

H. B. 2895

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(By Delegates Perry, Moye, Pino, Hall,
Frazier, Moore, Martin and Shaver)
[Introduced January 27, 2011; referred to the
Committee on Education then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §18A-2-4 of the Code of West Virginia,
1931, as amended; and to amend and reenact §18A-4-8 and §18A-
4-8a of said code, all relating to sign language interpreter
certification and commercial driver's license for school
service personnel; and adding and changing classification of
service personnel.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. SCHOOL PERSONNEL.

**§18A-2-4. Commercial driver's license for school personnel;
intrastate waiver for bus operators diagnosed with
diabetes mellitus requiring insulin; reimbursement
of electrician's and commercial driver's license
and sign language interpreter certification when
required.**

(a) If a commercial driver's license is required as a
condition of employment for any school employee or qualified

1 applicant who becomes an employee by a county board of education,
2 the cost shall be paid in full by the employer.

3 It is unlawful for any county board of education to require
4 any employee or applicant who becomes an employee of the board to
5 pay the cost of acquiring a commercial driver's license as a
6 condition of employment.

7 (b) The Division of Motor Vehicles shall accept the West
8 Virginia Department of Education physical and psychomotor test
9 result forms in lieu of the Division of Motor Vehicles vision
10 report form.

11 (c) A school bus operator who is currently employed by a
12 county board of education or who is otherwise subject to state
13 board rules governing school bus operators and who is diagnosed
14 with diabetes mellitus requiring insulin is not ineligible for
15 employment as a school bus operator because of the diagnosis if the
16 operator is issued a passenger endorsement for his or her
17 commercial driver license through the intrastate waiver program
18 pertaining to diabetes of the West Virginia Division of Motor
19 Vehicles, subject to the following:

20 (1) A copy of the information required to be submitted to the
21 Division of Motor Vehicles for waiver application and proof of
22 passenger endorsement under the waiver program is submitted to his
23 or her employer; and

24 (2) The operator remains in compliance with the stipulations
25 of and grounds for eligibility for the intrastate waiver.

26 (d) If a county board of education requires of any employee

1 who is employed as an electrician any license renewal when the
2 employee is exempt from renewing the license pursuant to section
3 three, article three-b, chapter twenty-nine of this code, the cost
4 of such license renewal shall be paid in full by the county board
5 of education.

6 (e) If an employee who is employed as a sign language
7 interpreter I or II is required to undertake any training or
8 continuing education in order to renew or maintain certification as
9 a sign language interpreter I or II, the cost of such certification
10 renewal shall be paid in full by the county board of education.

11 (f) Time devoted to process of maintaining or acquiring
12 certification, including instructional time, training and testing,
13 that is a condition of employment for a service employee shall
14 constitute continuing education for meeting the annual continuing
15 education requirements as outlined by policies of state board of
16 education.

17 ~~(e)~~ (g) Compliance with or failure to comply by a health care
18 provider licensed and authorized pursuant to chapter thirty of this
19 code, with the reporting requirements of the Division of Motor
20 Vehicles regarding the provisions of subsection (c) of this section
21 does not constitute negligence, nor may compliance or noncompliance
22 with the requirements of this section be admissible as evidence of
23 negligence in any civil or criminal action.

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

25 **§18A-4-8. Employment term and class titles of service personnel;**
26 **definitions.**

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

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

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

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

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

1 (f) A custodian, aide, maintenance, office and school lunch
2 service person required to work a daily work schedule that is
3 interrupted shall be paid additional compensation in accordance
4 with this subsection.

5 (1) A maintenance person means a person who holds a
6 classification title other than in a custodial, aide, school lunch,
7 office or transportation category as provided in section one,
8 article one of this chapter.

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

13 (3) The additional compensation provided for in this
14 subsection:

15 (A) Is equal to at least one-eighth of a service person's
16 total salary as provided by the state minimum pay scale and any
17 county pay supplement; and

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

19 (g) When there is a change in classification or when a service
20 person meets the requirements of an advanced classification, his or
21 her salary shall be made to comply with the requirements of this
22 article and any county salary schedule in excess of the minimum
23 requirements of this article, based upon the service person's
24 advanced classification and allowable years of employment.

25 (h) A service person's contract, as provided in section five,
26 article two of this chapter, shall state the appropriate monthly

1 salary the employee is to be paid, based on the class title as
2 provided in this article and on any county salary schedule in
3 excess of the minimum requirements of this article.

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

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

9 (2) "Years of employment" means the number of years which an
10 employee classified as a service person has been employed by a
11 county board in any position prior to or subsequent to the
12 effective date of this section and includes service in the Armed
13 Forces of the United States, if the employee was employed at the
14 time of his or her induction. For the purpose of section eight-a
15 of this article, years of employment is limited to the number of
16 years shown and allowed under the state minimum pay scale as set
17 forth in section eight-a of this article;

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

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

23 (5) "Accountant II" means a person employed to maintain
24 accounting records and to be responsible for the accounting process
25 associated with billing, budgets, purchasing and related
26 operations;

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

4 (7) "Accounts payable supervisor" means a person employed in
5 the county board office who has primary responsibility for the
6 accounts payable function and who either has completed twelve
7 college hours of accounting courses from an accredited institution
8 of higher education or has at least eight years of experience
9 performing progressively difficult accounting tasks.
10 Responsibilities of this class title may include supervision of
11 other personnel;

12 ~~(8) "Aide I" means a person selected and trained for a~~
13 ~~teacher-aide classification such as monitor aide, clerical aide,~~
14 ~~classroom aide or general aide;~~

