

HB 2777
S
LLC
S

FILED

2007 APR -4 PM 5: 41

OFFICE WEST VIRGINIA
SECRETARY OF STATE

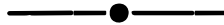
WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2007



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 2777**

(By Mr. Speaker, (Mr. Thompson) and Delegate Armstead)
[By Request of the Executive]



Passed March 9, 2007

Effective July 1, 2007

FILED

E N R O L L E D

2007 APR -4 PM 5:41

COMMITTEE SUBSTITUTE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

FOR

H. B. 2777

(BY MR. SPEAKER, (MR. THOMPSON) AND DELEGATE ARMSTEAD)
[BY REQUEST OF THE EXECUTIVE]

[Passed March 9, 2007; in effect July 1, 2007.]

AN ACT to amend and reenact §18A-4-2, §18A-4-2a, §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as amended, all relating to providing for compensation generally; increasing annual salaries of public school teachers; increasing the annual salary bonus for classroom teachers with national board certification; creating new service personnel class title for compensation purposes and preventing such new title from resulting in displacement of other employees; increasing monthly salaries of service personnel and clarifying certain workday parameters for such; providing and modifying certain pay grades; and making technical corrections.

Be it enacted by the Legislature of West Virginia:

That §18A-4-2, §18A-4-2a, §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

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

1 (a) Effective the first day of July, two thousand seven,
 2 through the thirtieth day of June, two thousand eight, each
 3 teacher shall receive the amount prescribed in the 2007-08
 4 State Minimum Salary Schedule as set forth in this section,
 5 specific additional amounts prescribed in this section or
 6 article and any county supplement in effect in a county
 7 pursuant to section five-a of this article during the contract
 8 year.

9 Effective the first day of July, two thousand eight, and
 10 thereafter, each teacher shall receive the amount prescribed
 11 in the 2008-09 State Minimum Salary Schedule as set forth
 12 in this section, specific additional amounts prescribed in this
 13 section or article and any county supplement in effect in a
 14 county pursuant to section five-a of this article during the
 15 contract year.

2007-08 STATE MINIMUM SALARY SCHEDULE

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Years Exp.	4th Class	3rd Class	2nd Class	A.B.	A.B. +15	M.A.	M.A. +15	M.A. +30	M.A. +45	Doc- torate
0	24,051	24,711	24,975	26,227	26,988	28,755	29,516	30,277	31,038	32,073
1	24,379	25,039	25,303	26,745	27,506	29,274	30,035	30,795	31,556	32,591
2	24,708	25,367	25,631	27,264	28,025	29,792	30,553	31,314	32,075	33,110
3	25,036	25,695	25,959	27,783	28,543	30,311	31,072	31,832	32,593	33,628
4	25,608	26,267	26,531	28,545	29,306	31,074	31,835	32,595	33,356	34,391
5	25,936	26,595	26,859	29,064	29,825	31,592	32,353	33,114	33,875	34,910
6	26,264	26,923	27,187	29,582	30,343	32,111	32,872	33,632	34,393	35,428
7	26,592	27,252	27,515	30,101	30,862	32,629	33,390	34,151	34,912	35,947
8	26,920	27,580	27,844	30,619	31,380	33,148	33,909	34,669	35,430	36,465
9	27,248	27,908	28,172	31,138	31,899	33,666	34,427	35,188	35,949	36,984
10	27,577	28,236	28,500	31,657	32,417	34,185	34,946	35,706	36,467	37,502
11	27,905	28,564	28,828	32,175	32,936	34,704	35,464	36,225	36,986	38,021
12	28,233	28,892	29,156	32,694	33,454	35,222	35,983	36,744	37,504	38,539
13	28,561	29,220	29,484	33,212	33,973	35,741	36,501	37,262	38,023	39,058
14	28,561	29,548	29,812	33,731	34,491	36,259	37,020	37,781	38,541	39,576
15	28,561	29,876	30,140	34,249	35,010	36,778	37,538	38,299	39,060	40,095

3 [Enr. Com. Sub. for H.B 2777

16	28,561	29,876	30,468	34,768	35,528	37,296	38,057	38,818	39,578	40,613
17	28,561	29,876	30,796	35,286	36,047	37,815	38,575	39,336	40,097	41,132
18	28,561	29,876	30,796	35,805	36,566	38,333	39,094	39,855	40,615	41,650
19	28,561	29,876	30,796	36,323	37,084	38,852	39,613	40,373	41,134	42,169
20	28,561	29,876	30,796	36,842	37,603	39,370	40,131	40,892	41,653	42,688
21	28,561	29,876	30,796	36,842	37,603	39,889	40,650	41,410	42,171	43,206
22	28,561	29,876	30,796	36,842	37,603	40,407	41,168	41,929	42,690	43,725
23	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,447	43,208	44,243
24	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,966	43,727	44,762
25	28,561	29,876	30,796	36,842	37,603	40,926	41,687	43,484	44,245	45,280
26	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
27	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
28	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
29	28,889	30,204	31,125	37,360	38,121	41,445	42,205	44,522	45,282	46,317
30	29,217	30,533	31,453	37,879	38,640	41,963	42,724	45,040	45,801	46,836
31	29,545	30,861	31,781	38,397	39,158	42,482	43,242	45,559	46,319	47,354
32	29,873	31,189	32,109	38,916	39,677	43,000	43,761	46,077	46,838	47,873
33	30,201	31,517	32,437	39,435	40,195	43,519	44,279	46,596	47,356	48,391
34	30,529	31,845	32,765	39,953	40,714	44,037	44,798	47,114	47,875	48,910
35	30,857	32,173	33,093	40,472	41,232	44,556	45,316	47,633	48,393	49,428

