

**H. B. 2879**

(By Mr. Speaker, (Mr. Thompson) and Delegate Armstead)  
[By Request of the Executive]  
[Introduced January 26, 2011; referred to the  
Committee on Finance.]

**FISCAL  
NOTE**

A BILL to amend and reenact §5-5-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §15-2-5 of said code; to amend and reenact §18A-4-2 and §18A-4-8a of said code; and to amend and reenact §20-7-1c of said code, all relating to providing a one-time, nonbase building, supplemental salary increase for all eligible state employees, members of the West Virginia State Police, teachers, service personnel and conservation officers who are employed on dates certain; providing the conditions under which and the date the salary supplement shall be paid; and making technical corrections.

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

That §5-5-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted; that §15-2-5 of said code be amended and reenacted; that §18A-4-2 and §18A-4-8a of said code be amended and reenacted; and that §20-7-1c of said code be amended and reenacted, all to read as follows:



1 percent of the eligible employee's annual minimum salary as of  
 2 July, 1, 2011, or \$500, whichever is greater. The supplemental  
 3 salary increase shall be issued on December 16, 2011, and shall not  
 4 be applicable to an eligible employee's annual salary in any year  
 5 other than the fiscal year ending June 30, 2012.

6 ~~(c)~~ (d) These incremental and supplemental increases are in  
 7 addition to any across-the-board, cost-of-living or percentage  
 8 salary increases which may be granted in any fiscal year by the  
 9 Legislature.

10 ~~(d)~~ (e) This section shall not be construed to prohibit other  
 11 pay increases based on merit, seniority, promotion or other reason,  
 12 if funds are available for the other pay increases: *Provided, That*  
 13 the executive head of each spending unit shall first grant the  
 14 mandated increase in compensation in this section to all eligible  
 15 employees prior to the consideration of any increases based on  
 16 merit, seniority, promotion or other reason.

## 17 **CHAPTER 15. PUBLIC SAFETY.**

### 18 **ARTICLE 2. WEST VIRGINIA STATE POLICE.**

#### 19 **§15-2-5. Career progression system; salaries; exclusion from wages** 20 **and hour law, with supplemental payment; bond; leave** 21 **time for members called to duty in guard or reserves.**

22 (a) The superintendent shall establish within the West  
 23 Virginia State Police a system to provide for: The promotion of  
 24 members to the supervisory ranks of sergeant, first sergeant,

1 second lieutenant and first lieutenant; the classification of  
2 nonsupervisory members within the field operations force to the  
3 ranks of trooper, senior trooper, trooper first class or corporal;  
4 the classification of members assigned to the forensic laboratory  
5 as criminalist ~~I-VII~~ I-VIII; and the temporary reclassification of  
6 members assigned to administrative duties as administrative support  
7 specialist I-VIII.

8 (b) The superintendent may propose legislative rules for  
9 promulgation in accordance with article three, chapter  
10 twenty-nine-a of this code for the purpose of ensuring consistency,  
11 predictability and independent review of any system developed under  
12 the provisions of this section.

13 (c) The superintendent shall provide to each member a written  
14 manual governing any system established under the provisions of  
15 this section and specific procedures shall be identified for the  
16 evaluation and testing of members for promotion or reclassification  
17 and the subsequent placement of any members on a promotional  
18 eligibility or reclassification recommendation list.

19 (d) The annual salaries of members shall be as follows:

20 (1) Beginning July 1, 2007 2008, until and including June 30,  
21 2008 and continuing thereafter, members shall receive annual  
22 salaries as follows:

23 **ANNUAL SALARY SCHEDULE (BASE PAY)**

24 **SUPERVISORY AND NONSUPERVISORY RANKS**

1	<del>Cadet During Training.. . . . .</del>	<del>2,550.50 Mo.</del>	<del>\$30,606</del>
2	<u>Cadet During Training.. . . . .</u>	<u>\$2,752 Mo.</u>	<u>\$33,024</u>
3	<del>Cadet Trooper After Training. . . . .</del>	<del>3,138.17 Mo.</del>	<del>37,658</del>
4	<u>Cadet Trooper After Training. . . . .</u>	<u>\$3,357.33 Mo.</u>	<u>\$40,288</u>
5	Trooper Second Year.. . . . .	<del>39,122</del>	<u>\$41,296</u>
6	Trooper Third Year. . . . .	<del>39,494</del>	<u>\$41,679</u>
7	Senior Trooper. . . . .	<del>39,882</del>	<u>\$42,078</u>
8	Trooper First Class.. . . . .	<del>40,470</del>	<u>\$42,684</u>
9	Corporal. . . . .	<del>41,058</del>	<u>\$43,290</u>
10	Sergeant . . . . .	<del>45,234</del>	<u>\$47,591</u>
11	First Sergeant. . . . .	<del>47,322</del>	<u>\$49,742</u>
12	Second Lieutenant.. . . . .	<del>49,410</del>	<u>\$51,892</u>
13	First Lieutenant. . . . .	<del>51,498</del>	<u>\$54,043</u>
14	Captain.. . . . .	<del>53,586</del>	<u>\$56,194</u>
15	Major.. . . . .	<del>55,674</del>	<u>\$58,344</u>
16	Lieutenant Colonel. . . . .	<del>57,762</del>	<u>\$60,495</u>