15 ~~(9) (8) "Aide II" means a service person referred to in the~~
16 ~~"Aide I" classification who has completed a training program~~
17 ~~approved by the state board, or who holds a high school diploma or~~
18 ~~has received a general educational development certificate. Only~~
19 ~~a person classified in an Aide II class title may be employed as an~~
20 ~~aide in any special education program~~ selected and trained as a
21 teacher-aide in such areas of responsibility as monitor aide
22 clerical aide classroom aide or general aide; Provided that any
23 employee holding the Aide I classification title on June 30, 2011
24 shall have that classification deleted from his or her contract of
25 employment and the classification title of Aide II added to his or
26 contract of employment. This action will not require the employee

1 to take the aide competency test and shall not result in a loss or
2 reduction of salary or supplement by the employee. Also, seniority
3 earned in the classification titles of Aide I prior to July 1, 2011
4 shall continue to be credited as seniority earned in the Aide
5 classification category;

6 ~~(10)~~ (9) "Aide III" means a service person referred to in the
7 "Aide I" classification who holds a high school diploma or a
8 general educational development certificate; and

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

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

13 ~~(11)~~ (10) "Aide IV" means a service person referred to in the
14 "Aide I" classification who holds a high school diploma or a
15 general educational development certificate; and

16 (A) Has completed eighteen hours of state board-approved
17 college credit at a regionally accredited institution of higher
18 education, or

19 (B) Has completed fifteen hours of state board-approved
20 college credit at a regionally accredited institution of higher
21 education; and has successfully completed an in-service training
22 program determined by the state board to be the equivalent of three
23 hours of college credit;

24 ~~(12) "Audiovisual technician" means a person employed to~~
25 ~~perform minor maintenance on audiovisual equipment, films, and~~
26 ~~supplies and who fills requests for equipment;~~

1 ~~(13)~~ (11) "Auditor" means a person employed to examine and
2 verify accounts of individual schools and to assist schools and
3 school personnel in maintaining complete and accurate records of
4 their accounts;

5 ~~(14)~~ (12) "Autism mentor" means a person who works with
6 autistic students and who meets standards and experience to be
7 determined by the state board. A person who has held or holds an
8 aide title and becomes employed as an autism mentor shall hold a
9 multiclassification status that includes both aide and autism
10 mentor titles, in accordance with section eight-b of this article;

11 ~~(15)~~ (13) "~~Braille or sign language specialist~~" means a person
12 employed to provide braille ~~and/or sign language~~ assistance to
13 students. A service person who has held or holds an aide title and
14 becomes employed as a braille ~~or sign language specialist~~ shall
15 hold a multiclassification status that includes both aide and
16 braille ~~or sign language specialist~~ title, in accordance with
17 section eight-b of this article;

18 ~~(16)~~ (14) "Bus operator" means a person employed to operate
19 school buses and other school transportation vehicles as provided
20 by the state board;

21 ~~(17)~~ (15) "Buyer" means a person employed to review and write
22 specifications, negotiate purchase bids and recommend purchase
23 agreements for materials and services that meet predetermined
24 specifications at the lowest available costs;

25 ~~(18)~~ (16) "Cabinetmaker" means a person employed to construct
26 cabinets, tables, bookcases and other furniture;

1 ~~(19)~~ (17) "Cafeteria manager" means a person employed to
2 direct the operation of a food services program in a school,
3 including assigning duties to employees, approving requisitions for
4 supplies and repairs, keeping inventories, inspecting areas to
5 maintain high standards of sanitation, preparing financial reports
6 and keeping records pertinent to food services of a school;

7 ~~(20)~~ "~~Carpenter I~~" ~~means a person classified as a carpenter's~~
8 ~~helper;~~

9 ~~(21)~~ (18) "Carpenter II" means a person classified as a
10 journeyman carpenter. Any employee holding the classification
11 title of Carpenter I on June 30, 2011, shall have that class title
12 deleted from his or her contract of employment and the
13 classification title of Carpenter II added to his or her contract
14 of employment. This action will not require the employee to take
15 the carpenter competency test and shall not result in a loss or
16 reduction of salary or supplement by the employee. Provided
17 further, seniority earned in the classification title of Carpenter
18 I prior to July 1, 2011 shall be credited as seniority earned in
19 the carpenter classification category;

20 ~~(22)~~ (19) "Chief mechanic" means a person employed to be
21 responsible for directing activities which ensure that student
22 transportation or other county board-owned vehicles are properly
23 and safely maintained;

24 ~~(23)~~ "~~Clerk I~~" ~~means a person employed to perform clerical~~
25 ~~tasks;~~

26 ~~(24)~~ (20) "Clerk II" means a person employed to perform

1 general clerical tasks, prepare reports and tabulations and operate
2 office machines. Any employee holding the classification title of
3 Clerk I on June 30, 2011, shall have that class title deleted from
4 his or her contract of employment and the classification title of
5 Clerk II added to his or her contract of employment. This action
6 will not require the employee to take the clerk competency test and
7 shall not result in a loss or reduction of salary or supplement by
8 the employee. Also, seniority earned in the classification title
9 of clerk I prior to July 1, 2011 shall be credited as seniority
10 earned in the Clerk I classification category;

11 ~~(25)~~ (21) "Computer operator" means a qualified person
12 employed to operate computers;