2008-09 STATE MINIMUM SALARY SCHEDULE

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Years Exp.	4th Class	3rd Class	2nd Class	A.B.	A.B. +15	M.A.	M.A. +15	M.A. +30	M.A. +45	Doc-torate
0	24,051	24,711	24,975	26,227	26,988	28,755	29,516	30,277	31,038	32,073
1	24,379	25,039	25,303	26,745	27,506	29,274	30,035	30,795	31,556	32,591
2	24,708	25,367	25,631	27,264	28,025	29,792	30,553	31,314	32,075	33,110
3	25,036	25,695	25,959	27,783	28,543	30,311	31,072	31,832	32,593	33,628
4	25,608	26,267	26,531	28,545	29,306	31,074	31,835	32,595	33,356	34,391
5	25,936	26,595	26,859	29,064	29,825	31,592	32,353	33,114	33,875	34,910
6	26,264	26,923	27,187	29,582	30,343	32,111	32,872	33,632	34,393	35,428
7	26,592	27,252	27,515	30,101	30,862	32,629	33,390	34,151	34,912	35,947
8	26,920	27,580	27,844	30,619	31,380	33,148	33,909	34,669	35,430	36,465
9	27,248	27,908	28,172	31,138	31,899	33,666	34,427	35,188	35,949	36,984
10	27,577	28,236	28,500	31,658	32,418	34,186	34,947	35,708	36,468	37,503
11	27,905	28,564	28,828	32,176	32,937	34,705	35,465	36,226	36,987	38,022
12	28,233	28,892	29,156	32,695	33,455	35,223	35,984	36,745	37,505	38,540
13	28,561	29,220	29,484	33,213	33,974	35,742	36,502	37,263	38,024	39,059
14	28,889	29,548	29,812	33,732	34,492	36,260	37,021	37,782	38,542	39,577
15	29,217	29,876	30,140	34,250	35,011	36,779	37,539	38,300	39,061	40,096
16	29,545	30,204	30,468	34,769	35,529	37,297	38,058	38,819	39,579	40,614
17	29,873	30,533	30,796	35,287	36,048	37,816	38,577	39,337	40,098	41,133

18	30,201	30,861	31,125	35,806	36,567	38,334	39,095	39,856	40,617	41,652
19	30,529	31,189	31,453	36,324	37,085	38,853	39,614	40,374	41,135	42,170
20	30,857	31,517	31,781	36,843	37,604	39,371	40,132	40,893	41,654	42,689
21	31,186	31,845	32,109	37,361	38,122	39,890	40,651	41,411	42,172	43,207
22	31,514	32,173	32,437	37,880	38,641	40,408	41,169	41,930	42,691	43,726
23	31,842	32,501	32,765	38,399	39,159	40,927	41,688	42,448	43,209	44,244
24	32,170	32,829	33,093	38,917	39,678	41,446	42,206	42,967	43,728	44,763
25	32,498	33,157	33,421	39,436	40,196	41,964	42,725	43,486	44,246	45,281
26	32,826	33,485	33,749	39,954	40,715	42,483	43,243	44,004	44,765	45,800
27	33,154	33,813	34,077	40,473	41,233	43,001	43,762	44,523	45,283	46,318
28	33,482	34,142	34,405	40,991	41,752	43,520	44,280	45,041	45,802	46,837
29	33,810	34,470	34,734	41,510	42,270	44,038	44,799	45,560	46,320	47,355
30	34,138	34,798	35,062	42,028	42,789	44,557	45,317	46,078	46,839	47,874
31	34,467	35,126	35,390	42,547	43,308	45,075	45,836	46,597	47,357	48,392
32	34,795	35,454	35,718	43,065	43,826	45,594	46,355	47,115	47,876	48,911
33	35,123	35,782	36,046	43,584	44,345	46,112	46,873	47,634	48,395	49,430
34	35,451	36,110	36,374	44,102	44,863	46,631	47,392	48,152	48,913	49,948
35	35,779	36,438	36,702	44,621	45,382	47,149	47,910	48,671	49,432	50,467

1 (b) Six hundred dollars shall be paid annually to each
2 classroom teacher who has at least twenty years of teaching
3 experience. The payments: (i) Shall be in addition to any
4 amounts prescribed in the applicable state minimum salary
5 schedule; (ii) shall be paid in equal monthly installments; and
6 (iii) shall be considered a part of the state minimum salaries
7 for teachers.

§18A-4-2a. State minimum salary bonus for classroom teachers with national board certification.

1 (a) The Legislature hereby finds and declares that the
2 rigorous standards and processes for certification by the
3 National Board for Professional Teaching Standards
4 (NBPTS) helps to promote the quality of teaching and
5 learning. Therefore, classroom teachers in the public schools
6 of West Virginia should be encouraged to achieve national
7 board certification through a reimbursement of expenses and
8 an additional salary bonus which reflects their additional
9 certification, to be paid in accordance with the provisions of
10 this section.

11 (b) Three thousand five hundred dollars shall be paid
12 annually to each classroom teacher who holds a valid
13 certificate issued by the National Board of Professional

14 Teaching Standards for the life of the certification, but in no
15 event more than ten years for any one certification.

16 (c) The payments:

17 (1) Shall be in addition to any amounts prescribed in the
18 applicable state minimum salary schedule;

19 (2) Shall be paid in equal monthly installments; and

20 (3) Shall be considered a part of the state minimum
21 salaries for teachers.

22 (d) One-half the certification fee shall be paid for
23 reimbursement once to each teacher who enrolls in the
24 program for the National Board for Professional Teaching
25 Standards certification and one-half the certification fee shall
26 be paid for reimbursement once to each teacher who
27 completes the National Board for Professional Teaching
28 Standards certification. Completion shall be defined as the
29 completion of ten scorable entries, as verified by the National
30 Board for Professional Teaching Standards. Teachers who
31 achieve National Board for Professional Teaching Standards
32 certification may be reimbursed a maximum of six hundred
33 dollars for expenses actually incurred while obtaining the
34 National Board for Professional Teaching Standards
35 certification.