17                                   **ANNUAL SALARY SCHEDULE (BASE PAY)**

18   **ADMINISTRATION SUPPORT**

19   **SPECIALIST CLASSIFICATION**

20	I.. . . . .	<del>\$39,494</del>	<u>\$41,679</u>
21	II .. . . .	<del>39,882</del>	<u>\$42,078</u>
22	III.. . . .	<del>40,470</del>	<u>\$42,684</u>
23	IV .. . . .	<del>41,058</del>	<u>\$43,290</u>
24	V.. . . . .	<del>45,234</del>	<u>\$47,591</u>



1 follows:

2 ~~ANNUAL SALARY SCHEDULE (BASE PAY)~~

3 ~~SUPERVISORY AND NONSUPERVISORY RANKS~~

4	<del>Cadet During Training.</del>	<del>. . . . .</del>	<del>\$ 2,752 Mo.</del>	<del>\$ 33,024</del>
5	<del>Cadet Trooper After Training.</del>	<del>. . . . .</del>	<del>3,357.33 Mo.</del>	<del>40,288</del>
6	<del>Trooper Second Year.</del>	<del>. . . . .</del>		<del>41,296</del>
7	<del>Trooper Third Year.</del>	<del>. . . . .</del>		<del>41,679</del>
8	<del>Senior Trooper.</del>	<del>. . . . .</del>		<del>42,078</del>
9	<del>Trooper First Class.</del>	<del>. . . . .</del>		<del>42,684</del>
10	<del>Corporal.</del>	<del>. . . . .</del>		<del>43,290</del>
11	<del>Sergeant.</del>	<del>. . . . .</del>		<del>47,591</del>
12	<del>First Sergeant.</del>	<del>. . . . .</del>		<del>49,742</del>
13	<del>Second Lieutenant.</del>	<del>. . . . .</del>		<del>51,892</del>
14	<del>First Lieutenant.</del>	<del>. . . . .</del>		<del>54,043</del>
15	<del>Captain.</del>	<del>. . . . .</del>		<del>56,194</del>
16	<del>Major.</del>	<del>. . . . .</del>		<del>58,344</del>
17	<del>Lieutenant Colonel.</del>	<del>. . . . .</del>		<del>60,495</del>

18 ~~ANNUAL SALARY SCHEDULE (BASE PAY)~~

19 ~~ADMINISTRATION SUPPORT~~

20 ~~SPECIALIST CLASSIFICATION~~

21	<del>I.</del>	<del>. . . . .</del>		<del>41,679</del>
22	<del>II.</del>	<del>. . . . .</del>		<del>42,078</del>
23	<del>III.</del>	<del>. . . . .</del>		<del>42,684</del>
24	<del>IV.</del>	<del>. . . . .</del>		<del>43,290</del>

1	<del>V.</del>	<del>47,591</del>
2	<del>VI.</del>	<del>49,742</del>
3	<del>VII.</del>	<del>51,892</del>
4	<del>VIII.</del>	<del>54,043</del>

5                                    **~~ANNUAL SALARY SCHEDULE (BASE PAY)~~**

6                                    **~~CRIMINALIST CLASSIFICATION~~**

7	<del>I.</del>	<del>\$ 41,679</del>
8	<del>II.</del>	<del>42,078</del>
9	<del>III.</del>	<del>42,684</del>
10	<del>IV.</del>	<del>43,290</del>
11	<del>V.</del>	<del>47,591</del>
12	<del>VI.</del>	<del>49,742</del>
13	<del>VII.</del>	<del>51,892</del>
14	<del>VIII.</del>	<del>54,043</del>

15            Each member of the West Virginia State Police whose salary is  
16 fixed and specified in this annual salary schedule is entitled to  
17 the length of service increases set forth in subsection (e) of this  
18 section and supplemental pay as provided in subsection (g) of this  
19 section.

20            (e) Each member of the West Virginia State Police whose salary  
21 is fixed and specified pursuant to this section shall receive, and  
22 is entitled to, an increase in salary over that set forth in  
23 subsection (d) of this section for grade in rank, based on length  
24 of service, including that service served before and after the

1 effective date of this section with the West Virginia State Police  
2 as follows: At the end of two years of service with the West  
3 Virginia State Police, the member shall receive a salary increase  
4 of \$400 to be effective during his or her next year of service and  
5 a like increase at yearly intervals thereafter, with the increases  
6 to be cumulative.

