

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

ENROLLED

Committee Substitute

for

Senate Bill 423

BY SENATORS BLAIR (MR. PRESIDENT) AND WOELFEL

(BY REQUEST OF THE EXECUTIVE)

[Passed March 06, 2023; to take effect July 1, 2023]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2023 MAR 17 P 12:44

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

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, 2023, 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	\$50,824
24	Cadet Trooper After Training	58,084
25	Trooper Second Year	59,096
26	Trooper Third Year	59,479
27	Senior Trooper	59,878
28	Trooper First Class	60,484
29	Corporal	61,090
30	Sergeant	65,391
31	First Sergeant	67,542
32	Second Lieutenant	69,692
33	First Lieutenant	71,843
34	Captain	73,994
35	Major	76,144
36	Lieutenant Colonel	78,295

37 ANNUAL SALARY SCHEDULE (BASE PAY)

38 ADMINISTRATION SUPPORT SPECIALIST CLASSIFICATION

39	I	\$59,096
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40	II	59,878
41	III	60,484
42	IV	61,090
43	V	65,391
44	VI	67,542
45	VII	69,692
46	VIII	71,843

47 Effective July 1, 2023, 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	\$47,950
52	II	50,278
53	III	53,939
54	IV	56,966

55 FORENSIC TECHNICIAN

56	I	\$ 50,150
57	II	51,844
58	III	55,726

59 FORENSIC SCIENTIST

60	I	\$57,350
61	II	59,534
62	III	61,638
63	IV	64,037
64	V	67,563
65	VI	71,363

66	FORENSIC SCIENTIST SUPERVISOR	
67	I	\$74,062
68	II	77,626
69	III	81,404
70	IV	85,408

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 2023-2024, 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.

5 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.	Doc- torate
0	36,597	37,286	37,552	38,995	39,756	41,523	42,284	43,045	43,806	44,841
1	36,925	37,614	37,880	39,513	40,274	42,042	42,803	43,563	44,324	45,359
2	37,254	37,942	38,208	40,032	40,793	42,560	43,321	44,082	44,843	45,878
3	37,582	38,270	38,536	40,551	41,311	43,079	43,840	44,600	45,361	46,396
4	38,154	38,842	39,108	41,313	42,074	43,842	44,603	45,363	46,124	47,159
5	38,482	39,170	39,436	41,832	42,593	44,360	45,121	45,882	46,643	47,678
6	38,810	39,498	39,764	42,350	43,111	44,879	45,640	46,400	47,161	48,196

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7	39,138	39,827	40,092	42,869	43,630	45,397	46,158	46,919	47,680	48,715
8	39,466	40,155	40,421	43,387	44,148	45,916	46,677	47,437	48,198	49,233
9	39,794	40,483	40,749	43,906	44,667	46,434	47,195	47,956	48,717	49,752
10	40,123	40,811	41,077	44,426	45,186	46,954	47,715	48,476	49,236	50,271
11	40,451	41,139	41,405	44,944	45,705	47,473	48,233	48,994	49,755	50,790
12	40,779	41,467	41,733	45,463	46,223	47,991	48,752	49,513	50,273	51,308
13	41,107	41,795	42,061	45,981	46,742	48,510	49,270	50,031	50,792	51,827
14	41,435	42,123	42,389	46,500	47,260	49,028	49,789	50,550	51,310	52,345
15	41,763	42,451	42,717	47,018	47,779	49,547	50,307	51,068	51,829	52,864
16	42,091	42,779	43,045	47,537	48,297	50,065	50,826	51,587	52,347	53,382
17	42,419	43,108	43,373	48,055	48,816	50,584	51,345	52,105	52,866	53,901
18	42,747	43,436	43,702	48,574	49,335	51,102	51,863	52,624	53,385	54,420
19	43,075	43,764	44,030	49,092	49,853	51,621	52,382	53,142	53,903	54,938
20	43,403	44,092	44,358	49,611	50,372	52,139	52,900	53,661	54,422	55,457
21	43,732	44,420	44,686	50,129	50,890	52,658	53,419	54,179	54,940	55,975
22	44,060	44,748	45,014	50,648	51,409	53,176	53,937	54,698	55,459	56,494
23	44,388	45,076	45,342	51,167	51,927	53,695	54,456	55,216	55,977	57,012
24	44,716	45,404	45,670	51,685	52,446	54,214	54,974	55,735	56,496	57,531
25	45,044	45,732	45,998	52,204	52,964	54,732	55,493	56,254	57,014	58,049
26	45,372	46,060	46,326	52,722	53,483	55,251	56,011	56,772	57,533	58,568
27	45,700	46,388	46,654	53,241	54,001	55,769	56,530	57,291	58,051	59,086
28	46,028	46,717	46,982	53,759	54,520	56,288	57,048	57,809	58,570	59,605
29	46,356	47,045	47,311	54,278	55,038	56,806	57,567	58,328	59,088	60,123
30	46,684	47,373	47,639	54,796	55,557	57,325	58,085	58,846	59,607	60,642
31	47,013	47,701	47,967	55,315	56,076	57,843	58,604	59,365	60,125	61,160
32	47,341	48,029	48,295	55,833	56,594	58,362	59,123	59,883	60,644	61,679
33	47,669	48,357	48,623	56,352	57,113	58,880	59,641	60,402	61,163	62,198
34	47,997	48,685	48,951	56,870	57,631	59,399	60,160	60,920	61,681	62,716
35	48,325	49,013	49,279	57,389	58,150	59,917	60,678	61,439	62,200	63,235

