

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENROLLED

Senate Bill 531

FILED
2022 MAR 28 P 12:56
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

BY SENATORS BLAIR (MR. PRESIDENT) AND BALDWIN,

(BY REQUEST OF THE EXECUTIVE)

[Passed March 10, 2022; to take effect July 01, 2022]

SB531

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1 AN ACT to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended; to amend
2 and reenact §18A-4-2 of said code; and to amend and reenact §18A-4-8a of said code,
3 all relating to increasing annual salaries of certain employees of the state; increasing the
4 salaries of members of the West Virginia State Police and certain personnel thereof;
5 increasing annual salaries of public school teachers; increasing annual salaries of school
6 service personnel; and providing an effective date for these increases.

Be it enacted by the Legislature of West Virginia:

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 2. WEST VIRGINIA STATE POLICE.

**§15-2-5. Career progression system state; salaries; exclusion from wage and hour laws,
with supplemental payment; bond; leave time for members called to duty in guard
or reserves.**

1 (a) The superintendent shall establish within the West Virginia State Police a system to
2 provide for: (1) The promotion of members to the supervisory ranks of sergeant, first sergeant,
3 second lieutenant, and first lieutenant; (2) the classification of nonsupervisory members within the
4 field operations force to the ranks of trooper, senior trooper, trooper first class, or corporal; and
5 (3) the temporary reclassification of members assigned to administrative duties as administrative
6 support specialist I-VIII. The promotion of individuals in the forensic laboratory shall include the
7 classifications of Evidence Custodians I-IV, Forensic Technicians I-III, Forensic Scientists I-VI,
8 and Forensic Scientist Supervisors I-IV, based on the Forensic Lab Career Progression System.

9 (b) The superintendent may propose legislative rules for promulgation in accordance with
10 §29A-3-1 *et seq.* of this code for the purpose of ensuring consistency, predictability, and
11 independent review of any system developed under the provisions of this section.

12 (c) The superintendent shall provide to each member a written manual governing any
13 system established under the provisions of this section and specific procedures shall be identified

14 for the evaluation and testing of members for promotion or reclassification and the subsequent
15 placement of any members on a promotional eligibility or reclassification recommendation list. A
16 written manual shall also be provided to individuals within the forensic laboratory governing any
17 system established under the provisions of this section and specific procedures shall be identified
18 for the evaluation of promotion or reclassification of those individuals.

19 (d) Effective July 1, 2022, members shall receive annual salaries payable at least twice
20 per month as follows:

21 ANNUAL SALARY SCHEDULE (BASE PAY)

22 SUPERVISORY AND NONSUPERVISORY RANKS

23	Cadet During Training	\$48,524
24	Cadet Trooper After Training	55,784
25	Trooper Second Year	56,796
26	Trooper Third Year	57,179
27	Senior Trooper	57,578
28	Trooper First Class	58,184
29	Corporal	58,790
30	Sergeant	63,091
31	First Sergeant	65,242
32	Second Lieutenant	67,392
33	First Lieutenant	69,543
34	Captain	71,694
35	Major	73,844
36	Lieutenant Colonel	75,995

37 ANNUAL SALARY SCHEDULE (BASE PAY)

38 ADMINISTRATION SUPPORT SPECIALIST CLASSIFICATION

39	I	\$56,796
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40	II	57,578
41	III	58,184
42	IV	58,790
43	V	63,091
44	VI	65,242
45	VII	67,392
46	VIII	69,543

47 Effective July 1, 2022, designated individuals within the forensic laboratory shall receive
48 annual base salaries payable at least twice per month as follows:

49 ANNUAL SALARY SCHEDULE (BASE PAY)

50 EVIDENCE CUSTODIAN

51	I	\$45,650
52	II	47,978
53	III	51,639
54	IV	54,666

55 FORENSIC TECHNICIAN

56	I	\$47,850
57	II	49,544
58	III	53,426

59 FORENSIC SCIENTIST

60	I	\$55,050
61	II	57,234
62	III	59,338
63	IV	61,737
64	V	65,263
65	VI	69,063

66 FORENSIC SCIENTIST SUPERVISOR

67	I	\$71,762
68	II	75,326
69	III	79,104
70	IV	83,108

71 Each member of the West Virginia State Police whose salary is fixed and specified in this
72 annual salary schedule is entitled to the length of service increases set forth in §15-2-5(e) of this
73 code and supplemental pay as provided in §15-2-5(g) of this code.