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

14 ~~(27)~~ (22) "Cook II" means a person employed to interpret menus
15 and to prepare and serve meals in a food service program of a
16 school. This definition includes a service person who has been
17 employed as a "Cook I" for a period of four years. Any employee
18 holding the classification title of Cook I on June 30, 2011, shall
19 have that class title deleted from his or her contract of
20 employment and the classification title of Cook II added to his or
21 her contract of employment. This action will not require the
22 employee to take the cook competency test and shall not result in
23 a loss or reduction of salary or supplement by the employee. Also,
24 seniority earned in the classification titles of Cook I prior to
25 July 1, 2011 shall continue to be credited as seniority earned in
26 the cook classification category;

1 ~~(28)~~ (23) "Cook III" means a person employed to prepare and
2 serve meals, make reports, prepare requisitions for supplies, order
3 equipment and repairs for a food service program of a school
4 system;

5 ~~(29)~~ "~~Crew leader~~" ~~means a person employed to organize the~~
6 ~~work for a crew of maintenance employees to carry out assigned~~
7 ~~projects;~~

8 ~~(30)~~ "~~Custodian I~~" ~~means a person employed to keep buildings~~
9 ~~clean and free of refuse;~~

10 ~~(31)~~ (24) "Custodian II" means a person employed as a watchman
11 or groundsman;

12 ~~(32)~~ (25) "Custodian III" means a person employed to keep
13 buildings clean and free of refuse, to operate the heating or
14 cooling systems and to make minor repairs;

15 ~~(33)~~ (26) "Custodian IV" means a person employed as head
16 custodians. In addition to providing services as defined in
17 "custodian III," duties may include supervising other custodian
18 personnel;

19 ~~(34)~~ (27) "Director or coordinator of services" means an
20 employee of a county board who is assigned to direct a department
21 or division.

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

24 (B) Professional personnel holding this class title may not be
25 defined or classified as service personnel unless the professional
26 person held a service personnel title under this section prior to

1 holding the class title of "director or coordinator of services."

2 (C) The director or coordinator of services shall be
3 classified either as a professional person or a service person for
4 state aid formula funding purposes;

5 (D) Funding for the position of director or coordinator of
6 services is based upon the employment status of the director or
7 coordinator either as a professional person or a service person;
8 and

9 (E) A person employed under the class title "director or
10 coordinator of services" may not be exclusively assigned to perform
11 the duties ascribed to any other class title as defined in this
12 subsection: *Provided*, That nothing in this paragraph prohibits a
13 person in this position from being multiclassified;

14 ~~(35)~~ (28) "Draftsman" means a person employed to plan, design
15 and produce detailed architectural/engineering drawings;

16 ~~(36)~~ "Electrician I" means a person employed as an apprentice
17 electrician helper or one who holds an electrician helper license
18 issued by the State Fire Marshal;

19 ~~(37)~~ (29) "Electrician II" means a person employed as an
20 electrician journeyman or one who holds a journeyman electrician
21 license issued by the State Fire Marshal. Any employee holding
22 the classification title of Electrician I on June 30, 2011, shall
23 have that class title deleted from his or her contract of
24 employment and the classification title of Electrician II added to
25 his or her contract of employment. This action will not require the
26 employee to take the Electrician competency test or to obtain any

1 additional licensure. This action shall not result in a loss or
2 reduction of salary or supplement by the employee. Also,
3 seniority earned in the classification titles of Electrician prior
4 to July 1, 2011 shall continue to be credited as seniority earned
5 in the Electrician classification category;

6 ~~(38) "Electronic technician I" means a person employed at the~~
7 ~~apprentice level to repair and maintain electronic equipment;~~

8 ~~(39) "Electronic technician II" means a person employed at the~~
9 ~~journeyman level to repair and maintain electronic equipment;~~

10 ~~(40)~~ (30) "Executive secretary" means a person employed as
11 secretary to the county school superintendent or as a secretary who
12 is assigned to a position characterized by significant
13 administrative duties;

14 ~~(41)~~ (31) "Food services supervisor" means a qualified person
15 who is not a professional person or professional educator as
16 defined in section one, article one of this chapter. The food
17 services supervisor is employed to manage and supervise a county
18 school system's food service program. The duties include preparing
19 in-service training programs for cooks and food service employees,
20 instructing personnel in the areas of quantity cooking with economy
21 and efficiency and keeping aggregate records and reports. After
22 June 30, 2011 no employee shall be employed as a Food Services
23 Supervisor for the first time. All employees who hold this
24 classification shall retain the classification at the same pay
25 grade as provided by section eight-a of this article and any
26 employee who previously held that classification shall retain the

1 seniority earned in that classification category;

2 ~~(42)~~ (32) "Foreman" means a skilled person employed to
3 supervise personnel who work in the areas of repair and maintenance
4 of school property and equipment. Nothing in this definition
5 prohibits a Foreman from being assigned work within the
6 classification in addition to supervision of other employees. Any
7 employee holding the classification title of Crew Leader on June
8 30, 2011, shall have that class title deleted from his or her
9 contract of employment and the classification title of Foreman
10 added to his or her contract of employment. This action will not
11 require the employee to take the foreman competency test and shall
12 not result in a loss or reduction of salary or supplement by the
13 employee. Also, seniority earned in the classification titles of
14 crew leader prior to July 1, 2011 shall be credited as seniority
15 earned in the foreman classification category;

16 ~~(43)~~ (33) "General maintenance" means a person employed as a
17 helper to skilled maintenance employees, ~~and~~ to perform minor
18 repairs to equipment and buildings of a county school system, to
19 perform routine manual tasks in any operation of the county school
20 system, to replace glass or other materials in windows and doors
21 and to do minor carpentry tasks, to maintain the appearance, repair
22 and general care of school grounds in a county schools system, and
23 to protect school property against damage or theft. Any employee
24 holding the classification title of Groundsman, Handyman, Glazier,
25 or Watchman on June 30, 2011, shall have that class title deleted
26 from his or her contract of employment and the classification title