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (a) Effective July 1, 2023, the minimum monthly pay for each service employee shall be
2 as follows:

3 (1) For school year 2023-2024 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	2,237	2,258	2,300	2,353	2,406	2,469	2,501	2,574
1	2,269	2,291	2,332	2,385	2,439	2,502	2,533	2,607
2	2,302	2,323	2,365	2,418	2,471	2,534	2,566	2,639
3	2,334	2,356	2,398	2,451	2,504	2,567	2,599	2,672
4	2,367	2,389	2,430	2,483	2,536	2,600	2,631	2,706
5	2,400	2,421	2,463	2,516	2,569	2,632	2,664	2,738
6	2,432	2,454	2,497	2,549	2,602	2,665	2,697	2,771
7	2,466	2,486	2,529	2,581	2,634	2,698	2,729	2,804
8	2,499	2,519	2,562	2,614	2,667	2,730	2,762	2,836
9	2,531	2,552	2,595	2,648	2,700	2,763	2,794	2,869
10	2,564	2,585	2,627	2,680	2,732	2,797	2,828	2,902
11	2,597	2,618	2,660	2,713	2,765	2,829	2,861	2,934
12	2,629	2,651	2,692	2,746	2,799	2,862	2,893	2,967

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13	2,662	2,683	2,725	2,778	2,831	2,894	2,926	3,000
14	2,695	2,716	2,758	2,811	2,864	2,927	2,959	3,032
15	2,727	2,749	2,790	2,843	2,896	2,960	2,991	3,065
16	2,760	2,781	2,823	2,876	2,929	2,992	3,024	3,098
17	2,792	2,814	2,857	2,909	2,962	3,025	3,057	3,131
18	2,825	2,847	2,889	2,941	2,994	3,058	3,089	3,164
19	2,859	2,879	2,922	2,974	3,027	3,090	3,122	3,196
20	2,891	2,912	2,955	3,008	3,060	3,123	3,155	3,230
21	2,924	2,944	2,987	3,040	3,092	3,156	3,187	3,264
22	2,957	2,978	3,020	3,073	3,125	3,189	3,221	3,296
23	2,989	3,011	3,053	3,106	3,159	3,223	3,255	3,330
24	3,022	3,043	3,085	3,138	3,191	3,257	3,288	3,364
25	3,055	3,076	3,118	3,171	3,225	3,289	3,322	3,396
26	3,087	3,109	3,150	3,205	3,259	3,323	3,354	3,430
27	3,120	3,141	3,183	3,237	3,291	3,355	3,388	3,463
28	3,153	3,174	3,217	3,271	3,325	3,389	3,422	3,497
29	3,185	3,208	3,250	3,303	3,358	3,423	3,454	3,531
30	3,219	3,240	3,284	3,337	3,391	3,455	3,488	3,564
31	3,252	3,274	3,318	3,371	3,425	3,489	3,522	3,597
32	3,286	3,307	3,350	3,404	3,457	3,523	3,554	3,631
33	3,320	3,340	3,384	3,438	3,491	3,555	3,588	3,664
34	3,352	3,374	3,418	3,472	3,525	3,589	3,622	3,697
35	3,386	3,408	3,450	3,504	3,557	3,623	3,655	3,731
36	3,420	3,441	3,484	3,538	3,592	3,656	3,689	3,763

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37	3,452	3,475	3,518	3,572	3,626	3,690	3,722	3,797
38	3,486	3,507	3,550	3,604	3,658	3,723	3,755	3,831
39	3,520	3,541	3,584	3,638	3,692	3,756	3,789	3,863
40	3,552	3,575	3,617	3,671	3,726	3,790	3,822	3,897

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
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
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.

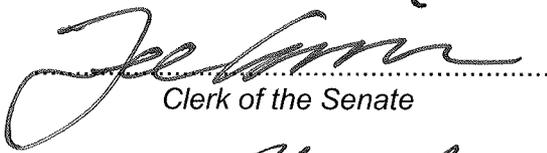
162 (k) The minimum hourly rate of pay for extra duty assignments as defined in §18A-4-8b of
163 this code is no less than one seventh of the person's daily total salary for each hour the person is
164 involved in performing the assignment and paid entirely from local funds: *Provided*, That an
165 alternative 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 Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.


Clerk of the Senate


Clerk of the House of Delegates

Originated in the Senate.

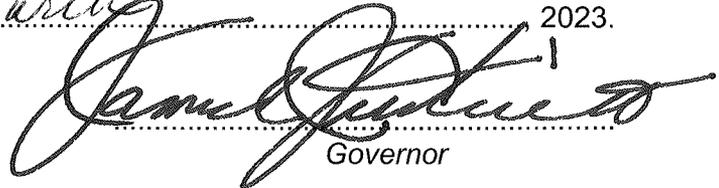
To take effect July 1, 2023.

FILED
2023 MAR 17 P 12:45
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE


President of the Senate


Speaker of the House of Delegates

The within is approved this the 17th
Day of March 2023.


Governor

MAR 07 2023

Time 9:38am