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

13 (g) The Legislature finds and declares that because of the  
14 unique duties of members of the West Virginia State Police, it is  
15 not appropriate to apply the provisions of state wage and hour laws  
16 to them. Accordingly, members of the West Virginia State Police  
17 are excluded from the provisions of state wage and hour law. This  
18 express exclusion shall not be construed as any indication that the  
19 members were or were not covered by the wage and hour law prior to  
20 this exclusion.

21 In lieu of any overtime pay they might otherwise have received  
22 under the wage and hour law, and in addition to their salaries and  
23 increases for length of service, members who have completed basic  
24 training and who are exempt from federal Fair Labor Standards Act

1 guidelines may receive supplemental pay as provided in this  
2 section.

3       The authority of the superintendent to propose a legislative  
4 rule or amendment thereto for promulgation in accordance with  
5 article three, chapter twenty-nine-a of this code to establish the  
6 number of hours per month which constitute the standard work month  
7 for the members of the West Virginia State Police is hereby  
8 continued. The rule shall further establish, on a graduated hourly  
9 basis, the criteria for receipt of a portion or all of supplemental  
10 payment when hours are worked in excess of the standard work month.  
11 The superintendent shall certify monthly to the West Virginia State  
12 Police's payroll officer the names of those members who have worked  
13 in excess of the standard work month and the amount of their  
14 entitlement to supplemental payment. The supplemental payment may  
15 not exceed \$236 monthly. The superintendent and civilian employees  
16 of the West Virginia State Police are not eligible for any  
17 supplemental payments.

18       (h) Each member of the West Virginia State Police, except the  
19 superintendent and civilian employees, shall execute, before  
20 entering upon the discharge of his or her duties, a bond with  
21 security in the sum of \$5,000 payable to the State of West  
22 Virginia, conditioned upon the faithful performance of his or her  
23 duties, and the bond shall be approved as to form by the Attorney  
24 General and as to sufficiency by the Governor. (i) In consideration

1 for compensation paid by the West Virginia State Police to its  
2 members during those members' participation in the West Virginia  
3 State Police Cadet Training Program pursuant to section eight,  
4 article twenty-nine, chapter thirty of this code, the West Virginia  
5 State Police may require of its members by written agreement  
6 entered into with each of them in advance of such participation in  
7 the program that, if a member should voluntarily discontinue  
8 employment any time within one year immediately following  
9 completion of the training program, he or she shall be obligated to  
10 pay to the West Virginia State Police a pro rata portion of such  
11 compensation equal to that part of such year which the member has  
12 chosen not to remain in the employ of the West Virginia State  
13 Police.

14 (i) Any member of the West Virginia State Police who is called  
15 to perform active duty training or inactive duty training in the  
16 National Guard or any reserve component of the armed forces of the  
17 United States annually shall be granted, upon request, leave time  
18 not to exceed thirty calendar days for the purpose of performing  
19 the active duty training or inactive duty training and the time  
20 granted may not be deducted from any leave accumulated as a member  
21 of the West Virginia State Police.

22 **CHAPTER 18A. SCHOOL PERSONNEL.**

23 **ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.**

24 **§18A-4-2. State minimum salaries for teachers.**

1 (a) ~~Effective July 1, 2007, through June 30, 2008, each~~  
 2 ~~teacher shall receive the amount prescribed in the 2007-08 State~~  
 3 ~~Minimum Salary Schedule as set forth in this section, specific~~  
 4 ~~additional amounts prescribed in this section or article and any~~  
 5 ~~county supplement in effect in a county pursuant to section five-a~~  
 6 ~~of this article during the contract year.~~

7 Effective July 1, 2008, and continuing thereafter, each  
 8 teacher shall receive the amount prescribed in the 2008-09 State  
 9 Minimum Salary Schedule as set forth in this section, specific  
 10 additional amounts prescribed in this section or article and any  
 11 county supplement in effect in a county pursuant to section five-a  
 12 of this article during the contract year.

13 ~~2007-08 STATE MINIMUM SALARY SCHEDULE~~

14	15	16	17	18	19	20	21	22	23	24	25	26
<del>(1)</del>	<del>(2)</del>	<del>(3)</del>	<del>(4)</del>	<del>(5)</del>	<del>(6)</del>	<del>(7)</del>	<del>(8)</del>	<del>(9)</del>	<del>(10)</del>	<del>(11)</del>		
Years	4th	3rd	2nd		A.B.		M.A.	M.A.	M.A.	Doctor		
Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	ate		
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		