36 (e) The state board shall limit the number of teachers who
37 receive the initial reimbursements of the certification fees set
38 forth in subsection (d) to two hundred teachers annually. The
39 state board shall establish selection criteria for the teachers
40 by the legislative rule required pursuant to subsection (g) of
41 this section.

42 (f) Subject to the provisions of subsection (e) of this
43 section, funding for reimbursement of the certification fee
44 and expenses actually incurred while obtaining the National
45 Board for Professional Teaching Standards certifications
46 shall be administered by the state Department of Education
47 from an appropriation established for that purpose by the

48 Legislature. If funds appropriated by the Legislature to
49 accomplish the purposes of this subsection are insufficient,
50 the state department shall prorate the reimbursements for
51 expenses and shall request of the Legislature, at its next
52 regular session, funds sufficient to accomplish the purposes
53 of this subsection, including needed retroactive payments.

54 (g) The state board shall promulgate legislative rules
55 pursuant to article three-b, chapter twenty-nine-a of this code
56 to implement the provisions of this section.

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

1 (a) The purpose of this section is to establish an
2 employment term and class titles for service personnel. The
3 employment term for service personnel may not be less than
4 ten months. A month is defined as twenty employment days:
5 *Provided*, That the county board may contract with all or part
6 of these service personnel for a longer term. The beginning
7 and closing dates of the ten-month employment term may not
8 exceed forty-three weeks.

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

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

19 (d) A service person may not be required to report for
20 work more than five days per week without his or her
21 agreement, and no part of any working day may be
22 accumulated by the employer for future work assignments,
23 unless the employee agrees thereto.

24 (e) If a service person whose regular work week is
25 scheduled from Monday through Friday agrees to perform
26 any work assignments on a Saturday or Sunday, the service
27 person shall be paid for at least one-half day of work for each
28 day he or she reports for work. If the service person works
29 more than three and one-half hours on any Saturday or
30 Sunday, he or she shall be paid for at least a full day of work
31 for each day.

32 (f) A custodian, aide, maintenance, office and school
33 lunch service person required to work a daily work schedule
34 that is interrupted shall be paid additional compensation.

35
36 (1) A maintenance person is defined as a person who
37 holds a classification title other than in a custodial, aide,
38 school lunch, office or transportation category as provided in
39 section one, article one of this chapter.

40 (2) A service person's schedule is considered to be
41 interrupted if he or she does not work a continuous period in
42 one day. Aides are not regarded as working an interrupted
43 schedule when engaged exclusively in the duties of
44 transporting students;

45
46 (3) The additional compensation provided for in this
47 subsection:

48
49 (A) Is equal to at least one eighth of a service person's
50 total salary as provided by the state minimum pay scale and
51 any county pay supplement; and

52 (B) Is payable entirely from county board funds.

53 (g) When there is a change in classification or when a
54 service person meets the requirements of an advanced
55 classification, his or her salary shall be made to comply with
56 the requirements of this article and any county salary
57 schedule in excess of the minimum requirements of this
58 article, based upon the service person's advanced
59 classification and allowable years of employment.

60 (h) A service person's, contract as provided in section
61 five, article two of this chapter, shall state the appropriate
62 monthly salary the employee is to be paid, based on the class
63 title as provided in this article and on any county salary
64 schedule in excess of the minimum requirements of this
65 article.

66 (i) The column heads of the state minimum pay scale and
67 class titles, set forth in section eight-a of this article, are
68 defined as follows:

69 (1) "Pay grade" means the monthly salary applicable to
70 class titles of service personnel;

71 (2) "Years of employment" means the number of years
72 which an employee classified as a service person has been
73 employed by a county board in any position prior to or
74 subsequent to the effective date of this section and includes
75 service in the armed forces of the United States, if the
76 employee was employed at the time of his or her induction.
77 For the purpose of section eight-a of this article, years of
78 employment is limited to the number of years shown and
79 allowed under the state minimum pay scale as set forth in
80 section eight-a of this article;

81 (3) "Class title" means the name of the position or job
82 held by a service person;

83 (4) "Accountant I" means a person employed to maintain
84 payroll records and reports and perform one or more
85 operations relating to a phase of the total payroll;

86 (5) "Accountant II" means a person employed to maintain
87 accounting records and to be responsible for the accounting
88 process associated with billing, budgets, purchasing and
89 related operations;

90 (6) "Accountant III" means a person employed in the
91 county board office to manage and supervise accounts
92 payable, payroll procedures, or both;

93 (7) "Accounts payable supervisor" means a person
94 employed in the county board office who has primary
95 responsibility for the accounts payable function and who
96 either has completed twelve college hours of accounting
97 courses from an accredited institution of higher education or
98 has at least eight years of experience performing
99 progressively difficult accounting tasks. Responsibilities of
100 this class title may include supervision of other personnel;

101 (8) "Aide I" means a person selected and trained for a
102 teacher-aide classification such as monitor aide, clerical aide,
103 classroom aide or general aide;

104 (9) "Aide II" means a service person referred to in the
105 "Aide I" classification who has completed a training program
106 approved by the State Board, or who holds a high school
107 diploma or has received a general educational development
108 certificate. Only a person classified in an Aide II class title
109 may be employed as an aide in any special education
110 program;

111 (10) "Aide III" means a service person referred to in the
112 "Aide I" classification who holds a high school diploma or a
113 general educational development certificate; and

114 (A) Has completed six semester hours of college credit at
115 an institution of higher education; or

116 (B) Is employed as an aide in a special education program
117 and has one year's experience as an aide in special education;

118 (11) "Aide IV" means a service person referred to in the
119 "Aide I" classification who holds a high school diploma or a
120 general educational development certificate; and

121 (A) Has completed eighteen hours of State Board-
122 approved college credit at a regionally accredited institution
123 of higher education, or