1 of General maintenance added to his or her contract of employment.
2 This action will not require the employee to take the general
3 maintenance competency test and shall not result in a loss or
4 reduction of salary or supplement by the employee. Also, seniority
5 earned in the classification titles of Groundsman, Handyman,
6 Glazier, or Watchman prior to July 1, 2011 shall be credited as
7 seniority earned in the General Maintenance classification
8 category;

9 ~~(44) "Glazier" means a person employed to replace glass or~~
10 ~~other materials in windows and doors and to do minor carpentry~~
11 ~~tasks;~~

12 (34) Graphic communications operator means a person employed
13 to operate and maintain printing equipment and to prepare and
14 distribute materials. Any employee holding the classification
15 title of Printing Operator or Printing Supervisor on June 30, 2011,
16 shall have that class title deleted from his or her contract of
17 employment and the classification title of graphic communications
18 operator added to his or her contract of employment. This action
19 will not require the employee to take the Graphic Communications
20 Operator competency test and shall not result in a loss or
21 reduction of salary or supplement by the employee. Also, seniority
22 earned in the classification titles of Printing Operator or
23 Printing Supervisor prior to July 1, 2011 shall be credited as
24 seniority earned in the Graphic Communications Operator
25 classification category;

26 ~~(45)~~ (35) "Graphic artist designer" means a person employed to

1 prepare graphic illustrations and communications using color type,
2 illustration, photography, animation, various print and layout
3 techniques for print and other media including web publications;

4 ~~(46) "Groundsman" means a person employed to perform duties~~
5 ~~that relate to the appearance, repair and general care of school~~
6 ~~grounds in a county school system. Additional assignments may~~
7 ~~include the operation of a small heating plant and routine cleaning~~
8 ~~duties in buildings;~~

9 ~~—— (47) "Handyman" means a person employed to perform routine~~
10 ~~manual tasks in any operation of the county school system;~~

11 ~~—— (48) "Heating and air conditioning mechanic I" means a person~~
12 ~~employed at the apprentice level to install, repair and maintain~~
13 ~~heating and air conditioning plants and related electrical~~
14 ~~equipment;~~

15 ~~(49)~~ (36) "Heating and air conditioning mechanic II" means a
16 person employed at the journeyman level to install, repair and
17 maintain heating and air conditioning plants and related
18 electrical equipment. Any, employee holding the classification
19 title of heating and air conditioning mechanic I on June 30,
20 2011, shall have that class title deleted from his or her contract
21 of employment and the classification title of heating and air
22 conditioning mechanic II added to his or her contract of
23 employment. This action will not require the employee to take the
24 heating and air conditioning mechanic competency test and shall
25 not require the employee to acquire any additional licensure.
26 This action shall also not result in a loss or reduction of

1 salary or supplement by the employee. Also, seniority earned in
2 the classification titles of heating and air conditioning mechanic
3 I prior to July 1, 2011 shall continue to be credited as seniority
4 earned in the heating and air conditioning mechanic classification
5 category;

6 ~~(50)~~ (37) "Heavy equipment operator" means a person employed
7 to operate heavy equipment;

8 ~~(51)~~ (38) "Inventory supervisor" means a person employed to
9 supervise or maintain operations in the receipt, storage,
10 inventory and issuance of materials and supplies;

11 ~~(52)~~ "Key punch operator" means a qualified person employed
12 to operate key punch machines or verifying machines;

13 ~~(53)~~ (39) "Licensed practical nurse" means a nurse, licensed
14 by the West Virginia Board of Examiners for Licensed Practical
15 Nurses, employed to work in a public school under the supervision
16 of a school nurse;

17 ~~(54)~~ (40) "Locksmith" means a person employed to repair and
18 maintain locks and safes;

19 ~~(55)~~ "Lubrication man" means a person employed to lubricate
20 and service gasoline or diesel-powered equipment of a county
21 school system;

22 ~~(56)~~ (41) "Machinist" means a person employed to perform
23 machinist tasks which include the ability to operate a lathe,
24 planer, shaper, threading machine and wheel press. A person
25 holding this class title also should have the ability to work from
26 blueprints and drawings;

1 ~~(57)~~ (42) "Mail ~~clerk~~ courier" means a person employed to
2 receive, sort, dispatch, deliver or otherwise handle letters,
3 parcels and other mail. Any employee holding the classification
4 title of mail clerk on June 30, 2011, shall have that class title
5 deleted from his or her contract of employment and the
6 classification title of mail courier. This action will not
7 require the employee to take the mail courier competency test and
8 shall not result in a loss or reduction of salary or supplement by
9 the employee. Also, seniority earned in the classification title
10 of mail clerk prior to July 1, 2011 shall be credited as seniority
11 earned in the mail courier classification category;

12 ~~(58)~~ "Maintenance clerk" means a person employed to maintain
13 and control a stocking facility to keep adequate tools and
14 supplies on hand for daily withdrawal for all school maintenance
15 crafts;

16 ~~(59)~~ (43) "Mason" means a person employed to perform tasks
17 connected with brick and block laying and carpentry tasks related
18 to these activities;

19 ~~(60)~~ (44) "Mechanic" means a person employed to perform
20 skilled duties independently in the maintenance and repair of
21 automobiles, school buses and other mechanical and mobile
22 equipment to use in a county school system. Any employee holding
23 the classification titles of lubrication man or mechanic
24 assistant on June 30, 2011, shall have that class title deleted
25 from his or her contract of employment and the classification
26 title of mechanic added to his or her contract of employment.