1	8	26,920	27,580	27,844	30,619	31,380	33,148	33,909	34,669	35,430	36,465
2	9	27,248	27,908	28,172	31,138	31,899	33,666	34,427	35,188	35,949	36,984
3	10	27,577	28,236	28,500	31,657	32,417	34,185	34,946	35,706	36,467	37,502
4	11	27,905	28,564	28,828	32,175	32,936	34,704	35,464	36,225	36,986	38,021
5	12	28,233	28,892	29,156	32,694	33,454	35,222	35,983	36,744	37,504	38,539
6	13	28,561	29,220	29,484	33,212	33,973	35,741	36,501	37,262	38,023	39,058
7	14	28,561	29,548	29,812	33,731	34,491	36,259	37,020	37,781	38,541	39,576
8	15	28,561	29,876	30,140	34,249	35,010	36,778	37,538	38,299	39,060	40,095
9	16	28,561	29,876	30,468	34,768	35,528	37,296	38,057	38,818	39,578	40,613
10	17	28,561	29,876	30,796	35,286	36,047	37,815	38,575	39,336	40,097	41,132
11	18	28,561	29,876	30,796	35,805	36,566	38,333	39,094	39,855	40,615	41,650
12	19	28,561	29,876	30,796	36,323	37,084	38,852	39,613	40,373	41,134	42,169
13	20	28,561	29,876	30,796	36,842	37,603	39,370	40,131	40,892	41,653	42,688
14	21	28,561	29,876	30,796	36,842	37,603	39,889	40,650	41,410	42,171	43,206
15	22	28,561	29,876	30,796	36,842	37,603	40,407	41,168	41,929	42,690	43,725
16	23	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,447	43,208	44,243
17	24	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,966	43,727	44,762
18	25	28,561	29,876	30,796	36,842	37,603	40,926	41,687	43,484	44,245	45,280
19	26	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
20	27	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
21	28	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
22	29	28,889	30,204	31,125	37,360	38,121	41,445	42,205	44,522	45,282	46,317
23	30	29,217	30,533	31,453	37,879	38,640	41,963	42,724	45,040	45,801	46,836
24	31	29,545	30,861	31,781	38,397	39,158	42,482	43,242	45,559	46,319	47,354

1	32	<del>29,873</del>	<del>31,189</del>	<del>32,109</del>	<del>38,916</del>	<del>39,677</del>	<del>43,000</del>	<del>43,761</del>	<del>46,077</del>	<del>46,838</del>	<del>47,873</del>
2	33	<del>30,201</del>	<del>31,517</del>	<del>32,437</del>	<del>39,435</del>	<del>40,195</del>	<del>43,519</del>	<del>44,279</del>	<del>46,596</del>	<del>47,356</del>	<del>48,391</del>
3	34	<del>30,529</del>	<del>31,845</del>	<del>32,765</del>	<del>39,953</del>	<del>40,714</del>	<del>44,037</del>	<del>44,798</del>	<del>47,114</del>	<del>47,875</del>	<del>48,910</del>
4	35	<del>30,857</del>	<del>32,173</del>	<del>33,093</del>	<del>40,472</del>	<del>41,232</del>	<del>44,556</del>	<del>45,316</del>	<del>47,633</del>	<del>48,393</del>	<del>49,428</del>

**2008-09 STATE MINIMUM SALARY SCHEDULE**

6	7	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
8	Years	4th	3rd	2nd		A.B.			M.A.	M.A.	M.A.	Doc-
9	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45		torate
10												
11	0	25,651	26,311	26,575	27,827	28,588	30,355	31,116	31,877	32,638	33,673	
12	1	25,979	26,639	26,903	28,345	29,106	30,874	31,635	32,395	33,156	34,191	
13	2	26,308	26,967	27,231	28,864	29,625	31,392	32,153	32,914	33,675	34,710	
14	3	26,636	27,295	27,559	29,383	30,143	31,911	32,672	33,432	34,193	35,228	
15	4	27,208	27,867	28,131	30,145	30,906	32,674	33,435	34,195	34,956	35,991	
16	5	27,536	28,195	28,459	30,664	31,425	33,192	33,953	34,714	35,475	36,510	
17	6	27,864	28,523	28,787	31,182	31,943	33,711	34,472	35,232	35,993	37,028	
18	7	28,192	28,852	29,115	31,701	32,462	34,229	34,990	35,751	36,512	37,547	
19	8	28,520	29,180	29,444	32,219	32,980	34,748	35,509	36,269	37,030	38,065	
20	9	28,848	29,508	29,772	32,738	33,499	35,266	36,027	36,788	37,549	38,584	
21	10	29,177	29,836	30,100	33,258	34,018	35,786	36,547	37,308	38,068	39,103	
22	11	29,505	30,164	30,428	33,776	34,537	36,305	37,065	37,826	38,587	39,622	
23	12	29,833	30,492	30,756	34,295	35,055	36,823	37,584	38,345	39,105	40,140	
24	13	30,161	30,820	31,084	34,813	35,574	37,342	38,102	38,863	39,624	40,659	
25	14	30,489	31,148	31,412	35,332	36,092	37,860	38,621	39,382	40,142	41,177	
26	15	30,817	31,476	31,740	35,850	36,611	38,379	39,139	39,900	40,661	41,696	
27	16	31,145	31,804	32,068	36,369	37,129	38,897	39,658	40,419	41,179	42,214	
28	17	31,473	32,133	32,396	36,887	37,648	39,416	40,177	40,937	41,698	42,733	
29	18	31,801	32,461	32,725	37,406	38,167	39,934	40,695	41,456	42,217	43,252	
30	19	32,129	32,789	33,053	37,924	38,685	40,453	41,214	41,974	42,735	43,770	
31	20	32,457	33,117	33,381	38,443	39,204	40,971	41,732	42,493	43,254	44,289	
32	21	32,786	33,445	33,709	38,961	39,722	41,490	42,251	43,011	43,772	44,807	