124 (B) Has completed fifteen hours of State Board-approved

125 college credit at a regionally accredited institution of higher
126 education; and has successfully completed an in-service
127 training program determined by the State Board to be the
128 equivalent of three hours of college credit;

129 (12) "Audiovisual technician" means a person employed
130 to perform minor maintenance on audiovisual equipment,
131 films, and supplies and who fills requests for equipment;

132 (13) "Auditor" means a person employed to examine and
133 verify accounts of individual schools and to assist schools
134 and school personnel in maintaining complete and accurate
135 records of their accounts;

136 (14) "Autism mentor" means a person who works with
137 autistic students and who meets standards and experience to
138 be determined by the State Board. A person who has held or
139 holds an aide title and becomes employed as an autism
140 mentor shall hold a multiclassification status that includes
141 both aide and autism mentor titles, in accordance with section
142 eight-b of this article;

143 (15) "Braille or sign language specialist" means a person
144 employed to provide braille and/or sign language assistance
145 to students. A service person who has held or holds an aide
146 title and becomes employed as a braille or sign language
147 specialist shall hold a multiclassification status that includes
148 both aide and braille or sign language specialist title, in
149 accordance with section eight-b of this article;

150 (16) "Bus operator" means a person employed to operate
151 school buses and other school transportation vehicles as
152 provided by the State Board;

153 (17) "Buyer" means a person employed to review and
154 write specifications, negotiate purchase bids and recommend
155 purchase agreements for materials and services that meet
156 predetermined specifications at the lowest available costs;

157 (18) "Cabinetmaker" means a person employed to

158 construct cabinets, tables, bookcases and other furniture;

159 (19) "Cafeteria manager" means a person employed to
160 direct the operation of a food services program in a school,
161 including assigning duties to employees, approving
162 requisitions for supplies and repairs, keeping inventories,
163 inspecting areas to maintain high standards of sanitation,
164 preparing financial reports and keeping records pertinent to
165 food services of a school;

166 (20) "Carpenter I" means a person classified as a
167 carpenter's helper;

168 (21) "Carpenter II" means a person classified as a
169 journeyman carpenter;

170 (22) "Chief mechanic" means a person employed to be
171 responsible for directing activities which ensure that student
172 transportation or other county board-owned vehicles are
173 properly and safely maintained;

174 (23) "Clerk I" means a person employed to perform
175 clerical tasks;

176 (24) "Clerk II" means a person employed to perform
177 general clerical tasks, prepare reports and tabulations and
178 operate office machines;

179 (25) "Computer operator" means a qualified person
180 employed to operate computers;

181 (26) "Cook I" means a person employed as a cook's
182 helper;

183 (27) "Cook II" means a person employed to interpret
184 menus and to prepare and serve meals in a food service
185 program of a school. This definition includes a service
186 person who has been employed as a "Cook I" for a period of
187 four years;

188 (28) "Cook III" means a person employed to prepare and
189 serve meals, make reports, prepare requisitions for supplies,
190 order equipment and repairs for a food service program of a
191 school system;

192 (29) "Crew leader" means a person employed to organize
193 the work for a crew of maintenance employees to carry out
194 assigned projects;

195 (30) "Custodian I" means a person employed to keep
196 buildings clean and free of refuse;

197
198 (31) "Custodian II" means a person employed as a
199 watchman or groundsman;

200 (32) "Custodian III" means a person employed to keep
201 buildings clean and free of refuse, to operate the heating or
202 cooling systems and to make minor repairs;

203 (33) "Custodian IV" means a person employed as head
204 custodians. In addition to providing services as defined in
205 "custodian III," duties may include supervising other
206 custodian personnel;

207 (34) "Director or coordinator of services" means an
208 employee of a county board who is assigned to direct a
209 department or division.

210 (A) Nothing in this subdivision prohibits a professional
211 person or a professional educator from holding this class title;

212 (B) Professional personnel holding this class title may not
213 be defined or classified as service personnel unless the
214 professional person held a service personnel title under this
215 section prior to holding the class title of "director or
216 coordinator of services."

217 (C) The director or coordinator of services shall be
218 classified either as a professional person or a service person
219 for state aid formula funding purposes; and

220 (D) Funding for the position of director or coordinator of
221 services is based upon the employment status of the director
222 or coordinator either as a professional person or a service
223 person;

224 (35) "Draftsman" means a person employed to plan,
225 design and produce detailed architectural/engineering
226 drawings;

227 (36) "Electrician I" means a person employed as an
228 apprentice electrician helper or one who holds an electrician
229 helper license issued by the state fire marshal;

230 (37) "Electrician II" means a person employed as an
231 electrician journeyman or one who holds a journeyman
232 electrician license issued by the state fire marshal;

233 (38) "Electronic technician I" means a person employed
234 at the apprentice level to repair and maintain electronic
235 equipment;

236 (39) "Electronic technician II" means a person employed
237 at the journeyman level to repair and maintain electronic
238 equipment;

239 (40) "Executive secretary" means a person employed as
240 secretary to the county school superintendent or as a
241 secretary who is assigned to a position characterized by
242 significant administrative duties;

243 (41) "Food services supervisor" means a qualified person
244 who is not a professional person or professional educator as
245 defined in section one, article one of this chapter. The food
246 services supervisor is employed to manage and supervise a
247 county school system's food service program. The duties
248 include preparing in-service training programs for cooks and
249 food service employees, instructing personnel in the areas of
250 quantity cooking with economy and efficiency and keeping
251 aggregate records and reports;

252 (42) "Foreman" means a skilled person employed to
253 supervise personnel who work in the areas of repair and
254 maintenance of school property and equipment;

255 (43) "General maintenance" means a person employed as
256 a helper to skilled maintenance employees and to perform
257 minor repairs to equipment and buildings of a county school
258 system;

259 (44) "Glazier" means a person employed to replace glass
260 or other materials in windows and doors and to do minor
261 carpentry tasks;