1 This action will not require the employee to take the mechanic
2 competency test and shall not result in a loss or reduction of
3 salary or supplement by the employee. Also, seniority earned in
4 the classification titles of lubrication man and mechanic
5 assistant prior to July 1, 2011 shall be credited as seniority
6 earned in the mechanic classification category;

7 ~~(61) "Mechanic assistant" means a person employed as a~~
8 ~~mechanic apprentice and helper;~~

9 ~~(62)~~ (45) "Multiclassification" means a person employed to
10 perform tasks that involve the combination of two or more class
11 titles in this section. In these instances the minimum salary
12 scale shall be the higher pay grade of the class titles involved;

13 ~~(63) "Office equipment repairman I" means a person employed~~
14 ~~as an office equipment repairman apprentice or helper;~~

15 ~~(64) "Office equipment repairman II" means a person~~
16 ~~responsible for servicing and repairing all office machines and~~
17 ~~equipment. A person holding this class title is responsible for~~
18 ~~the purchase of parts necessary for the proper operation of a~~
19 ~~program of continuous maintenance and repair;~~

20 ~~(65)~~ (46) "Painter" means a person employed to perform duties
21 painting, finishing and decorating wood, metal and concrete
22 surfaces of buildings, other structures, equipment, machinery and
23 furnishings of a county school system;

24 ~~(66)~~ (47) "Paraprofessional" means a person certified
25 pursuant to section two-a, article three of this chapter to
26 perform duties in a support capacity including, but not limited

1 to, facilitating in the instruction and direct or indirect
2 supervision of students under the direction of a principal, a
3 teacher or another designated professional educator.

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

8 (B) A person who has held or holds an aide title and becomes
9 employed as a paraprofessional shall hold a multiclassification
10 status that includes both aide and paraprofessional titles in
11 accordance with section eight-b of this article; and

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

17 ~~(67)~~ (48) "Payroll supervisor" means a person employed in the
18 county board office who has primary responsibility for the payroll
19 function and who either has completed twelve college hours of
20 accounting from an accredited institution of higher education or
21 has at least eight years of experience performing progressively
22 difficult accounting tasks. Responsibilities of this class title
23 may include supervision of other personnel;

24 ~~(68) "Plumber I" means a person employed as an apprentice~~
25 ~~plumber and helper;~~

26 ~~(69)~~ (49) "Plumber II" means a person employed ~~as a~~

1 journeyman plumber to provide general repair, maintenance, and
2 installation of utility lines and systems necessary for heat,
3 water, and sewage disposal in school system facilities for the
4 efficient maintenance and preventive maintenance of school system
5 plants. Any employee holding the classification titles of plumber
6 I on June 30, 2011, shall have that class title deleted from his
7 or her contract of employment and the classification title of
8 plumber II added to his or her contract of employment. This
9 action will not require the employee to take the plumber
10 competency test and shall not require the employee to acquire any
11 additional licensure. This action shall also not result in a loss
12 or reduction of salary or supplement by the employee. Also,
13 seniority earned in the classification title of plumber I prior
14 to July 1, 2011 shall continue to be credited as seniority earned
15 in the plumber classification category;

16 ~~(70) "Printing operator" means a person employed to operate~~
17 ~~duplication equipment, and to cut, collate, staple, bind and~~
18 ~~shelve materials as required;~~

19 ~~(71) "Printing supervisor" means a person employed to~~
20 ~~supervise the operation of a print shop;~~

21 ~~(72) (50) "Programmer" means a person employed to design and~~
22 ~~prepare programs for computer operation;~~

23 ~~(73) (51) "Roofing/sheet metal mechanic" means a person~~
24 ~~employed to install, repair, fabricate and maintain roofs,~~
25 ~~gutters, flashing and duct work for heating and ventilation;~~

26 ~~(74) (52) "Sanitation plant operator" means a person employed~~

1 to operate and maintain a water or sewage treatment plant to
 2 ensure the safety of the plant's effluent for human consumption or
 3 environmental protection;

4 ~~(75)~~ (53) "School bus supervisor" means a qualified person:

5 (A) Employed to assist in selecting school bus operators and
 6 routing and scheduling school buses, operate a bus when needed,
 7 relay instructions to bus operators, plan emergency routing of
 8 buses and promote good relationships with parents, students, bus
 9 operators and other employees; and

10 (B) Certified to operate a bus or previously certified to
 11 operate a bus;

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

15 ~~(77)~~ (54) "Secretary II" means a person employed in any
 16 elementary, secondary, kindergarten, nursery, special education,
 17 ~~vocational career or technical~~ or any other school as a secretary.

18 The duties may include performing general clerical tasks;
 19 transcribing from notes, ~~stenotype, mechanical equipment or a
 20 sound-producing machine~~ audio and/or electronic equipment;
 21 preparing reports; receiving callers and referring them to proper
 22 persons; to operate switchboard equipment, operating office
 23 machines; keeping records and handling routine correspondence.