74 (e) Each member of the West Virginia State Police whose salary is fixed and specified
75 pursuant to this section shall receive, and is entitled to, an increase in salary over that set forth in
76 §15-2-5(d) of this code for grade in rank, based on length of service, including that service served
77 before and after the effective date of this section with the West Virginia State Police as follows:
78 Beginning on January 1, 2015, and continuing thereafter, at the end of two years of service with
79 the West Virginia State Police, the member shall receive a salary increase of \$500 to be effective
80 during his or her next year of service and a like increase at yearly intervals thereafter, with the
81 increases to be cumulative. The forensic laboratory employees whose salaries are fixed and
82 specified pursuant to this section, shall receive, and are entitled to, an increase in salary over that
83 set forth in §15-2-5(d) of this code, in accordance with §15-2-7(h) of this code.

84 (f) In applying the salary schedules set forth in this section where salary increases are
85 provided for length of service, members of the West Virginia State Police in service at the time
86 the schedules become effective shall be given credit for prior service and shall be paid the salaries
87 the same length of service entitles them to receive under the provisions of this section.

88 (g) The Legislature finds and declares that because of the unique duties of members of
89 the West Virginia State Police, it is not appropriate to apply the provisions of state wage and hour
90 laws to them. Accordingly, members of the West Virginia State Police are excluded from the
91 provisions of state wage and hour laws. This express exclusion shall not be construed as any

92 indication that the members were or were not covered by the wage and hour laws prior to this
93 exclusion.

94 In lieu of any overtime pay they might otherwise have received under the wage and hour
95 laws, and in addition to their salaries and increases for length of service, members who have
96 completed basic training and who are exempt from federal Fair Labor Standards Act guidelines
97 may receive supplemental pay as provided in this section.

98 The authority of the superintendent to propose a legislative rule or amendment thereto for
99 promulgation in accordance with §29A-3-1 *et seq.* of this code to establish the number of hours
100 per month which constitute the standard pay period for the members of the West Virginia State
101 Police is hereby continued. The rule shall further establish, on a graduated hourly basis, the
102 criteria for receipt of a portion or all of supplemental payment when hours are worked in excess
103 of the standard pay period. The superintendent shall certify at least twice per month to the West
104 Virginia State Police payroll officer the names of those members who have worked in excess of
105 the standard pay period and the amount of their entitlement to supplemental payment. The
106 supplemental payment may not exceed \$200 per pay period. The superintendent and civilian
107 employees of the West Virginia State Police are not eligible for any supplemental payments.

108 (h) Each member of the West Virginia State Police, except the superintendent and civilian
109 employees, shall execute, before entering upon the discharge of his or her duties, a bond with
110 security in the sum of \$5,000 payable to the State of West Virginia, conditioned upon the faithful
111 performance of his or her duties, and the bond shall be approved as to form by the Attorney
112 General and as to sufficiency by the Governor.

113 (i) In consideration for compensation paid by the West Virginia State Police to its members
114 during those members' participation in the West Virginia State Police Cadet Training Program
115 pursuant to §30-29-8 of this code, the West Virginia State Police may require of its members by
116 written agreement entered into with each of them in advance of such participation in the program
117 that, if a member should voluntarily discontinue employment any time within one year immediately

118 following completion of the training program, he or she shall be obligated to pay to the West
119 Virginia State Police a pro rata portion of such compensation equal to that part of such year which
120 the member has chosen not to remain in the employ of the West Virginia State Police.

121 (j) Any member of the West Virginia State Police who is called to perform active duty
122 training or inactive duty training in the National Guard or any reserve component of the armed
123 forces of the United States annually shall be granted, upon request, leave time not to exceed 30
124 calendar days for the purpose of performing the active duty training or inactive duty training and
125 the time granted may not be deducted from any leave accumulated as a member of the West
126 Virginia State Police.

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

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

1 (a) For school year 2022-2023, and continuing thereafter, each teacher shall receive the
2 amount prescribed in the State Minimum Salary Schedule as set forth in this section, specific
3 additional amounts prescribed in this section or article, and any county supplement in effect in a
4 county pursuant to §18A-4-5a of this code during the contract year.

