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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



ENROLLED

House Bill No. 4314

(By Delegates Fletcher, Calvert, Trump,
Harrison, Armstead, Ennis and Davis)



Passed February 17, 2000

In Effect from Passage

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STATE HOUSE

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H. B. 4314

(BY DELEGATES FLETCHER, CALVERT, TRUMP,
HARRISON, ARMSTEAD, ENNIS AND DAVIS)

[Passed February 17, 2000; in effect from passage.]

AN ACT to amend and reenact section ten-c, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to school personnel; personal leave banks for care givers; and defining “catastrophic illness or injury”.

Be it enacted by the Legislature of West Virginia:

That section ten-c, 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-4-10c. Personal leave banks for care givers.

- 1 (a) For the purposes of this section:
- 2 (1) “Care giver” means any employee of a county board
- 3 who:
- 4 (A) Is a spouse, child or parent of any employee who meets
- 5 the following qualifications:

6 (i) He or she is an employee of the same county board of
7 education as the care giver; and

8 (ii) He or she currently is eligible to receive benefits from
9 the personal leave bank established in section ten of this article;
10 or

11 (B) Is a parent of a dependent child who is suffering from
12 a catastrophic illness or injury;

13 (2) "Catastrophic illness or injury" means a medical or
14 physical condition that incapacitates a family member of the
15 care giver and results in the care giver being required to take
16 time off from work as defined by the rules of the board to care
17 for the family member.

18 (b) A county board of education may establish a personal
19 leave bank for care givers which is separate from any personal
20 leave bank as defined in section ten of this article. The personal
21 leave bank shall be operated pursuant to rules adopted by the
22 county board which shall include, but not be limited to, the
23 following:

24 (1) An employee may contribute no more than two days of
25 personal leave per school year;

26 (2) The bank shall be established either jointly or separately
27 for both professional personnel and school service personnel
28 and shall be available to all school personnel;

29 (3) The rules may limit the maximum number of days used
30 by a care giver;

31 (4) Where the care giver is caring for an absent employee
32 as defined in paragraph (A), subdivision (1), subsection (a) of
33 this section, the rules shall require that leave bank days be used
34 only by a care giver who is absent from work during the same
35 time period as the absent employee for whom care is being
36 provided; and

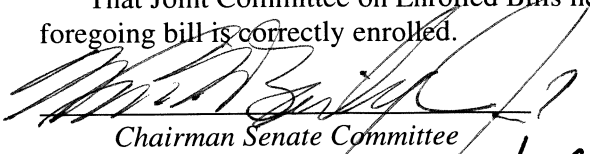
37 (5) The rules shall require that the care giver is an active
38 employee with less than five days accumulated personal leave.

39 (c) The use of these days by the care giver for the extension
40 of insurance coverage pursuant to section twelve, article
41 sixteen, chapter five of this code is prohibited.

42 (d) Contributions shall reduce, to the extent of the contribu-
43 tion, the number of personal leave days to which a contributing
44 employee is entitled by section ten of this article: *Provided,*
45 That the employee's contribution may not reduce the number of
46 entitled personal leave days without cause.

47 (e) No employee may be compelled to contribute to a
48 personal leave bank.

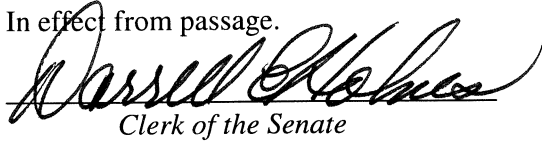
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

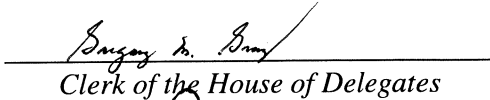

Chairman Senate Committee

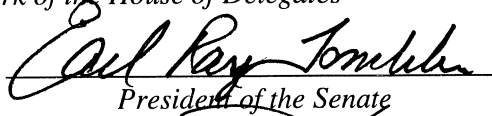

Chairman House Committee

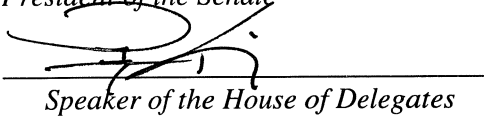
Originating in the House.

In effect from passage.

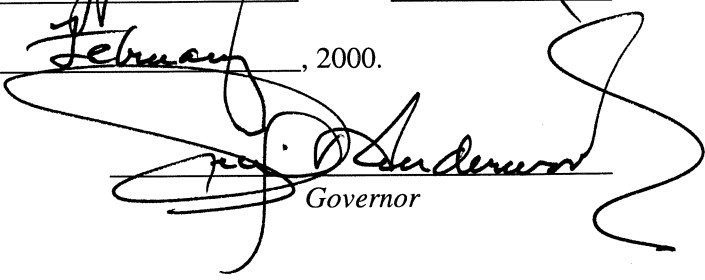

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 2nd
day of February, 2000.


Governor

PRESENTED TO THE

GOVERNOR

Date 2/18/00

Time 4:20 pm