262 (45) "Graphic artist" means a person employed to prepare
263 graphic illustrations;

264 (46) "Groundsman" means a person employed to perform
265 duties that relate to the appearance, repair and general care of
266 school grounds in a county school system. Additional
267 assignments may include the operation of a small heating
268 plant and routine cleaning duties in buildings;

269 (47) "Handyman" means a person employed to perform
270 routine manual tasks in any operation of the county school
271 system;

272 (48) "Heating and air conditioning mechanic I" means a
273 person employed at the apprentice level to install, repair and
274 maintain heating and air conditioning plants and related
275 electrical equipment;

276 (49) "Heating and air conditioning mechanic II" means a
277 person employed at the journeyman level to install, repair and
278 maintain heating and air conditioning plants and related
279 electrical equipment;

280 (50) "Heavy equipment operator" means a person
281 employed to operate heavy equipment;

282 (51) "Inventory supervisor" means a person employed to

283 supervise or maintain operations in the receipt, storage,
284 inventory and issuance of materials and supplies;

285 (52) "Key punch operator" means a qualified person
286 employed to operate key punch machines or verifying
287 machines;

288 (53) "Licensed practical nurse" means a nurse, licensed
289 by the West Virginia Board of Examiners for Licensed
290 Practical Nurses, employed to work in a public school under
291 the supervision of a school nurse;

292 (54) "Locksmith" means a person employed to repair and
293 maintain locks and safes;

294 (55) "Lubrication man" means a person employed to
295 lubricate and service gasoline or diesel-powered equipment
296 of a county school system;

297 (56) "Machinist" means a person employed to perform
298 machinist tasks which include the ability to operate a lathe,
299 planer, shaper, threading machine and wheel press. A person
300 holding this class title also should have the ability to work
301 from blueprints and drawings;

302 (57) "Mail clerk" means a person employed to receive,
303 sort, dispatch, deliver or otherwise handle letters, parcels and
304 other mail;

305 (58) "Maintenance clerk" means a person employed to
306 maintain and control a stocking facility to keep adequate
307 tools and supplies on hand for daily withdrawal for all school
308 maintenance crafts;

309 (59) "Mason" means a person employed to perform tasks
310 connected with brick and block laying and carpentry tasks
311 related to these activities;

312 (60) "Mechanic" means a person employed to perform
313 skilled duties independently in the maintenance and repair of

314 automobiles, school buses and other mechanical and mobile
315 equipment to use in a county school system;

316 (61) "Mechanic assistant" means a person employed as a
317 mechanic apprentice and helper;

318 (62) "Multiclassification" means a person employed to
319 perform tasks that involve the combination of two or more
320 class titles in this section. In these instances the minimum
321 salary scale shall be the higher pay grade of the class titles
322 involved;

323 (63) "Office equipment repairman I" means a person
324 employed as an office equipment repairman apprentice or
325 helper;

326 (64) "Office equipment repairman II" means a person
327 responsible for servicing and repairing all office machines
328 and equipment. A person holding this class title is responsible
329 for the purchase of parts necessary for the proper operation
330 of a program of continuous maintenance and repair;

331 (65) "Painter" means a person employed to perform
332 duties of painting, finishing and decorating wood, metal and
333 concrete surfaces of buildings, other structures, equipment,
334 machinery and furnishings of a county school system;

335 (66) "Paraprofessional" means a person certified pursuant
336 to section two-a, article three of this chapter to perform duties
337 in a support capacity including, but not limited to, facilitating
338 in the instruction and direct or indirect supervision of
339 students under the direction of a principal, a teacher or
340 another designated professional educator.

341 (A) A person employed on the effective date of this
342 section in the position of an aide may not be subject to a
343 reduction in force or transferred to create a vacancy for the
344 employment of a paraprofessional;

345 (B) A person who has held or holds an aide title and
346 becomes employed as a paraprofessional shall hold a

347 multiclassification status that includes both aide and
348 paraprofessional titles in accordance with section eight-b of
349 this article; and

350 (C) When a service person who holds an aide title
351 becomes certified as a paraprofessional and is required to
352 perform duties that may not be performed by an aide without
353 paraprofessional certification, he or she shall receive the
354 paraprofessional title pay grade;

355 (67) "Payroll supervisor" means a person employed in the
356 county board office who has primary responsibility for the
357 payroll function and who either has completed twelve college
358 hours of accounting from an accredited institution of higher
359 education or has at least eight years of experience performing
360 progressively difficult accounting tasks. Responsibilities of
361 this class title may include supervision of other personnel;

362 (68) "Plumber I" means a person employed as an
363 apprentice plumber and helper;

364 (69) "Plumber II" means a person employed as a
365 journeyman plumber;

366 (70) "Printing operator" means a person employed to
367 operate duplication equipment, and to cut, collate, staple,
368 bind and shelve materials as required;

369 (71) "Printing supervisor" means a person employed to
370 supervise the operation of a print shop;

371 (72) "Programmer" means a person employed to design
372 and prepare programs for computer operation;

373 (73) "Roofing/sheet metal mechanic" means a person
374 employed to install, repair, fabricate and maintain roofs,
375 gutters, flashing and duct work for heating and ventilation;

376 (74) "Sanitation plant operator" means a person employed
377 to operate and maintain a water or sewage treatment plant to

378 ensure the safety of the plant's effluent for human
379 consumption or environmental protection;

380 (75) "School bus supervisor" means a qualified person
381 employed to assist in selecting school bus operators and
382 routing and scheduling school buses, operate a bus when
383 needed, relay instructions to bus operators, plan emergency
384 routing of buses and promote good relationships with parents,
385 students, bus operators and other employees;

386 (76) "Secretary I" means a person employed to transcribe
387 from notes or mechanical equipment, receive callers, perform
388 clerical tasks, prepare reports and operate office machines;