STATE MINIMUM SALARY SCHEDULE

Years Exp.	4th Class	3rd Class	2nd Class	A.B. A.B.	A.B. 15	M.A. M.A.	M.A. 15	M.A. 30	M.A. 45	Doc- torate
0	34,297	34,986	35,252	36,695	37,456	39,223	39,984	40,745	41,506	42,541
1	34,625	35,314	35,580	37,213	37,974	39,742	40,503	41,263	42,024	43,059
2	34,954	35,642	35,908	37,732	38,493	40,260	41,021	41,782	42,543	43,578
3	35,282	35,970	36,236	38,251	39,011	40,779	41,540	42,300	43,061	44,096
4	35,854	36,542	36,808	39,013	39,774	41,542	42,303	43,063	43,824	44,859
5	36,182	36,870	37,136	39,532	40,293	42,060	42,821	43,582	44,343	45,378
6	36,510	37,198	37,464	40,050	40,811	42,579	43,340	44,100	44,861	45,896

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7	36,838	37,527	37,792	40,569	41,330	43,097	43,858	44,619	45,380	46,415
8	37,166	37,855	38,121	41,087	41,848	43,616	44,377	45,137	45,898	46,933
9	37,494	38,183	38,449	41,606	42,367	44,134	44,895	45,656	46,417	47,452
10	37,823	38,511	38,777	42,126	42,886	44,654	45,415	46,176	46,936	47,971
11	38,151	38,839	39,105	42,644	43,405	45,173	45,933	46,694	47,455	48,490
12	38,479	39,167	39,433	43,163	43,923	45,691	46,452	47,213	47,973	49,008
13	38,807	39,495	39,761	43,681	44,442	46,210	46,970	47,731	48,492	49,527
14	39,135	39,823	40,089	44,200	44,960	46,728	47,489	48,250	49,010	50,045
15	39,463	40,151	40,417	44,718	45,479	47,247	48,007	48,768	49,529	50,564
16	39,791	40,479	40,745	45,237	45,997	47,765	48,526	49,287	50,047	51,082
17	40,119	40,808	41,073	45,755	46,516	48,284	49,045	49,805	50,566	51,601
18	40,447	41,136	41,402	46,274	47,035	48,802	49,563	50,324	51,085	52,120
19	40,775	41,464	41,730	46,792	47,553	49,321	50,082	50,842	51,603	52,638
20	41,103	41,792	42,058	47,311	48,072	49,839	50,600	51,361	52,122	53,157
21	41,432	42,120	42,386	47,829	48,590	50,358	51,119	51,879	52,640	53,675
22	41,760	42,448	42,714	48,348	49,109	50,876	51,637	52,398	53,159	54,194
23	42,088	42,776	43,042	48,867	49,627	51,395	52,156	52,916	53,677	54,712
24	42,416	43,104	43,370	49,385	50,146	51,914	52,674	53,435	54,196	55,231
25	42,744	43,432	43,698	49,904	50,664	52,432	53,193	53,954	54,714	55,749
26	43,072	43,760	44,026	50,422	51,183	52,951	53,711	54,472	55,233	56,268
27	43,400	44,088	44,354	50,941	51,701	53,469	54,230	54,991	55,751	56,786
28	43,728	44,417	44,682	51,459	52,220	53,988	54,748	55,509	56,270	57,305
29	44,056	44,745	45,011	51,978	52,738	54,506	55,267	56,028	56,788	57,823
30	44,384	45,073	45,339	52,496	53,257	55,025	55,785	56,546	57,307	58,342
31	44,713	45,401	45,667	53,015	53,776	55,543	56,304	57,065	57,825	58,860
32	45,041	45,729	45,995	53,533	54,294	56,062	56,823	57,583	58,344	59,379
33	45,369	46,057	46,323	54,052	54,813	56,580	57,341	58,102	58,863	59,898
34	45,697	46,385	46,651	54,570	55,331	57,099	57,860	58,620	59,381	60,416
35	46,025	46,713	46,979	55,089	55,850	57,617	58,378	59,139	59,900	60,935

5 (b) Six hundred dollars shall be paid annually to each classroom teacher who has at least
6 20 years of teaching experience. The payments: (i) Shall be in addition to any amounts prescribed
7 in the applicable State Minimum Salary Schedule; (ii) shall be paid in equal monthly installments;
8 and (iii) shall be considered a part of the state minimum salaries for teachers.