24 Nothing in this subdivision prevents a service person from holding
 25 or being elevated to a higher classification. Any employee
 26 holding the classification title of secretary I or switchboard

1 operator-receptionist on June 30, 2011, shall have that class
2 title deleted from his or her contract of employment and the
3 classification title of secretary II added to his or her contract
4 of employment. This action will not require the employee to take
5 the secretary competency test and shall not result in a loss or
6 reduction of salary or supplement by the employee. Also,
7 seniority earned in the classification titles of secretary I or
8 switchboard operator-receptionist prior to July 1, 2011 shall be
9 credited as seniority earned in the secretary classification
10 category;

11 ~~(78)~~ (55) "Secretary III" means a person assigned to the
12 county board office administrators in charge of various
13 instructional, maintenance, transportation, food services,
14 operations and health departments, federal programs or departments
15 with particular responsibilities in purchasing and financial
16 control or any person who has served for eight years in a position
17 which meets the definition of "secretary II" or "secretary III";

18 (56) "Sign Language Interpreter I" means a person employed by
19 a county board of education to provide sign language
20 interpretation, both receptively and expressively, for students
21 who are deaf or hearing impaired, are able to access environments
22 through audition, and utilize American sign language as a
23 supplement to the communication process. The duties of this
24 employee shall include, but not be limited to, facilitating
25 communication between spoken and signed languages for and between
26 deaf or hearing impaired students and faculty, staff and other

1 students. Employees within this classification title must meet
2 the requirements for initial certification as a
3 paraprofessional/education interpreter as provided by policy of
4 the state board of education. A sign language specialist I may be
5 assigned to a student with an exceptionality other than deaf or
6 hearing impairment if it is determined that the student needs
7 sign language to support his/her expressive communication.

8 (57) "Sign Language Interpreter II" means a person employed
9 by a county board of education to provide sign language
10 interpretation, both receptively and expressively, for students
11 who are deaf or hearing impaired are not able to access the
12 environment through audition, and utilize American sign language
13 as the sole or primary means of communication. The duties of this
14 employee shall include, but not be limited to facilitating
15 communication between spoken and signed languages for and between
16 deaf or hearing impaired students and faculty, staff and other
17 students. Employees within this classification title must meet
18 the requirements for permanent certification as a
19 paraprofessional/education interpreter as provided by policy of
20 the state board of education. A sign language specialist II may
21 be assigned to a student with an exceptionality other than deaf or
22 hearing impairment if it is determined that the student needs sign
23 language to support his/her expressive communication;

24 ~~(79)~~ (58) "Supervisor of maintenance" means a skilled person
25 who is not a professional person or professional educator as
26 defined in section one, article one of this chapter. The

1 responsibilities include directing the upkeep of buildings and
2 shops, and issuing instructions to subordinates relating to
3 cleaning, repairs and maintenance of all structures and mechanical
4 and electrical equipment of a county board;

5 ~~(80)~~ (59) "Supervisor of transportation" means a qualified
6 person employed to direct school transportation activities
7 properly and safely, and to supervise the maintenance and repair
8 of vehicles, buses and other mechanical and mobile equipment used
9 by the county school system. After July 1, 2010, all persons
10 employed for the first time in a position with this classification
11 title or in a multi-classification position that includes this
12 title shall have five years of experience working in the
13 transportation department of a county board. Experience working
14 in the transportation department shall consist of serving as a bus
15 operator, bus aide, assistant mechanic, mechanic, chief mechanic
16 or in a clerical position within the transportation department;

17 ~~(81)~~ "~~Switchboard operator receptionist~~" means ~~a person~~
18 ~~employed to refer incoming calls, to assume contact with the~~
19 ~~public, to direct and to give instructions as necessary, to~~
20 ~~operate switchboard equipment and to provide clerical assistance;~~

21 (60) "Technology system specialist" means a qualified person
22 employed to perform hands-on repair, service, maintenance, and
23 installation of local area networks, servers, computers, computer
24 work stations, printers, computer related equipment, computer
25 related systems, computer related technologies, and other office
26 electronic equipment utilized in the areas of data sharing,

1 communication, printing, visual teaching aids, and security in
2 the school system. Any employee holding the classification title
3 of audiovisual technician electronic technician I or II office
4 equipment repairman I or II, on June 30, 2011, shall have that
5 class title deleted from his or her contract of employment and the
6 classification title of technology system specialist added to his
7 or her contract of employment. This action will not require the
8 employee to take the technology systems specialist competency test
9 and shall not result in a loss or reduction of salary or
10 supplement by the employee. Provided further, seniority earned in
11 the classification titles of audiovisual technician, electronic
12 technician I or II, office equipment repairman I or II, prior to
13 July 1, 2011 shall be credited as seniority earned in the
14 technology systems specialist classification category;

15 ~~(82)~~ (61) "Truck driver" means a person employed to operate
16 light or heavy duty gasoline and diesel-powered vehicles;

17 ~~(83)~~ (62) "Warehouse clerk" means a person employed to be
18 responsible for receiving, storing, packing and shipping goods.

19 Any employee holding the classification title of maintenance clerk
20 on June 30, 2011, shall have that class title deleted from his or
21 her contract of employment and the classification title of
22 warehouse clerk added to his or her contract of employment. This
23 action will not require the employee to take the warehouse clerk
24 competency test and shall not result in a loss or reduction of
25 salary or supplement by the employee. Also, seniority earned in
26 the classification titles of maintenance clerk prior to July 1,

1 2011 shall be credited as seniority earned in the warehouse clerk
2 classification category;

3 ~~(84) "Watchman" means a person employed to protect school~~
4 ~~property against damage or theft. Additional assignments may~~
5 ~~include operation of a small heating plant and routine cleaning~~
6 ~~duties;~~

7 ~~(85)~~ (63) "Welder" means a person employed to provide
8 acetylene or electric welding services for a school system; and

9 ~~(86) "WVEIS data entry and administrative clerk" means a~~
10 ~~person employed to work under the direction of a school principal~~
11 ~~to assist the school counselor or counselors in the performance of~~
12 ~~administrative duties, to perform data entry tasks on the West~~
13 ~~Virginia Education Information System, and to perform other~~
14 ~~administrative duties assigned by the principal.~~

15 (j) Notwithstanding any provision in this code to the
16 contrary, and in addition to the compensation provided for service
17 personnel in section eight-a of this article, each service person
18 is entitled to all service personnel employee rights, privileges
19 and benefits provided under this or any other chapter of this code
20 without regard to the employee's hours of employment or the
21 methods or sources of compensation.