389 (77) "Secretary II" means a person employed in any
390 elementary, secondary, kindergarten, nursery, special
391 education, vocational or any other school as a secretary. The
392 duties may include performing general clerical tasks;
393 transcribing from notes, stenotype, mechanical equipment or
394 a sound-producing machine; preparing reports; receiving
395 callers and referring them to proper persons; operating office
396 machines; keeping records and handling routine
397 correspondence. Nothing in this subdivision prevents a
398 service person from holding or being elevated to a higher
399 classification;

400 (78) "Secretary III" means a person assigned to the
401 county board office administrators in charge of various
402 instructional, maintenance, transportation, food services,
403 operations and health departments, federal programs or
404 departments with particular responsibilities in purchasing and
405 financial control or any person who has served for eight years
406 in a position which meets the definition of "secretary II" or
407 "secretary III";

408 (79) "Supervisor of maintenance" means a skilled person
409 who is not a professional person or professional educator as
410 defined in section one, article one of this chapter. The
411 responsibilities include directing the upkeep of buildings and
412 shops, and issuing instructions to subordinates relating to

413 cleaning, repairs and maintenance of all structures and
414 mechanical and electrical equipment of a county board;

415 (80) "Supervisor of transportation" means a qualified
416 person employed to direct school transportation activities
417 properly and safely, and to supervise the maintenance and
418 repair of vehicles, buses and other mechanical and mobile
419 equipment used by the county school system;

420 (81) "Switchboard operator-receptionist" means a person
421 employed to refer incoming calls, to assume contact with the
422 public, to direct and to give instructions as necessary, to
423 operate switchboard equipment and to provide clerical
424 assistance;

425 (82) "Truck driver" means a person employed to operate
426 light or heavy duty gasoline and diesel-powered vehicles;

427 (83) "Warehouse clerk" means a person employed to be
428 responsible for receiving, storing, packing and shipping
429 goods;

430 (84) "Watchman" means a person employed to protect
431 school property against damage or theft. Additional
432 assignments may include operation of a small heating plant
433 and routine cleaning duties;

434 (85) "Welder" means a person employed to provide
435 acetylene or electric welding services for a school system;
436 and

437 (86) "WVEIS data entry and administrative clerk" means
438 a person employed to work under the direction of a school
439 principal to assist the school counselor or counselors in the
440 performance of administrative duties, to perform data entry
441 tasks on the West Virginia Education Information System,
442 and to perform other administrative duties assigned by the
443 principal.

444 (j) Notwithstanding any provision in this code to the

445 contrary, and in addition to the compensation provided for
446 service personnel in section eight-a of this article, each
447 service person is, entitled to all service personnel employee
448 rights, privileges and benefits provided under this or any
449 other chapter of this code without regard to the employee's
450 hours of employment or the methods or sources of
451 compensation.

452 (k) A service person whose years of employment exceeds
453 the number of years shown and provided for under the state
454 minimum pay scale set forth in section eight-a of this article
455 may not be paid less than the amount shown for the
456 maximum years of employment shown and provided for in
457 the classification in which he or she is employed.

458 (l) Each county board shall review each service person's
459 job classification annually and shall reclassify all service
460 persons as required by the job classifications. The state
461 superintendent may withhold state funds appropriated
462 pursuant to this article for salaries for service personnel who
463 are improperly classified by the county boards. Further, the
464 state superintendent shall order a county board to correct
465 immediately any improper classification matter and, with the
466 assistance of the Attorney General, shall take any legal action
467 necessary against any county board to enforce the order.

468 (m) Without his or her written consent, a service person
469 may not be:

470 (1) Reclassified by class title; or

471 (2) Relegated to any condition of employment which
472 would result in a reduction of his or her salary, rate of pay,
473 compensation or benefits earned during the current fiscal
474 year; or for which he or she would qualify by continuing in
475 the same job position and classification held during that fiscal
476 year and subsequent years.

477 (n) Any county board failing to comply with the
478 provisions of this article may be compelled to do so by

479 mandamus and is liable to any party prevailing against the
480 board for court costs and the prevailing party's reasonable
481 attorney fee, as determined and established by the court.

482 (o) Notwithstanding any provision of this code to the
483 contrary, a service person who holds a continuing contract in
484 a specific job classification and who is physically unable to
485 perform the job's duties as confirmed by a physician chosen
486 by the employee, shall be given priority status over any
487 employee not holding a continuing contract in filling other
488 service personnel job vacancies if the service person is
489 qualified as provided in section eight-e of this article.

490 (p) Any person employed in an aide position on the
491 effective date of this section may not be transferred or subject
492 to a reduction in force for the purpose of creating a vacancy
493 for the employment of a licensed practical nurse.

494 (q) Without the written consent of the service person, a
495 county board may not establish the beginning work station
496 for a bus operator or transportation aide at any site other than
497 a county board-owned facility with available parking. The
498 workday of the bus operator or transportation aide
499 commences at the bus at the designated beginning work
500 station and ends when the employee is able to leave the bus
501 at the designated beginning work station, unless he or she
502 agrees otherwise in writing. The application or acceptance of
503 a posted position may not be construed as the written consent
504 referred to in this subsection.