9 (c) Effective July 1, 2019, each classroom teacher providing math instruction in the
10 teacher's certified area of study for at least 60 percent of the time the teacher is providing
11 instruction to students shall be considered to have three additional years of experience only for
12 the purposes of the salary schedule set forth in subsection (b) of this section: *Provided*, That for
13 any classroom teacher who satisfies these requirements and whose years of experience plus the
14 three additional years due to them exceeds the years of experience provided for on the salary
15 schedule shall be paid the additional amount equivalent to three additional years of experience
16 notwithstanding the maximum experience provided on the salary schedule.

17 (d) Effective July 1, 2019, each classroom teacher certified in special education and
18 employed as a full-time special education teacher, as defined by the State Superintendent, shall
19 be considered to have three additional years of experience only for the purposes of the salary
20 schedule set forth in subsection (a) of this section: *Provided*, That for any classroom teacher who
21 satisfies these requirements and whose years of experience plus the three additional years due
22 to them exceeds the years of experience provided for on the salary schedule shall be paid the
23 additional amount equivalent to three additional years of experience notwithstanding the
24 maximum experience provided on the salary schedule.

25 (e) In accordance with §18A-4-5 of this code, each teacher shall be paid the supplement
26 amount as applicable for his or her classification of certification or classification of training and
27 years of experience as follows, subject to the provisions of that section:

28 (1) For "4th Class" at zero years of experience, \$1,781. An additional \$38 shall be paid for
29 each year of experience up to and including 35 years of experience;

30 (2) For "3rd Class" at zero years of experience, \$1,796. An additional \$67 shall be paid for
31 each year of experience up to and including 35 years of experience;

32 (3) For "2nd Class" at zero years of experience, \$1,877. An additional \$69 shall be paid
33 for each year of experience up to and including 35 years of experience;

34 (4) For "A.B." at zero years of experience, \$2,360. An additional \$69 shall be paid for each
35 year of experience up to and including 35 years of experience;

36 (5) For "A.B. + 15" at zero years of experience, \$2,452. An additional \$69 shall be paid for
37 each year of experience up to and including 35 years of experience;

38 (6) For "M.A." at zero years of experience, \$2,644. An additional \$69 shall be paid for each
39 year of experience up to and including 35 years of experience;

40 (7) For "M.A. + 15" at zero years of experience, \$2,740. An additional \$69 shall be paid
41 for each year of experience up to and including 35 years of experience;

42 (8) For "M.A. + 30" at zero years of experience, \$2,836. An additional \$69 shall be paid
43 for each year of experience up to and including 35 years of experience;

44 (9) For "M.A. + 45" at zero years of experience, \$2,836. An additional \$69 shall be paid
45 for each year of experience up to and including 35 years of experience; and

46 (10) For "Doctorate" at zero years of experience, \$2,927. An additional \$69 shall be paid
47 for each year of experience up to and including 35 years of experience.

48 These payments: (i) Shall be in addition to any amounts prescribed in the applicable State
49 Minimum Salary Schedule, any specific additional amounts prescribed in this section and article
50 and any county supplement in effect in a county pursuant to §18A-4-5a of this code; (ii) shall be
51 paid in equal monthly installments; and (iii) shall be considered a part of the state minimum
52 salaries for teachers.

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

1 (a) Effective July 1, 2022, the minimum monthly pay for each service employee shall be
2 as follows:

3 (1) For school year 2022-2023, and continuing thereafter, the minimum monthly pay for
 4 each service employee whose employment is for a period of more than three and one-half hours
 5 a day shall be at least the amounts indicated in the State Minimum Pay Scale Pay Grade Schedule
 6 set forth in this subdivision and the minimum monthly pay for each service employee whose
 7 employment is for a period of three and one-half hours or less a day shall be at least one-half the
 8 amount indicated in the State Minimum Pay Scale Pay Grade Schedule set forth in this
 9 subdivision.

