEAKER, MR. KISS, AND DELEGATE ASHLEY)

[By Request of the Executive]

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[Passed March 21, 1998; in effect July 1, 1998.]

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AN ACT to amend and reenact section eight-a, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to salary increases for service personnel.

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

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

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

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

- 1 (1) The minimum monthly pay for each service
- 2 employee whose employment is for a period of more than
- 3 three and one-half hours a day shall be at least the
- 4 amounts indicated in the "state minimum pay scale pay
- 5 grade I" and the minimum monthly pay for each service
- 6 employee whose employment is for a period of three and
- 7 one-half hours or less a day shall be at least one-half the
- 8 amount indicated in the "state minimum pay scale pay
- 9 grade I" set forth in this section.

10		<b>STATE MINIMUM PAY SCALE PAY GRADE I</b>							
11		A	B	C	D	E	F	G	H
12	0	1100	1,120	1,160	1,210	1,260	1,320	1,350	1,420
13	1	1,127	1,147	1,187	1,237	1,287	1,347	1,377	1,447
14	2	1,154	1,174	1,214	1,264	1,314	1,374	1,404	1,474
15	3	1,181	1,201	1,241	1,291	1,341	1,401	1,431	1,501
16	4	1,208	1,228	1,268	1,318	1,368	1,428	1,458	1,528
17	5	1,235	1,255	1,295	1,345	1,395	1,455	1,485	1,555
18	6	1,262	1,282	1,322	1,372	1,422	1,482	1,512	1,582
19	7	1,289	1,309	1,349	1,399	1,449	1,509	1,539	1,609
20	8	1,316	1,336	1,376	1,426	1,476	1,536	1,566	1,636
21	9	1,343	1,363	1,403	1,453	1,503	1,563	1,593	1,663
22	10	1,370	1,390	1,430	1,480	1,530	1,590	1,620	1,690
23	11	1,397	1,417	1,457	1,507	1,557	1,617	1,647	1,717
24	12	1,424	1,444	1,484	1,534	1,584	1,644	1,674	1,744
25	13	1,451	1,471	1,511	1,561	1,611	1,671	1,701	1,771
26	14	1,478	1,498	1,538	1,588	1,638	1,698	1,728	1,798
27	15	1,505	1,525	1,565	1,615	1,665	1,725	1,755	1,825
28	16	1,532	1,552	1,592	1,642	1,692	1,752	1,782	1,852
29	17	1,559	1,579	1,619	1,669	1,719	1,779	1,809	1,879
30	18	1,586	1,606	1,646	1,696	1,746	1,806	1,836	1,906
31	19	1,613	1,633	1,673	1,723	1,773	1,833	1,863	1,933
32	20	1,640	1,660	1,700	1,750	1,800	1,860	1,890	1,960
33	21	1,667	1,687	1,727	1,777	1,827	1,887	1,917	1,987
34	22	1,694	1,714	1,754	1,804	1,854	1,914	1,944	2,014
35	23	1,721	1,741	1,781	1,831	1,881	1,941	1,971	2,041
36	24	1,748	1,768	1,808	1,858	1,908	1,968	1,998	2,068
37	25	1,775	1,795	1,835	1,885	1,935	1,995	2,025	2,095

38	26	1,802	1,822	1,862	1,912	1,962	2,022	2,052	2,122
39	27	1,829	1,849	1,889	1,939	1,989	2,049	2,079	2,149
40	28	1,856	1,876	1,916	1,966	2,016	2,076	2,106	2,176
41	29	1,883	1,903	1,943	1,993	2,043	2,103	2,133	2,203
42	30	1,910	1,930	1,970	2,020	2,070	2,130	2,160	2,230
43	31	1,937	1,957	1,997	2,047	2,097	2,157	2,187	2,257
44	32	1,964	1,984	2,024	2,074	2,124	2,184	2,214	2,284
45	33	1,991	2,011	2,051	2,101	2,151	2,211	2,241	2,311
46	34	2,018	2,038	2,078	2,128	2,178	2,238	2,268	2,338
47	35	2,045	2,065	2,105	2,155	2,205	2,265	2,295	2,365
48	36	2,072	2,092	2,132	2,182	2,232	2,292	2,322	2,392