1	22	33,114	33,773	34,037	39,480	40,241	42,008	42,769	43,530	44,291	45,326
2	23	33,442	34,101	34,365	39,999	40,759	42,527	43,288	44,048	44,809	45,844
3	24	33,770	34,429	34,693	40,517	41,278	43,046	43,806	44,567	45,328	46,363
4	25	34,098	34,757	35,021	41,036	41,796	43,564	44,325	45,086	45,846	46,881
5	26	34,426	35,085	35,349	41,554	42,315	44,083	44,843	45,604	46,365	47,400
6	27	34,754	35,413	35,677	42,073	42,833	44,601	45,362	46,123	46,883	47,918
7	28	35,082	35,742	36,005	42,591	43,352	45,120	45,880	46,641	47,402	48,437
8	29	35,410	36,070	36,334	43,110	43,870	45,638	46,399	47,160	47,920	48,955
9	30	35,738	36,398	36,662	43,628	44,389	46,157	46,917	47,678	48,439	49,474
10	31	36,067	36,726	36,990	44,147	44,908	46,675	47,436	48,197	48,957	49,992
11	32	36,395	37,054	37,318	44,665	45,426	47,194	47,955	48,715	49,476	50,511
12	33	36,723	37,382	37,646	45,184	45,945	47,712	48,473	49,234	49,995	51,030
13	34	37,051	37,710	37,974	45,702	46,463	48,231	48,992	49,752	50,513	51,548
14	35	37,379	38,038	38,302	46,221	46,982	48,749	49,510	50,271	51,032	52,067

15 (b) Six hundred dollars shall be paid annually to each  
 16 classroom teacher who has at least twenty years of teaching  
 17 experience. The payments: (i) Shall be in addition to any  
 18 amounts prescribed in the applicable state minimum salary  
 19 schedule; (ii) shall be paid in equal monthly installments; and  
 20 (iii) shall be considered a part of the state minimum salaries for  
 21 teachers.

22 (c) All classroom teachers in the employ of a county board of  
 23 education at the beginning of the 2011-12 school year and who  
 24 continue to be in the employ of a county board of education on  
 25 November 30, 2011, shall receive a one-time, nonrepeating, nonbase  
 26 building, supplemental salary increase in the amount of \$800. The  
 27 supplemental salary increase shall be issued on December 16, 2011,  
 28 and shall not be applicable to a classroom teacher's minimum

1 annual salary in any year other than the fiscal year ending June  
 2 30, 2012.

3 **ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.**

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

5 (a) The minimum monthly pay for each service employee shall  
 6 be as follows:

7 (1) The minimum monthly pay for each service employee whose  
 8 employment is for a period of more than three and one-half hours  
 9 a day shall be at least the amounts indicated in the state minimum  
 10 pay scale pay grade and the minimum monthly pay for each service  
 11 employee whose employment is for a period of three and one-half  
 12 hours or less a day shall be at least one-half the amount  
 13 indicated in the state minimum pay scale pay grade set forth in  
 14 this ~~section~~ subdivision.

15 STATE MINIMUM PAY SCALE PAY GRADE

16	Years								
17	Exp.	A	B	C	D	E	F	G	H
19	0	1,577	1,598	1,639	1,691	1,743	1,805	1,836	1,908
20	1	1,609	1,630	1,671	1,723	1,775	1,837	1,868	1,940
21	2	1,641	1,662	1,703	1,755	1,807	1,869	1,900	1,972
22	3	1,673	1,694	1,735	1,787	1,839	1,901	1,932	2,004
23	4	1,705	1,726	1,767	1,819	1,871	1,933	1,964	2,037
24	5	1,737	1,758	1,799	1,851	1,903	1,965	1,996	2,069
25	6	1,769	1,790	1,832	1,883	1,935	1,997	2,028	2,101
26	7	1,802	1,822	1,864	1,915	1,967	2,029	2,060	2,133
27	8	1,834	1,854	1,896	1,947	1,999	2,061	2,092	2,165
28	9	1,866	1,886	1,928	1,980	2,031	2,093	2,124	2,197