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

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

Years Exp.	STATE MINIMUM PAY SCALE PAY GRADE							
	A	B	C	D	E	F	G	H
0	1,507	1,528	1,569	1,621	1,673	1,735	1,766	1,838
1	1,539	1,560	1,601	1,653	1,705	1,767	1,798	1,870
2	1,571	1,592	1,633	1,685	1,737	1,799	1,830	1,902
3	1,603	1,624	1,665	1,717	1,769	1,831	1,862	1,934
4	1,635	1,656	1,697	1,749	1,801	1,863	1,894	1,967
5	1,667	1,688	1,729	1,781	1,833	1,895	1,926	1,999
6	1,699	1,720	1,762	1,813	1,865	1,927	1,958	2,031
7	1,732	1,752	1,794	1,845	1,897	1,959	1,990	2,063
8	1,764	1,784	1,826	1,877	1,929	1,991	2,022	2,095
9	1,796	1,816	1,858	1,910	1,961	2,023	2,054	2,127
10	1,828	1,849	1,890	1,942	1,993	2,056	2,087	2,159
11	1,860	1,881	1,922	1,974	2,025	2,088	2,119	2,191
12	1,892	1,913	1,954	2,006	2,058	2,120	2,151	2,223
13	1,924	1,945	1,986	2,038	2,090	2,152	2,183	2,255
14	1,956	1,977	2,018	2,070	2,122	2,184	2,215	2,287
15	1,988	2,009	2,050	2,102	2,154	2,216	2,247	2,319
16	2,020	2,041	2,082	2,134	2,186	2,248	2,279	2,352
17	2,052	2,073	2,115	2,166	2,218	2,280	2,311	2,384
18	2,084	2,105	2,147	2,198	2,250	2,312	2,343	2,416
19	2,117	2,137	2,179	2,230	2,282	2,344	2,375	2,448
20	2,149	2,169	2,211	2,263	2,314	2,376	2,407	2,480
21	2,181	2,201	2,243	2,295	2,346	2,408	2,439	2,512
22	2,213	2,234	2,275	2,327	2,378	2,441	2,472	2,544
23	2,245	2,266	2,307	2,359	2,411	2,473	2,504	2,576
24	2,277	2,298	2,339	2,391	2,443	2,505	2,536	2,608
25	2,309	2,330	2,371	2,423	2,475	2,537	2,568	2,640
26	2,341	2,362	2,403	2,455	2,507	2,569	2,600	2,672
27	2,373	2,394	2,435	2,487	2,539	2,601	2,632	2,704
28	2,405	2,426	2,467	2,519	2,571	2,633	2,664	2,737
29	2,437	2,458	2,500	2,551	2,603	2,665	2,696	2,769
30	2,470	2,490	2,532	2,583	2,635	2,697	2,728	2,801
31	2,502	2,522	2,564	2,615	2,667	2,729	2,760	2,833
32	2,534	2,554	2,596	2,648	2,699	2,761	2,792	2,865
33	2,566	2,586	2,628	2,680	2,731	2,793	2,825	2,897
34	2,598	2,619	2,660	2,712	2,763	2,826	2,857	2,929
35	2,630	2,651	2,692	2,744	2,796	2,858	2,889	2,961
36	2,662	2,683	2,724	2,776	2,828	2,890	2,921	2,993
37	2,694	2,715	2,756	2,808	2,860	2,922	2,953	3,025
38	2,726	2,747	2,788	2,840	2,892	2,954	2,985	3,057
39	2,758	2,779	2,820	2,872	2,924	2,986	3,017	3,089
40	2,790	2,811	2,852	2,904	2,956	3,018	3,049	3,122

CLASS TITLE	PAY GRADE
Accountant I	D
Accountant II	E
Accountant III	F
Accounts Payable Supervisor	G
Aide I	A
Aide II	B
Aide III	C
Aide IV	D
Audiovisual Technician	C
Auditor	G
Autism Mentor	F
Braille or Sign Language Specialist	E
Bus Operator	D
Buyer	F
Cabinetmaker	G
Cafeteria Manager	D
Carpenter I	E
Carpenter II	F
Chief Mechanic	G
Clerk I	B
Clerk II	C
Computer Operator	E
Cook I	A
Cook II	B
Cook III	C
Crew Leader	F
Custodian I	A
Custodian II	B
Custodian III	C
Custodian IV	D
Director or Coordinator of Services	H
Draftsman	D
Electrician I	F
Electrician II	G
Electronic Technician I	F
Electronic Technician II	G
Executive Secretary	G
Food Services Supervisor	G
Foreman	G
General Maintenance	C
Glazier	D

Graphic Artist	D
Groundsman	B
Handyman	B
Heating and Air Conditioning Mechanic I	E
Heating and Air Conditioning Mechanic II	G
Heavy Equipment Operator	E
Inventory Supervisor	D
Key Punch Operator	B
Licensed Practical Nurse	F
Locksmith	G
Lubrication Man	C
Machinist	F
Mail Clerk	D
Maintenance Clerk	C
Mason	G
Mechanic	F
Mechanic Assistant	E
Office Equipment Repairman I	F
Office Equipment Repairman II	G
Painter	E
Paraprofessional	F
Payroll Supervisor	G
Plumber I	E
Plumber II	G
Printing Operator	B
Printing Supervisor	D
Programmer	H
Roofing/Sheet Metal Mechanic	F
Sanitation Plant Operator	G
School Bus Supervisor	E
Secretary I	D
Secretary II	E
Secretary III	F
Supervisor of Maintenance	H
Supervisor of Transportation	H
Switchboard Operator-Receptionist	D
Truck Driver	D
Warehouse Clerk	C
Watchman	B
Welder	F
WVEIS Data Entry and Administrative Clerk	B

1 (b) An additional twelve dollars per month shall be added
2 to the minimum monthly pay of each service employee who
3 holds a high school diploma or its equivalent.