STATE MINIMUM PAY SCALE PAY GRADE SCHEDULE

Years Exp.	PAY GRADE							
	A	B	C	D	E	F	G	H
0	2,007	2,028	2,070	2,123	2,176	2,239	2,271	2,344
1	2,039	2,061	2,102	2,155	2,209	2,272	2,303	2,377
2	2,072	2,093	2,135	2,188	2,241	2,304	2,336	2,409
3	2,104	2,126	2,168	2,221	2,274	2,337	2,369	2,442
4	2,137	2,159	2,200	2,253	2,306	2,370	2,401	2,476
5	2,170	2,191	2,233	2,286	2,339	2,402	2,434	2,508
6	2,202	2,224	2,267	2,319	2,372	2,435	2,467	2,541
7	2,236	2,256	2,299	2,351	2,404	2,468	2,499	2,574
8	2,269	2,289	2,332	2,384	2,437	2,500	2,532	2,606
9	2,301	2,322	2,365	2,418	2,470	2,533	2,564	2,639
10	2,334	2,355	2,397	2,450	2,502	2,567	2,598	2,672
11	2,367	2,388	2,430	2,483	2,535	2,599	2,631	2,704
12	2,399	2,421	2,462	2,516	2,569	2,632	2,663	2,737
13	2,432	2,453	2,495	2,548	2,601	2,664	2,696	2,770
14	2,465	2,486	2,528	2,581	2,634	2,697	2,729	2,802
15	2,497	2,519	2,560	2,613	2,666	2,730	2,761	2,835
16	2,530	2,551	2,593	2,646	2,699	2,762	2,794	2,868
17	2,562	2,584	2,627	2,679	2,732	2,795	2,827	2,901
18	2,595	2,617	2,659	2,711	2,764	2,828	2,859	2,934
19	2,629	2,649	2,692	2,744	2,797	2,860	2,892	2,966
20	2,661	2,682	2,725	2,778	2,830	2,893	2,925	3,000
21	2,694	2,714	2,757	2,810	2,862	2,926	2,957	3,034
22	2,727	2,748	2,790	2,843	2,895	2,959	2,991	3,066
23	2,759	2,781	2,823	2,876	2,929	2,993	3,025	3,100
24	2,792	2,813	2,855	2,908	2,961	3,027	3,058	3,134

25	2,825	2,846	2,888	2,941	2,995	3,059	3,092	3,166
26	2,857	2,879	2,920	2,975	3,029	3,093	3,124	3,200
27	2,890	2,911	2,953	3,007	3,061	3,125	3,158	3,233
28	2,923	2,944	2,987	3,041	3,095	3,159	3,192	3,267
29	2,955	2,978	3,020	3,073	3,128	3,193	3,224	3,301
30	2,989	3,010	3,054	3,107	3,161	3,225	3,258	3,334
31	3,022	3,044	3,088	3,141	3,195	3,259	3,292	3,367
32	3,056	3,077	3,120	3,174	3,227	3,293	3,324	3,401
33	3,090	3,110	3,154	3,208	3,261	3,325	3,358	3,434
34	3,122	3,144	3,188	3,242	3,295	3,359	3,392	3,467
35	3,156	3,178	3,220	3,274	3,327	3,393	3,425	3,501
36	3,190	3,211	3,254	3,308	3,362	3,426	3,459	3,533
37	3,222	3,245	3,288	3,342	3,396	3,460	3,492	3,567
38	3,256	3,277	3,320	3,374	3,428	3,493	3,525	3,601
39	3,290	3,311	3,354	3,408	3,462	3,526	3,559	3,633
40	3,322	3,345	3,387	3,441	3,496	3,560	3,592	3,667

10 (2) Each service employee shall receive the amount prescribed in the State Minimum Pay
 11 Scale Pay Grade in accordance with the provisions of this subsection according to their class title
 12 and pay grade as set forth in this subdivision:

13	CLASS TITLE.....	PAY GRADE
14	Accountant I	D
15	Accountant II	E
16	Accountant III	F
17	Accounts Payable Supervisor	G
18	Aide I	A
19	Aide II	B
20	Aide III	C
21	Aide IV	D
22	Aide V – Temporary Authorization	E
23	Aide V	F
24	Aide VI – Temporary Authorization	E

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25	Aide VI	F
26	Audiovisual Technician	C
27	Auditor	G
28	Autism Mentor	F
29	Braille Specialist	E
30	Bus Operator	D
31	Buyer	F
32	Cabinetmaker	G
33	Cafeteria Manager	D
34	Carpenter I	E
35	Carpenter II	F
36	Chief Mechanic	G
37	Clerk I	B
38	Clerk II	C
39	Computer Operator	E
40	Cook I	A
41	Cook II	B
42	Cook III	C
43	Crew Leader	F
44	Custodian I	A
45	Custodian II	B
46	Custodian III	C
47	Custodian IV	D
48	Director or Coordinator of Services	H
49	Draftsman	D
50	Early Childhood Classroom Assistant Teacher I	E