22 (k) A service person whose years of employment exceeds the
23 number of years shown and provided for under the state minimum pay
24 scale set forth in section eight-a of this article may not be paid
25 less than the amount shown for the maximum years of employment
26 shown and provided for in the classification in which he or she is

1 employed.

2 (1) Each county board shall review each service person's job
3 classification annually and shall reclassify all service persons
4 as required by the job classifications. The state superintendent
5 may withhold state funds appropriated pursuant to this article for
6 salaries for service personnel who are improperly classified by
7 the county boards. Further, the state superintendent shall order
8 a county board to correct immediately any improper classification
9 matter and, with the assistance of the Attorney General, shall
10 take any legal action necessary against any county board to
11 enforce the order.

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

14 (1) Reclassified by class title; or

15 (2) Relegated to any condition of employment which would
16 result in a reduction of his or her salary, rate of pay,
17 compensation or benefits earned during the current fiscal year; or
18 for which he or she would qualify by continuing in the same job
19 position and classification held during that fiscal year and
20 subsequent years.

21 (n) Any county board failing to comply with the provisions of
22 this article may be compelled to do so by mandamus and is liable
23 to any party prevailing against the board for court costs and the
24 prevailing party's reasonable attorney fee, as determined and
25 established by the court.

26 (o) Notwithstanding any provision of this code to the

1 contrary, a service person who holds a continuing contract in a
2 specific job classification and who is physically unable to
3 perform the job's duties as confirmed by a physician chosen by the
4 employee, shall be given priority status over any employee not
5 holding a continuing contract in filling other service personnel
6 job vacancies if the service person is qualified as provided in
7 section eight-e of this article.

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

12 (q) Without the written consent of the service person, a
13 county board may not establish the beginning work station for a
14 bus operator or transportation aide at any site other than a
15 county board-owned facility with available parking. The workday
16 of the bus operator or transportation aide commences at the bus at
17 the designated beginning work station and ends when the employee
18 is able to leave the bus at the designated beginning work station,
19 unless he or she agrees otherwise in writing. The application or
20 acceptance of a posted position may not be construed as the
21 written consent referred to in this subsection.

22 (r) Itinerant status means a service person who does not have
23 a fixed work site and may be involuntarily reassigned to another
24 work site. A service person is considered to hold itinerant
25 status if he or she has bid upon a position posted as itinerant or
26 has agreed to accept this status. A county board may establish

1 positions with itinerant status only within the aide and autism
 2 mentor classification categories and only when the job duties
 3 involve exceptional students. A service person with itinerant
 4 status may be assigned to a different work site upon written
 5 notice ten days prior to the reassignment without the consent of
 6 the employee and without posting the vacancy. A service person
 7 with itinerant status may be involuntarily reassigned no more than
 8 twice during the school year. At the conclusion of each school
 9 year, the county board shall post and fill, pursuant to section
 10 eight-b of this article, all positions that have been filled
 11 without posting by a service person with itinerant status. A
 12 service person who is assigned to a beginning and ending work site
 13 and travels at the expense of the county board to other work sites
 14 during the daily schedule, shall not be considered to hold
 15 itinerant status.

16 **§18A-4-8a. Service personnel minimum monthly salaries.**

17 (a) The minimum monthly pay for each service employee whose
 18 employment is for a period of more than three and one-half hours
 19 a day shall be at least the amounts indicated in the state minimum
 20 pay scale pay grade and the minimum monthly pay for each service
 21 employee whose employment is for a period of three and one-half
 22 hours or less a day shall be at least one-half the amount
 23 indicated in the state minimum pay scale pay grade set forth in
 24 this section.

25 **STATE MINIMUM PAY SCALE PAY GRADE**

26 **Years**

PAY GRADE

27 **Exp .**

		A	B	C	D	E	F	G	H
1	0	1,577	1,598	1,639	1,691	1,743	1,805	1,836	1,908
2	1	1,609	1,630	1,671	1,723	1,775	1,837	1,868	1,940
3	2	1,641	1,662	1,703	1,755	1,807	1,869	1,900	1,972
4	3	1,673	1,694	1,735	1,787	1,839	1,901	1,932	2,004
5	4	1,705	1,726	1,767	1,819	1,871	1,933	1,964	2,037
6	5	1,737	1,758	1,799	1,851	1,903	1,965	1,996	2,069
7	6	1,769	1,790	1,832	1,883	1,935	1,997	2,028	2,101
8	7	1,802	1,822	1,864	1,915	1,967	2,029	2,060	2,133
9	8	1,834	1,854	1,896	1,947	1,999	2,061	2,092	2,165
10	9	1,866	1,886	1,928	1,980	2,031	2,093	2,124	2,197
11	10	1,898	1,919	1,960	2,012	2,063	2,126	2,157	2,229
12	11	1,930	1,951	1,992	2,044	2,095	2,158	2,189	2,261
13	12	1,962	1,983	2,024	2,076	2,128	2,190	2,221	2,293
14	13	1,994	2,015	2,056	2,108	2,160	2,222	2,253	2,325
15	14	2,026	2,047	2,088	2,140	2,192	2,254	2,285	2,357
16	15	2,058	2,079	2,120	2,172	2,224	2,286	2,317	2,389
17	16	2,090	2,111	2,152	2,204	2,256	2,318	2,349	2,422
18	17	2,122	2,143	2,185	2,236	2,288	2,350	2,381	2,454
19	18	2,154	2,175	2,217	2,268	2,320	2,382	2,413	2,486
20	19	2,187	2,207	2,249	2,300	2,352	2,414	2,445	2,518
21	20	2,219	2,239	2,281	2,333	2,384	2,446	2,477	2,550
22	21	2,251	2,271	2,313	2,365	2,416	2,478	2,509	2,582
23	22	2,283	2,304	2,345	2,397	2,448	2,511	2,542	2,614
24	23	2,315	2,336	2,377	2,429	2,481	2,543	2,574	2,646
25	24	2,347	2,368	2,409	2,461	2,513	2,575	2,606	2,678
26	25	2,379	2,400	2,441	2,493	2,545	2,607	2,638	2,710
27	26	2,411	2,432	2,473	2,525	2,577	2,639	2,670	2,742