4 (c) An additional eleven dollars per month also shall be
5 added to the minimum monthly pay of each service employee
6 for each of the following:

7 (1) A service employee who holds twelve college hours
8 or comparable credit obtained in a trade or vocational school
9 as approved by the state board;

10 (2) A service employee who holds twenty-four college
11 hours or comparable credit obtained in a trade or vocational
12 school as approved by the state board;

13 (3) A service employee who holds thirty-six college
14 hours or comparable credit obtained in a trade or vocational
15 school as approved by the state board;

16 (4) A service employee who holds forty-eight college
17 hours or comparable credit obtained in a trade or vocational
18 school as approved by the state board;

19 (5) A service employee who holds sixty college hours or
20 comparable credit obtained in a trade or vocational school as
21 approved by the state board;

22 (6) A service employee who holds seventy-two college
23 hours or comparable credit obtained in a trade or vocational
24 school as approved by the state board;

25 (7) A service employee who holds eighty-four college
26 hours or comparable credit obtained in a trade or vocational
27 school as approved by the state board;

28 (8) A service employee who holds ninety-six college
29 hours or comparable credit obtained in a trade or vocational
30 school as approved by the state board;

31 (9) A service employee who holds one hundred eight

32 college hours or comparable credit obtained in a trade or
33 vocational school as approved by the state board;

34 (10) A service employee who holds one hundred twenty
35 college hours or comparable credit obtained in a trade or
36 vocational school as approved by the state board;

37 (d) An additional forty dollars per month also shall be
38 added to the minimum monthly pay of each service employee
39 for each of the following:

40 (1) A service employee who holds an associate's degree;

41 (2) A service employee who holds a bachelor's degree;

42 (3) A service employee who holds a master's degree;

43 (4) A service employee who holds a doctorate degree.

44 (e) An additional eleven dollars per month shall be added
45 to the minimum monthly pay of each service employee for
46 each of the following:

47 (1) A service employee who holds a bachelor's degree
48 plus fifteen college hours;

49 (2) A service employee who holds a master's degree plus
50 fifteen college hours;

51 (3) A service employee who holds a master's degree plus
52 thirty college hours;

53 (4) A service employee who holds a master's degree plus
54 forty-five college hours; and

55 (5) A service employee who holds a master's degree plus
56 sixty college hours.

57 (f) When any part of a school service employee's daily
58 shift of work is performed between the hours of six o'clock
59 p.m. and five o'clock a.m. the following day, the employee
60 shall be paid no less than an additional ten dollars per month
61 and one half of the pay shall be paid with local funds.

62 (g) Any service employee required to work on any legal
63 school holiday shall be paid at a rate one and one-half times
64 the employee's usual hourly rate.

65 (h) Any full-time service personnel required to work in
66 excess of their normal working day during any week which
67 contains a school holiday for which they are paid shall be
68 paid for the additional hours or fraction of the additional
69 hours at a rate of one and one-half times their usual hourly
70 rate and paid entirely from county board funds.

71 (i) No service employee may have his or her daily work
72 schedule changed during the school year without the
73 employee's written consent and the employee's required
74 daily work hours may not be changed to prevent the payment
75 of time and one-half wages or the employment of another
76 employee.

77 (j) The minimum hourly rate of pay for extra duty
78 assignments as defined in section eight-b of this article shall
79 be no less than one seventh of the employee's daily total
80 salary for each hour the employee is involved in performing
81 the assignment and paid entirely from local funds: *Provided,*
82 That an alternative minimum hourly rate of pay for
83 performing extra duty assignments within a particular
84 category of employment may be utilized if the alternate
85 hourly rate of pay is approved both by the county board and
86 by the affirmative vote of a two-thirds majority of the regular
87 full-time employees within that classification category of
88 employment within that county: *Provided, however,* That the
89 vote shall be by secret ballot if requested by a service
90 personnel employee within that classification category within
91 that county. The salary for any fraction of an hour the
92 employee is involved in performing the assignment shall be
93 prorated accordingly. When performing extra duty
94 assignments, employees who are regularly employed on a
95 one-half day salary basis shall receive the same hourly extra
96 duty assignment pay computed as though the employee were
97 employed on a full-day salary basis.

98 (k) The minimum pay for any service personnel
99 employees engaged in the removal of asbestos material or

100 related duties required for asbestos removal shall be their
101 regular total daily rate of pay and no less than an additional
102 three dollars per hour or no less than five dollars per hour for
103 service personnel supervising asbestos removal
104 responsibilities for each hour these employees are involved
105 in asbestos related duties. Related duties required for
106 asbestos removal include, but are not limited to, travel,
107 preparation of the work site, removal of asbestos
108 decontamination of the work site, placing and removal of
109 equipment and removal of structures from the site. If any
110 member of an asbestos crew is engaged in asbestos related
111 duties outside of the employee's regular employment county,
112 the daily rate of pay shall be no less than the minimum
113 amount as established in the employee's regular employment
114 county for asbestos removal and an additional thirty dollars
115 per each day the employee is engaged in asbestos removal
116 and related duties. The additional pay for asbestos removal
117 and related duties shall be payable entirely from county
118 funds. Before service personnel employees may be utilized
119 in the removal of asbestos material or related duties, they
120 shall have completed a federal Environmental Protection Act
121 approved training program and be licensed. The employer
122 shall provide all necessary protective equipment and maintain
123 all records required by the Environmental Protection Act.

124 (1) For the purpose of qualifying for additional pay as
125 provided in section eight, article five of this chapter, an aide
126 shall be considered to be exercising the authority of a
127 supervisory aide and control over pupils if the aide is
128 required to supervise, control, direct, monitor, escort or
129 render service to a child or children when not under the direct
130 supervision of certificated professional personnel within the
131 classroom, library, hallway, lunchroom, gymnasium, school
132 building, school grounds or wherever supervision is required.
133 For purposes of this section, "under the direct supervision of
134 certificated professional personnel" means that certificated
135 professional personnel is present, with and accompanying the
136 aide.

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

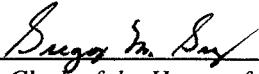

Chairman Senate Committee

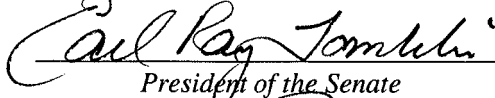

Chairman House Committee

Originating in the House.

In effect on July 1, 2007


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is appended this the 4th
day of April 2007.


Governor

PRESENTED TO THE
GOVERNOR

APR 02 2007

Time 3:40 pm