49 Subject to a recommendation by the governor for a  
50 pay raise through the delivery of an executive message to  
51 the Legislature and an appropriation by the Legislature  
52 for a pay raise, effective the first day of July, one thousand  
53 nine hundred ninety-nine and thereafter, the minimum  
54 monthly pay for each service employee whose  
55 employment is for a period of more than three and one-  
56 half hours a day shall be at least the amounts indicated in  
57 the "state minimum pay scale pay grade II" and the  
58 minimum monthly pay for each service employee whose  
59 employment is for a period of three and one-half hours or  
60 less a day shall be at least one-half the amount indicated in  
61 the "state minimum pay scale pay grade II" set forth in  
62 this section.

### 63 STATE MINIMUM PAY SCALE PAY GRADE II

64	Years of								
65	Employment	Pay Grade							
66		A	B	C	D	E	F	G	H
67	0	1,160	1,180	1,220	1,270	1,320	1,380	1,410	1,480
68	1	1,188	1,208	1,248	1,298	1,348	1,408	1,438	1,508
69	2	1,216	1,236	1,276	1,326	1,376	1,436	1,466	1,536
70	3	1,244	1,264	1,304	1,354	1,404	1,464	1,494	1,564

71	4	1,272	1,292	1,332	1,382	1,432	1,492	1,522	1,592
72	5	1,300	1,320	1,360	1,410	1,460	1,520	1,550	1,620
73	6	1,328	1,348	1,388	1,438	1,488	1,548	1,578	1,648
74	7	1,356	1,376	1,416	1,466	1,516	1,576	1,606	1,676
75	8	1,384	1,404	1,444	1,494	1,544	1,604	1,634	1,704
76	9	1,412	1,432	1,472	1,522	1,572	1,632	1,662	1,732
77	10	1,440	1,460	1,500	1,550	1,600	1,660	1,690	1,760
78	11	1,468	1,488	1,528	1,578	1,628	1,688	1,718	1,788
79	12	1,496	1,516	1,556	1,606	1,656	1,716	1,746	1,816
80	13	1,524	1,544	1,584	1,634	1,684	1,744	1,774	1,844
81	14	1,552	1,572	1,612	1,662	1,712	1,772	1,802	1,872
82	15	1,580	1,600	1,640	1,690	1,740	1,800	1,830	1,900
83	16	1,608	1,628	1,668	1,718	1,768	1,828	1,858	1,928
84	17	1,636	1,656	1,696	1,746	1,796	1,856	1,886	1,956
85	18	1,664	1,684	1,724	1,774	1,824	1,884	1,914	1,984
86	19	1,692	1,712	1,752	1,802	1,852	1,912	1,942	2,012
87	20	1,720	1,740	1,780	1,830	1,880	1,940	1,970	2,040
88	21	1,748	1,768	1,808	1,858	1,908	1,968	1,998	2,068
89	22	1,776	1,796	1,836	1,886	1,936	1,996	2,026	2,096
90	23	1,804	1,824	1,864	1,914	1,964	2,024	2,054	2,124
91	24	1,832	1,852	1,892	1,942	1,992	2,052	2,082	2,152
92	25	1,860	1,880	1,920	1,970	2,020	2,080	2,110	2,180
93	26	1,888	1,908	1,948	1,998	2,048	2,108	2,138	2,208
94	27	1,916	1,936	1,976	2,026	2,076	2,136	2,166	2,236
95	28	1,944	1,964	2,004	2,054	2,104	2,164	2,194	2,264
96	29	1,972	1,992	2,032	2,082	2,132	2,192	2,222	2,292
97	30	2,000	2,020	2,060	2,110	2,160	2,220	2,250	2,320
98	31	2,028	2,048	2,088	2,138	2,188	2,248	2,278	2,348

99	32	2,056	2,076	2,116	2,166	2,216	2,276	2,306	2,376
100	33	2,084	2,104	2,144	2,194	2,244	2,304	2,334	2,404
101	34	2,112	2,132	2,172	2,222	2,272	2,332	2,362	2,432
102	35	2,140	2,160	2,200	2,250	2,300	2,360	2,390	2,460
103	36	2,168	2,188	2,228	2,278	2,328	2,388	2,418	2,488