1	27	2,443	2,464	2,505	2,557	2,609	2,671	2,702	2,774
2	28	2,475	2,496	2,537	2,589	2,641	2,703	2,734	2,807
3	29	2,507	2,528	2,570	2,621	2,673	2,735	2,766	2,839
4	30	2,540	2,560	2,602	2,653	2,705	2,767	2,798	2,871
5	31	2,572	2,592	2,634	2,685	2,737	2,799	2,830	2,903
6	32	2,604	2,624	2,666	2,718	2,769	2,831	2,862	2,935
7	33	2,636	2,656	2,698	2,750	2,801	2,863	2,895	2,967
8	34	2,668	2,689	2,730	2,782	2,833	2,896	2,927	2,999
9	35	2,700	2,721	2,762	2,814	2,866	2,928	2,959	3,031
10	36	2,732	2,753	2,794	2,846	2,898	2,960	2,991	3,063
11	37	2,764	2,785	2,826	2,878	2,930	2,992	3,023	3,095
12	38	2,796	2,817	2,858	2,910	2,962	3,024	3,055	3,127
13	39	2,828	2,849	2,890	2,942	2,994	3,056	3,087	3,159
14	40	2,860	2,881	2,922	2,974	3,026	3,088	3,119	3,192

15 **(Class Title)** **Pay Grade**

16	Accountant I	D
17	Accountant II	E
18	Accountant III	F
19	Accounts Payable Supervisor	G
20	Aide I	A
21	Aide II	B
22	Aide III	C
23	Aide IV	D
24	Audiovisual Technician	C
25	Auditor	G
26	Autism Mentor	F
27	Braille or Sign Language Specialist	E

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

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

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

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

26 (c) An additional eleven dollars per month also shall be

1 added to the minimum monthly pay of each service employee for each
2 of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (j) The minimum hourly rate of pay for extra duty assignments
21 as defined in section eight-b of this article shall be no less
22 than one seventh of the employee's daily total salary for each
23 hour the employee is involved in performing the assignment and
24 paid entirely from local funds: *Provided*, That an alternative
25 minimum hourly rate of pay for performing extra duty assignments
26 within a particular category of employment may be used if the

1 alternate hourly rate of pay is approved both by the county board
2 and by the affirmative vote of a two-thirds majority of the
3 regular full-time employees within that classification category of
4 employment within that county: *Provided, however,* That the vote
5 shall be by secret ballot if requested by a service personnel
6 employee within that classification category within that county.
7 The salary for any fraction of an hour the employee is involved in
8 performing the assignment shall be prorated accordingly. When
9 performing extra duty assignments, employees who are regularly
10 employed on a one-half day salary basis shall receive the same
11 hourly extra duty assignment pay computed as though the employee
12 were employed on a full-day salary basis.

13 (k) The minimum pay for any service personnel employees
14 engaged in the removal of asbestos material or related duties
15 required for asbestos removal shall be their regular total daily
16 rate of pay and no less than an additional \$3 per hour or no less
17 than \$5 per hour for service personnel supervising asbestos
18 removal responsibilities for each hour these employees are
19 involved in asbestos related duties. Related duties required for
20 asbestos removal include, but are not limited to, travel,
21 preparation of the work site, removal of asbestos decontamination
22 of the work site, placing and removal of equipment and removal of
23 structures from the site. If any member of an asbestos crew is
24 engaged in asbestos related duties outside of the employee's
25 regular employment county, the daily rate of pay shall be no less
26 than the minimum amount as established in the employee's regular

1 employment county for asbestos removal and an additional thirty
2 dollars per each day the employee is engaged in asbestos removal
3 and related duties. The additional pay for asbestos removal and
4 related duties shall be payable entirely from county funds.
5 Before service personnel employees may be used in the removal of
6 asbestos material or related duties, they shall have completed a
7 federal Environmental Protection Act approved training program and
8 be licensed. The employer shall provide all necessary protective
9 equipment and maintain all records required by the Environmental
10 Protection Act.

11 (1) For the purpose of qualifying for additional pay as
12 provided in section eight, article five of this chapter, an aide
13 shall be considered to be exercising the authority of a
14 supervisory aide and control over pupils if the aide is required
15 to supervise, control, direct, monitor, escort or render service
16 to a child or children when not under the direct supervision of
17 certified professional personnel within the classroom, library,
18 hallway, lunchroom, gymnasium, school building, school grounds or
19 wherever supervision is required. For purposes of this section,
20 "under the direct supervision of certified professional personnel"
21 means that certified professional personnel is present, with and
22 accompanying the aide.

NOTE: The purpose of this bill is adding and changing
classifications of school service personnel.

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

would be added.