## STATE MINIMUM PAY SCALE PAY GRADE

Years									
	Exp.								
1	10	1,898	1,919	1,960	2,012	2,063	2,126	2,157	2,229
2	11	1,930	1,951	1,992	2,044	2,095	2,158	2,189	2,261
3	12	1,962	1,983	2,024	2,076	2,128	2,190	2,221	2,293
4	13	1,994	2,015	2,056	2,108	2,160	2,222	2,253	2,325
5	14	2,026	2,047	2,088	2,140	2,192	2,254	2,285	2,357
6	15	2,058	2,079	2,120	2,172	2,224	2,286	2,317	2,389
7	16	2,090	2,111	2,152	2,204	2,256	2,318	2,349	2,422
8	17	2,122	2,143	2,185	2,236	2,288	2,350	2,381	2,454
9	18	2,154	2,175	2,217	2,268	2,320	2,382	2,413	2,486
10	19	2,187	2,207	2,249	2,300	2,352	2,414	2,445	2,518
11	20	2,219	2,239	2,281	2,333	2,384	2,446	2,477	2,550
12	21	2,251	2,271	2,313	2,365	2,416	2,478	2,509	2,582
13	22	2,283	2,304	2,345	2,397	2,448	2,511	2,542	2,614
14	23	2,315	2,336	2,377	2,429	2,481	2,543	2,574	2,646
15	24	2,347	2,368	2,409	2,461	2,513	2,575	2,606	2,678
16	25	2,379	2,400	2,441	2,493	2,545	2,607	2,638	2,710
17	26	2,411	2,432	2,473	2,525	2,577	2,639	2,670	2,742
18	27	2,443	2,464	2,505	2,557	2,609	2,671	2,702	2,774
19	28	2,475	2,496	2,537	2,589	2,641	2,703	2,734	2,807
20	29	2,507	2,528	2,570	2,621	2,673	2,735	2,766	2,839
21	30	2,540	2,560	2,602	2,653	2,705	2,767	2,798	2,871
22	31	2,572	2,592	2,634	2,685	2,737	2,799	2,830	2,903
23	32	2,604	2,624	2,666	2,718	2,769	2,831	2,862	2,935
24	33	2,636	2,656	2,698	2,750	2,801	2,863	2,895	2,967
25	34	2,668	2,689	2,730	2,782	2,833	2,896	2,927	2,999
26	35	2,700	2,721	2,762	2,814	2,866	2,928	2,959	3,031
27	36	2,732	2,753	2,794	2,846	2,898	2,960	2,991	3,063
28	37	2,764	2,785	2,826	2,878	2,930	2,992	3,023	3,095
29	38	2,796	2,817	2,858	2,910	2,962	3,024	3,055	3,127
30	39	2,828	2,849	2,890	2,942	2,994	3,056	3,087	3,159

STATE MINIMUM PAY SCALE PAY GRADE

Years

1	Exp. 40	2,860	2,881	2,922	2,974	3,026	3,088	3,119	3,192
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2       (2) Each service employee shall receive the amount prescribed  
 3 in the Minimum Pay Scale in accordance with the provisions of this  
 4 subsection according to their class title and pay grade as set  
 5 forth in this subdivision:

6	CLASS TITLE	PAY GRADE
7	Accountant I. . . . .	D
8	Accountant II.. . . .	E
9	Accountant <del>II</del> <u>III</u> .. . . .	F
10	Accounts Payable Supervisor.. . . .	G
11	Aide I. . . . .	A
12	Aide II.. . . .	B
13	Aide III. . . . .	C
14	Aide IV.. . . .	D
15	Audiovisual Technician. . . . .	C
16	Auditor.. . . .	G
17	Autism Mentor.. . . .	E
18	Braille or Sign Language Specialist.. . . .	E
19	Bus Operator. . . . .	D
20	Buyer.. . . .	F
21	Cabinetmaker. . . . .	G
22	Cafeteria Manager.. . . .	D

1	Carpenter I.. . . . .	E
2	Carpenter II. . . . .	F
3	Chief Mechanic. . . . .	G
4	Clerk I.. . . . .	B
5	Clerk II. . . . .	C
6	Computer Operator.. . . . .	E
7	Cook I. . . . .	A
8	Cook II.. . . . .	B
9	Cook III. . . . .	C
10	Crew Leader.. . . . .	F
11	Custodian I.. . . . .	A
12	Custodian II. . . . .	B
13	Custodian III.. . . . .	C
14	Custodian IV. . . . .	D
15	Director or Coordinator of Services.. . . . .	H
16	Draftsman.. . . . .	D
17	Electrician I.. . . . .	F
18	Electrician II. . . . .	G
19	Electronic Technician I.. . . . .	F
20	Electronic Technician II. . . . .	G
21	Executive Secretary.. . . . .	G
22	Food Services Supervisor. . . . .	G
23	Foreman.. . . . .	G
24	General Maintenance.. . . . .	C