104 If "state minimum pay scale pay grade II" becomes  
 105 effective on the first day of July, one thousand nine  
 106 hundred ninety-nine and the governor recommends a pay  
 107 raise through the delivery of an executive message to the  
 108 Legislature and the Legislature appropriates money for a  
 109 pay raise, the minimum monthly pay for each service  
 110 employee whose employment is for a period of more than  
 111 three and one-half hours a day shall be at least the  
 112 amounts indicated in the "state minimum pay scale pay  
 113 grade III" and the minimum monthly pay for each  
 114 service employee whose employment is for a period of  
 115 three and one-half hours or less a day shall be at least one-  
 116 half the amount indicated in the "state minimum pay  
 117 scale pay grade III" set forth in this section.

### 118 STATE MINIMUM PAY SCALE PAY GRADE III

119	Years of								
120	Employment		Pay Grade						
121	A	B	C	D	E	F	G	H	
122	0	1,220	1,240	1,280	1,330	1,380	1,440	1,470	1,540
123	1	1,249	1,269	1,309	1,359	1,409	1,469	1,499	1,569
124	2	1,278	1,298	1,338	1,388	1,438	1,498	1,528	1,598
125	3	1,307	1,327	1,367	1,417	1,467	1,527	1,557	1,627
126	4	1,336	1,356	1,396	1,446	1,496	1,556	1,586	1,656
127	5	1,365	1,385	1,425	1,475	1,525	1,585	1,615	1,685
128	6	1,394	1,414	1,454	1,504	1,554	1,614	1,644	1,714
129	7	1,423	1,443	1,483	1,533	1,583	1,643	1,673	1,743
130	8	1,452	1,472	1,512	1,562	1,612	1,672	1,702	1,772
131	9	1,481	1,501	1,541	1,591	1,641	1,701	1,731	1,801
132	10	1,510	1,530	1,570	1,620	1,670	1,730	1,760	1,830

133	11	1,539	1,559	1,599	1,649	1,699	1,759	1,789	1,859
134	12	1,568	1,588	1,628	1,678	1,728	1,788	1,818	1,888
135	13	1,597	1,617	1,657	1,707	1,757	1,817	1,847	1,917
136	14	1,626	1,646	1,686	1,736	1,786	1,846	1,876	1,946
137	15	1,655	1,675	1,715	1,765	1,815	1,875	1,905	1,975
138	16	1,684	1,704	1,744	1,794	1,844	1,904	1,934	2,004
139	17	1,713	1,733	1,773	1,823	1,873	1,933	1,963	2,033
140	18	1,742	1,762	1,802	1,852	1,902	1,962	1,992	2,062
141	19	1,771	1,791	1,831	1,881	1,931	1,991	2,021	2,091
142	20	1,800	1,820	1,860	1,910	1,960	2,020	2,050	2,120
143	21	1,829	1,849	1,889	1,939	1,989	2,049	2,079	2,149
144	22	1,858	1,878	1,918	1,968	2,018	2,078	2,108	2,178
145	23	1,887	1,907	1,947	1,997	2,047	2,107	2,137	2,207
146	24	1,916	1,936	1,976	2,026	2,076	2,136	2,166	2,236
147	25	1,945	1,965	2,005	2,055	2,105	2,165	2,195	2,265
148	26	1,974	1,994	2,034	2,084	2,134	2,194	2,224	2,294
149	27	2,003	2,023	2,063	2,113	2,163	2,223	2,253	2,323
150	28	2,032	2,052	2,092	2,142	2,192	2,252	2,282	2,352
151	29	2,061	2,081	2,121	2,171	2,221	2,281	2,311	2,381
152	30	2,090	2,110	2,150	2,200	2,250	2,310	2,340	2,410
153	31	2,119	2,139	2,179	2,229	2,279	2,339	2,369	2,439
154	32	2,148	2,168	2,208	2,258	2,308	2,368	2,398	2,468
155	33	2,177	2,197	2,237	2,287	2,337	2,397	2,427	2,497
156	34	2,206	2,226	2,266	2,316	2,366	2,426	2,456	2,526
157	35	2,235	2,255	2,295	2,345	2,395	2,455	2,485	2,555
158	36	2,264	2,284	2,324	2,374	2,424	2,484	2,514	2,584
159		<b>CLASS TITLE</b>					<b>PAY GRADE</b>		
160		Accountant I							D
161		Accountant II							E
162		Accountant III							F

