

1 **H. B. 2389**

2
3 (By Delegates D. Poling, Hamilton and Caputo)
4 [Introduced January 12, 2011; referred to the
5 Committee on Education then Finance.]

6 **FISCAL**
7 **NOTE**

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §18B-7-13, relating
12 to higher education; overtime and holiday pay for classified
13 employees; and providing for additional payment for weekend
14 and holiday work.

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

16 That the Code of West Virginia, 1931, as amended, be amended
17 by adding thereto a new section, designated §18B-7-13, to read as
18 follows:

19 **ARTICLE 7. PERSONNEL GENERALLY.**

20 **§18B-7-13. Overtime; holidays.**

21 (a) A classified employee whose regular workweek is Monday
22 through Friday and who agrees to perform any work assignment on a
23 Saturday or a Sunday, shall be paid at least one-half day of work

1 for each day he or she reports for work and shall be paid for a
2 full day of work if he or she works more than three and one-half
3 hours on a Saturday or Sunday.

4 (b) A classified employee required to work on any legal
5 holiday shall be paid at a rate of one and one-half times the
6 employee's hourly wage rate.

7 (c) A full-time classified employee required to work in excess
8 of a normal working day during any week containing a legal holiday
9 shall be paid for the additional hours or fraction of the
10 additional hours at a rate of one and one-half times the employee's
11 hourly wage rate.

12 (d) When used in this section, the term "legal holiday" means
13 those days designated in section one, article two, chapter two of
14 this code.

NOTE: The purpose of this bill is to set compensation standards for classified employees who work overtime on weekends or holidays.

This section is new; therefore, it has been completely underscored.