1	Glazier.. . . . .	D
2	Graphic Artist. . . . .	D
3	Groundsman. . . . .	B
4	Handyman. . . . .	B
5	Heating and Air Conditioning Mechanic I.. . . . .	E
6	Heating and Air Conditioning Mechanic II. . . . .	G
7	Heavy Equipment Operator. . . . .	E
8	Inventory Supervisor. . . . .	D
9	Key Punch Operator. . . . .	B
10	Licensed Practical Nurse. . . . .	F
11	Locksmith.. . . . .	G
12	Lubrication Man.. . . . .	C
13	Machinist.. . . . .	F
14	Mail Clerk. . . . .	D
15	Maintenance Clerk.. . . . .	C
16	Mason.. . . . .	G
17	Mechanic. . . . .	F
18	Mechanic Assistant. . . . .	E
19	Office Equipment Repairman I. . . . .	F
20	Office Equipment Repairman II.. . . . .	G
21	Painter.. . . . .	E
22	Paraprofessional. . . . .	F
23	Payroll Supervisor. . . . .	G
24	Plumber I.. . . . .	E

1	Plumber II. . . . .	G
2	Printing Operator.. . . . .	B
3	Printing Supervisor.. . . . .	D
4	Programmer. . . . .	H
5	Roofing/Sheet Metal Mechanic. . . . .	F
6	Sanitation Plant Operator.. . . . .	F
7	School Bus Supervisor.. . . . .	E
8	Secretary I.. . . . .	D
9	Secretary II. . . . .	E
10	Secretary III.. . . . .	F
11	Supervisor of Maintenance.. . . . .	H
12	Supervisor of Transportation. . . . .	H
13	Switchboard Operator-Receptionist.. . . . .	D
14	Truck Driver. . . . .	D
15	Warehouse Clerk.. . . . .	C
16	Watchman. . . . .	B
17	Welder. . . . .	F
18	WVEIS Data Entry and Administrative Clerk.. . . . .	B

19       (3) All service employees in the employ of a county board of  
20 education at the beginning of the 2011-12 school year and who  
21 continue to be in the employ of a county board of education on  
22 November 30, 2011, shall receive a one-time, nonrepeating, nonbase  
23 building, supplemental salary increase in the amount of \$500. The  
24 supplemental salary increase shall be issued on December 16, 2011,

1 and shall not be applicable to a service employee's minimum annual  
2 salary in any year other than the fiscal year ending June 30,  
3 2012.

4 (b) An additional \$12 per month shall be added to the minimum  
5 monthly pay of each service employee who holds a high school  
6 diploma or its equivalent.

7 (c) An additional \$11 per month also shall be added to the  
8 minimum monthly pay of each service employee for each of the  
9 following:

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

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

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

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

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

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

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

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

10          (9) A service employee who holds one hundred eight college  
11 hours or comparable credit obtained in a trade or vocational  
12 school as approved by the state board;

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

16          (d) An additional \$40 per month also shall be added to the  
17 minimum monthly pay of each service employee for each of the  
18 following:

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

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

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

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

23          (e) An additional \$11 per month shall be added to the minimum  
24 monthly pay of each service employee for each of the following:

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

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

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

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

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

11           (f) When any part of a school service employee's daily shift  
12 of work is performed between the hours of six o'clock p.m. and  
13 five o'clock a.m. the following day, the employee shall be paid no  
14 less than an additional \$10 per month and one half of the pay  
15 shall be paid with local funds.

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

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

1 (i) No service employee may have his or her daily work  
2 schedule changed during the school year without the employee's  
3 written consent and the employee's required daily work hours may  
4 not be changed to prevent the payment of time and one-half wages  
5 or the employment of another employee.

6 (j) The minimum hourly rate of pay for extra duty assignments  
7 as defined in section eight-b of this article shall be no less  
8 than one seventh of the employee's daily total salary for each  
9 hour the employee is involved in performing the assignment and  
10 paid entirely from local funds: *Provided*, That an alternative  
11 minimum hourly rate of pay for performing extra duty assignments  
12 within a particular category of employment may be used if the  
13 alternate hourly rate of pay is approved both by the county board  
14 and by the affirmative vote of a two-thirds majority of the  
15 regular full-time employees within that classification category of  
16 employment within that county: *Provided, however*, That the vote  
17 shall be by secret ballot if requested by a service personnel  
18 employee within that classification category within that county.  
19 The salary for any fraction of an hour the employee is involved in  
20 performing the assignment shall be prorated accordingly. When  
21 performing extra duty assignments, employees who are regularly  
22 employed on a one-half day salary basis shall receive the same  
23 hourly extra duty assignment pay computed as though the employee  
24 were employed on a full-day salary basis.