163	Aide I	A
164	Aide II	B
165	Aide III	C
166	Aide IV	D
167	Audiovisual Technician	C
168	Auditor	G
169	Autism Mentor	E
170	Braille or Sign Language Specialist	E
171	Bus Operator	D
172	Buyer	F
173	Cabinetmaker	G
174	Cafeteria Manager	D
175	Carpenter I	E
176	Carpenter II	F
177	Chief Mechanic	G
178	Clerk I	B
179	Clerk II	C
180	Computer Operator	E
181	Cook I	A
182	Cook II	B
183	Cook III	C
184	Crew Leader	F
185	Custodian I	A
186	Custodian II	B
187	Custodian III	C
188	Custodian IV	D
189	Director or Coordinator of Services	H
190	Draftsman	D
191	Electrician I	F



192	Electrician II	G
193	Electronic Technician I	F
194	Electronic Technician II	G
195	Executive Secretary	G
196	Food Services Supervisor	G
197	Foreman	G
198	General Maintenance	C
199	Glazier	D
200	Graphic Artist	D
201	Groundsman	B
202	Handyman	B
203	Heating and Air Conditioning Mechanic I	E
204	Heating and Air Conditioning Mechanic II	G
205	Heavy Equipment Operator	E
206	Inventory Supervisor	D
207	Key Punch Operator	B
208	Locksmith	G
209	Lubrication Man	C
210	Machinist	F
211	Mail Clerk	D
212	Maintenance Clerk	C
213	Mason	G
214	Mechanic	F
215	Mechanic Assistant	E
216	Office Equipment Repairman I	F
217	Office Equipment Repairman II	G
218	Painter	E
219	Paraprofessional	F
220	Plumber I	E

221	Plumber II	G
222	Printing Operator	B
223	Printing Supervisor	D
224	Programmer	H
225	Roofing/Sheet Metal Mechanic	F
226	Sanitation Plant Operator	F
227	School Bus Supervisor	E
228	Secretary I	D
229	Secretary II	E
230	Secretary III	F
231	Supervisor of Maintenance	H
232	Supervisor of Transportation	H
233	Switchboard Operator-Receptionist	D
234	Truck Driver	D
235	Warehouse Clerk	C
236	Watchman	B
237	Welder	F
238	(2) An additional ten dollars per month shall be added	
239	to the minimum monthly pay of each service employee	
240	who holds a high school diploma or its equivalent.	
241	(3) An additional ten dollars per month shall also be	
242	added to the minimum monthly pay of each service	
243	employee who holds twelve college hours or comparable	
244	credit obtained in a trade or vocational school as approved	
245	by the state board.	
246	(4) When any part of a school service employee's daily	
247	shift of work is performed between the hours of six	
248	o'clock p.m. and five o'clock a.m. the following day, the	
249	employee shall be paid no less than an additional ten	
250	dollars per month and one half of the pay shall be paid	
251	with local funds.	
252	(5) Any service employee required to work on any	
253	legal school holiday shall be paid at a rate one and one-	

254 half times the employee's usual hourly rate.

255 (6) Any full-time service personnel required to work  
256 in excess of their normal working day during any week  
257 which contains a school holiday for which they are paid  
258 shall be paid for the additional hours or fraction of the  
259 additional hours at a rate of one and one-half times their  
260 usual hourly rate and paid entirely from county board  
261 funds.

262 (7) No service employee may have his or her daily  
263 work schedule changed during the school year without the  
264 employee's written consent, and the employee's required  
265 daily work hours may not be changed to prevent the  
266 payment of time and one-half wages or the employment  
267 of another employee.