51	Early Childhood Classroom Assistant Teacher II	E
52	Early Childhood Classroom Assistant Teacher III	F
53	Educational Sign Language Interpreter I	F
54	Educational Sign Language Interpreter II	G
55	Electrician I	F
56	Electrician II	G
57	Electronic Technician I	F
58	Electronic Technician II	G
59	Executive Secretary	G
60	Food Services Supervisor	G
61	Foreman	G
62	General Maintenance	C
63	Glazier	D
64	Graphic Artist	D
65	Groundsman	B
66	Handyman	B
67	Heating and Air Conditioning Mechanic I	E
68	Heating and Air Conditioning Mechanic II	G
69	Heavy Equipment Operator	E
70	Inventory Supervisor	D
71	Key Punch Operator	B
72	Licensed Practical Nurse	F
73	Locksmith	G
74	Lubrication Man	C
75	Machinist	F
76	Mail Clerk	D

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77	Maintenance Clerk	C
78	Mason	G
79	Mechanic	F
80	Mechanic Assistant	E
81	Office Equipment Repairman I	F
82	Office Equipment Repairman II	G
83	Painter	E
84	Paraprofessional	F
85	Payroll Supervisor	G
86	Plumber I	E
87	Plumber II	G
88	Printing Operator	B
89	Printing Supervisor	D
90	Programmer	H
91	Roofing/Sheet Metal Mechanic	F
92	Sanitation Plant Operator	G
93	School Bus Supervisor	E
94	Secretary I	D
95	Secretary II	E
96	Secretary III	F
97	Sign Support Specialist	E
98	Supervisor of Maintenance	H
99	Supervisor of Transportation	H
100	Switchboard Operator-Receptionist	D
101	Truck Driver	D
102	Warehouse Clerk	C

103 Watchman B

104 Welder F

105 WVEIS Data Entry and Administrative Clerk B

106 (b) An additional \$12 per month is added to the minimum monthly pay of each service
107 person who holds a high school diploma or its equivalent.

108 (c) An additional \$11 per month also is added to the minimum monthly pay of each service
109 person for each of the following:

110 (1) A service person who holds 12 college hours or comparable credit obtained in a trade
111 or vocational school as approved by the state board;

112 (2) A service person who holds 24 college hours or comparable credit obtained in a trade
113 or vocational school as approved by the state board;

114 (3) A service person who holds 36 college hours or comparable credit obtained in a trade
115 or vocational school as approved by the state board;

116 (4) A service person who holds 48 college hours or comparable credit obtained in a trade
117 or vocational school as approved by the state board;

118 (5) A service employee who holds 60 college hours or comparable credit obtained in a
119 trade or vocational school as approved by the state board;

120 (6) A service person who holds 72 college hours or comparable credit obtained in a trade
121 or vocational school as approved by the state board;

122 (7) A service person who holds 84 college hours or comparable credit obtained in a trade
123 or vocational school as approved by the state board;

124 (8) A service person who holds 96 college hours or comparable credit obtained in a trade
125 or vocational school as approved by the state board;

126 (9) A service person who holds 108 college hours or comparable credit obtained in a trade
127 or vocational school as approved by the state board;

128 (10) A service person who holds 120 college hours or comparable credit obtained in a
129 trade or vocational school as approved by the state board.

130 (d) An additional \$40 per month also is added to the minimum monthly pay of each service
131 person for each of the following:

132 (1) A service person who holds an associate's degree;

133 (2) A service person who holds a bachelor's degree;

134 (3) A service person who holds a master's degree;

135 (4) A service person who holds a doctorate degree.

136 (e) An additional \$11 per month is added to the minimum monthly pay of each service
137 person for each of the following:

138 (1) A service person who holds a bachelor's degree plus 15 college hours;

139 (2) A service person who holds a master's degree plus 15 college hours;

140 (3) A service person who holds a master's degree plus 30 college hours;

141 (4) A service person who holds a master's degree plus 45 college hours; and

142 (5) A service person who holds a master's degree plus 60 college hours.