1           (k) The minimum pay for any service personnel employees  
2 engaged in the removal of asbestos material or related duties  
3 required for asbestos removal shall be their regular total daily  
4 rate of pay and no less than an additional \$3 per hour or no less  
5 than \$5 per hour for service personnel supervising asbestos  
6 removal responsibilities for each hour these employees are  
7 involved in asbestos related duties. Related duties required for  
8 asbestos removal include, but are not limited to, travel,  
9 preparation of the work site, removal of asbestos decontamination  
10 of the work site, placing and removal of equipment and removal of  
11 structures from the site. If any member of an asbestos crew is  
12 engaged in asbestos related duties outside of the employee's  
13 regular employment county, the daily rate of pay shall be no less  
14 than the minimum amount as established in the employee's regular  
15 employment county for asbestos removal and an additional \$30 per  
16 each day the employee is engaged in asbestos removal and related  
17 duties. The additional pay for asbestos removal and related  
18 duties shall be payable entirely from county funds. Before  
19 service personnel employees may be used in the removal of asbestos  
20 material or related duties, they shall have completed a federal  
21 Environmental Protection Act approved training program and be  
22 licensed. The employer shall provide all necessary protective  
23 equipment and maintain all records required by the Environmental  
24 Protection Act.

1           (1) For the purpose of qualifying for additional pay as  
2 provided in section eight, article five of this chapter, an aide  
3 shall be considered to be exercising the authority of a  
4 supervisory aide and control over pupils if the aide is required  
5 to supervise, control, direct, monitor, escort or render service  
6 to a child or children when not under the direct supervision of  
7 certified professional personnel within the classroom, library,  
8 hallway, lunchroom, gymnasium, school building, school grounds or  
9 wherever supervision is required. For purposes of this section,  
10 "under the direct supervision of certified professional personnel"  
11 means that certified professional personnel is present, with and  
12 accompanying the aide.

13                                   **CHAPTER 20. NATURAL RESOURCES.**

14           **ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.**

15           **§20-7-1c. Conservation officers, ranks, salary schedule, base**  
16                                   **pay, exceptions.**

17           (a) Notwithstanding any provision of this code to the  
18 contrary, the ranks within the law-enforcement section of the  
19 Division of Natural Resources are colonel, lieutenant colonel,  
20 major, captain, lieutenant, sergeant, corporal, conservation  
21 officer first class, senior conservation officer, conservation  
22 officer and conservation officer-in-training. Each officer while  
23 in uniform shall wear the insignia of rank as provided by the  
24 chief conservation officer.

1 (b) Beginning July 1, 2002, and continuing thereafter,  
2 conservation officers shall be paid the minimum annual salaries  
3 based on the following schedule:

4 **ANNUAL SALARY SCHEDULE (BASE PAY)**

5 **SUPERVISORY AND NONSUPERVISORY RANKS**

6 Conservation Officer-In-Training(first year until end of	
7 probation).....	\$26,337
8 Conservation Officer (second year).....	\$29,768
9 Conservation Officer (third year).....	\$30,140
10 Senior Conservation Officer(fourth and fifth year).....	\$30,440
11 Senior Conservation Officer First Class(after fifth year) ..	\$32,528
12 Senior Conservation Officer (after tenth year).....	\$33,104
13 Senior Conservation Officer (after fifteenth year).....	\$33,528
14 Corporal (after sixteenth year).....	\$36,704
15 Sergeant.....	\$40,880
16 First Sergeant.....	\$42,968
17 Lieutenant.....	\$47,144
18 Captain.....	\$49,232
19 Major.....	\$51,320
20 Lieutenant Colonel.....	\$53,408
21 Colonel.....	

22 Conservation officers in service at the time the amendment to  
23 this section becomes effective shall be given credit for prior  
24 service and shall be paid salaries as the same length of service

1 ~~will entitle~~ entitles them to receive under the provisions of this  
2 section.

3 (c) This section does not apply to special or emergency  
4 conservation officers appointed under the authority of section one  
5 of this article.

6 (d) Nothing in this section prohibits other pay increases as  
7 provided for under section two, article five, chapter five of this  
8 code: *Provided*, That any across-the-board pay increase granted by  
9 the Legislature or the Governor will be added to, and reflected  
10 in, the minimum salaries set forth in this section; and that any  
11 merit increases granted to an officer over and above the annual  
12 salary schedule listed in subsection (b) of this section are  
13 retained by an officer when he or she advances from one rank to  
14 another.

15 (e) Notwithstanding any other provision of this section, all  
16 conservation officers in the employ of the state on July 1, 2011,  
17 and who continue to be in the employ of the state on November 30,  
18 2011, shall receive a one-time, nonrepeating, nonbase building,  
19 supplemental salary increase in the amount of two percent of the  
20 conservation officer's minimum annual salary as provided in this  
21 section, or \$500, whichever is greater. The supplemental salary  
22 increase shall be issued on December 16, 2011, and shall not be  
23 applicable to a conservation officer's minimum annual salary in  
24 any year other than the fiscal year ending June 30, 2012.

NOTE: The purpose of this bill is to provide a one-time, nonbase building, supplemental salary increase for state employees, teachers, service personnel, members of the West Virginia State Police and conservation officers.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.