268 (8) The minimum hourly rate of pay for extra duty  
269 assignments as defined in section eight-b of this article  
270 shall be no less than one seventh of the employee's daily  
271 total salary for each hour the employee is involved in  
272 performing the assignment and paid entirely from local  
273 funds: *Provided*, That an alternative minimum hourly rate  
274 of pay for performing extra duty assignments within a  
275 particular category of employment may be utilized if the  
276 alternate hourly rate of pay is approved both by the  
277 county board and by the affirmative vote of a two-thirds  
278 majority of the regular full-time employees within that  
279 classification category of employment within that county:  
280 *Provided, however*, That the vote shall be by secret ballot  
281 if so requested by a service personnel employee within  
282 that classification category within that county. The salary  
283 for any fraction of an hour the employee is involved in  
284 performing the assignment shall be prorated accordingly.  
285 When performing extra duty assignments, employees who  
286 are regularly employed on a one-half day salary basis  
287 shall receive the same hourly extra duty assignment pay  
288 computed as though the employee were employed on a  
289 full-day salary basis.

290 (9) The minimum pay for any service personnel  
291 employees engaged in the removal of asbestos material or  
292 related duties required for asbestos removal shall be their  
293 regular total daily rate of pay and no less than an  
294 additional three dollars per hour or no less than five

295 dollars per hour for service personnel supervising asbestos  
296 removal responsibilities for each hour these employees are  
297 involved in asbestos related duties. Related duties required  
298 for asbestos removal include, but are not limited to, travel,  
299 preparation of the work site, removal of asbestos  
300 decontamination of the work site, placing and removal of  
301 equipment and removal of structures from the site. If any  
302 member of an asbestos crew is engaged in asbestos related  
303 duties outside of the employee's regular employment  
304 county, the daily rate of pay shall be no less than the  
305 minimum amount as established in the employee's regular  
306 employment county for asbestos removal and an  
307 additional thirty dollars per each day the employee is  
308 engaged in asbestos removal and related duties. The  
309 additional pay for asbestos removal and related duties  
310 shall be payable entirely from county funds. Before  
311 service personnel employees may be utilized in the  
312 removal of asbestos material or related duties, they shall  
313 have completed a federal Environmental Protection Act  
314 approved training program and be licensed. The  
315 employer shall provide all necessary protective equipment  
316 and maintain all records required by the Environmental  
317 Protection Act.

318 (10) For the purpose of qualifying for additional pay  
319 as provided in section eight, article five of this chapter, an  
320 aide shall be considered to be exercising the authority of a  
321 supervisory aide and control over pupils if the aide is  
322 required to supervise, control, direct, monitor, escort or  
323 render service to a child or children when not under the  
324 direct supervision of certificated professional personnel  
325 within the classroom, library, hallway, lunchroom,  
326 gymnasium, school building, school grounds or wherever  
327 supervision is required. For purposes of this section,  
328 "under the direct supervision of certificated professional  
329 personnel" means that certificated professional personnel  
330 is present, with and accompanying the aide.

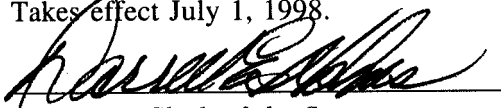
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

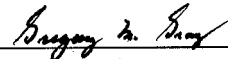
  
Chairman Senate Committee

  
Chairman House Committee

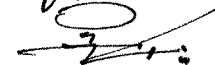
Originating in the House.

Takes effect July 1, 1998.

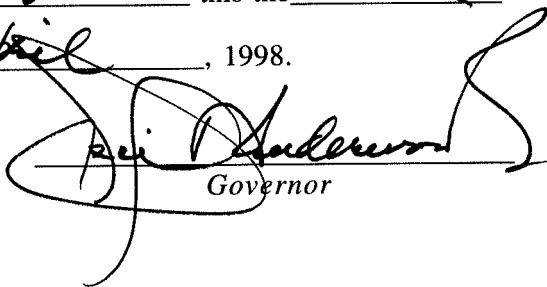
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within approved this the 8th  
day of April, 1998.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/6/98

Time 11:45am