

1 **Senate Bill No. 398**

2 (By Senators Laird, Minard, Yost and Kessler (Acting President))

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4 [Introduced February 2, 2011; referred to the Committee on  
5 Government Organization; and then to the Committee on Finance.]

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7 **FISCAL**  
8 **NOTE**

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §5-5-7, relating to  
12 requiring the Division of Corrections, Division of Juvenile  
13 Services and Regional Jail and Correctional Facility Authority  
14 to establish shift differential pay scales for employees.

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

16 That the Code of West Virginia, 1931, as amended, be amended  
17 by adding thereto a new section, designated §5-5-7, to read as  
18 follows:

19 **ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.**

20 **§5-5-7. Shift differential pay for Division of Corrections,**  
21 **Division of Juvenile Services, and Regional Jail and**  
22 **Correctional Facility Authority employees.**

23 The Division of Corrections, Division of Juvenile Services,

1 and the Regional Jail and Correctional Facility Authority shall  
2 each establish a shift differential pay scale of ten percent higher  
3 per hour for all work performed between the hours of five o'clock  
4 p.m. and six o'clock a.m. for:

5 (1) Any person employed by the Division of Corrections, any  
6 person working at a correctional facility managed by the  
7 Commissioner of Corrections pursuant to contract or as an employee  
8 of a state agency;

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9 (2) Any person working at a correctional facility managed by  
10 the Division of Juvenile Services pursuant to contract or as an  
11 employee of a state agency;

12 (3) Any person employed by a jail or by the Regional Jail and  
13 Correctional Facility Authority and any person working at a  
14 facility managed by the Regional Jail and Correctional Facility  
15 Authority or a jail; and

16 (4) Any person employed by the Division of Corrections as a  
17 parole officer.

NOTE: The purpose of this bill is to establish a shift differential pay scale for employees of the Division of Corrections, Division of Juvenile Services and Regional Jail and Correctional Facility Authority who work between the hours of 5:00 p.m. and 6:00 a.m. The shift differential pay scale is a ten percent per hour increase.

This section is new; therefore, strike-throughs and underscoring have been omitted.