143 (f) Each service person is paid a supplement, as set forth in §18A-4-5 of this code, of \$164
144 per month, subject to the provisions of that section. These payments: (i) Are in addition to any
145 amounts prescribed in the applicable State Minimum Pay Scale Pay Grade, any specific additional
146 amounts prescribed in this section and article and any county supplement in effect in a county
147 pursuant to §18A-4-5b of this code; (ii) are paid in equal monthly installments; and (iii) are
148 considered a part of the state minimum salaries for service personnel.

149 (g) When any part of a school service person's daily shift of work is performed between
150 the hours of 6:00 p. m. and 5:00 a. m. the following day, the employee is paid no less than an
151 additional \$10 per month and one half of the pay is paid with local funds.

152 (h) Any service person required to work on any legal school holiday is paid at a rate one
153 and one-half times the person's usual hourly rate.

154 (i) Any full-time service personnel required to work in excess of their normal working day
155 during any week which contains a school holiday for which they are paid is paid for the additional
156 hours or fraction of the additional hours at a rate of one and one-half times their usual hourly rate
157 and paid entirely from county board funds.

158 (j) A service person may not have his or her daily work schedule changed during the school
159 year without the employee's written consent and the person's required daily work hours may not
160 be changed to prevent the payment of time and one-half wages or the employment of another
161 employee.

162 (k) The minimum hourly rate of pay for extra duty assignments as defined in §18A-4-8b of
163 this code is no less than one seventh of the person's daily total salary for each hour the person is
164 involved in performing the assignment and paid entirely from local funds: *Provided*, That an
165 alternative minimum hourly rate of pay for performing extra duty assignments within a particular
166 category of employment may be used if the alternate hourly rate of pay is approved both by the
167 county board and by the affirmative vote of a two-thirds majority of the regular full-time persons
168 within that classification category of employment within that county: *Provided, however*, That the
169 vote is by secret ballot if requested by a service person within that classification category within
170 that county. The salary for any fraction of an hour the employee is involved in performing the
171 assignment is prorated accordingly. When performing extra duty assignments, persons who are
172 regularly employed on a one-half day salary basis shall receive the same hourly extra duty
173 assignment pay computed as though the person were employed on a full-day salary basis.

174 (l) The minimum pay for any service personnel engaged in the removal of asbestos
175 material or related duties required for asbestos removal is their regular total daily rate of pay and
176 no less than an additional \$3 per hour or no less than \$5 per hour for service personnel
177 supervising asbestos removal responsibilities for each hour these employees are involved in
178 asbestos-related duties. Related duties required for asbestos removal include, but are not limited
179 to, travel, preparation of the work site, removal of asbestos, decontamination of the work site,

180 placing and removal of equipment and removal of structures from the site. If any member of an
181 asbestos crew is engaged in asbestos-related duties outside of the employee's regular
182 employment county, the daily rate of pay is no less than the minimum amount as established in
183 the employee's regular employment county for asbestos removal and an additional \$30 per each
184 day the employee is engaged in asbestos removal and related duties. The additional pay for
185 asbestos removal and related duties shall be payable entirely from county funds. Before service
186 personnel may be used in the removal of asbestos material or related duties, they shall have
187 completed a federal Environmental Protection Act-approved training program and be licensed.
188 The employer shall provide all necessary protective equipment and maintain all records required
189 by the Environmental Protection Act.

190 (m) For the purpose of qualifying for additional pay as provided in §18A-5-8 of this code,
191 an aide is considered to be exercising the authority of a supervisory aide and control over pupils
192 if the aide is required to supervise, control, direct, monitor, escort, or render service to a child or
193 children when not under the direct supervision of a certified professional person within the
194 classroom, library, hallway, lunchroom, gymnasium, school building, school grounds, or wherever
195 supervision is required. For purposes of this section, "under the direct supervision of a certified
196 professional person" means that certified professional person is present, with and accompanying
197 the aide.

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

Mark R. Chapman
.....
Chairman, Senate Committee

Dean Sypp
.....
Chairman, House Committee

Originated in the Senate.

To take effect July 01, 2022.

FILED
2022 MAR 28 P 12:56
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Joe Cavin
.....
Clerk of the Senate

Steve Harris
.....
Clerk of the House of Delegates

C. P. Boyle
.....
President of the Senate

Wayne Holt
.....
Speaker of the House of Delegates

The within *is approved* this the *28th*
Day of *March*, 2022.

James O. Eastman
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 15 2022

Time 11:46am