

**Senate Bill No. 452**

(By Senators M. Hall, Stollings and Boley)

[Introduced February 10, 2015; referred to the Committee on the Judiciary.]

A BILL to amend and reenact §31-20-27 of the Code of West Virginia, 1931, as amended, relating to exempting all Regional Jail and Correctional Facility Authority employees from classified service; authorizing authority to set salaries; and authorizing employment of new employees who have successfully completed certain required examinations.

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

That §31-20-27 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 20. WEST VIRGINIA REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY.**

**§31-20-27. Employees of Regional Jail Authority; priority of hiring; civil service exemption.**

(a) ~~Notwithstanding any provision of this Code to the contrary, the Authority, when hiring employees to complete the approved staffing plan of a regional jail shall do so at a salary and with benefits consistent with the approved plan of compensation of the Division of Personnel, created under section five [§29-6-5], article six, chapter twenty-nine of this Code. All persons employed~~

1 ~~under this subsection shall be placed in the civil service system as covered employees. On and after~~  
2 ~~the first day of January, two thousand eight, July 1, 2015, the Executive Director of the Regional Jail~~  
3 ~~and Correctional Facility Authority and all employees of the Regional Jail and Correctional Facility~~  
4 ~~Authority within the Office of the Executive Director and all regional jail administrators are exempt~~  
5 ~~from coverage under the classified service.~~

6 (b) Persons employed under the provisions of this subsection shall be employed at a salary  
7 and with benefits consistent with the approved plan of compensation ~~of the Division of Personnel,~~  
8 ~~created under section five [~~§29-6-5~~], article six, chapter twenty-nine of this Code. All persons~~  
9 ~~employed under this subsection shall also be covered by the policies and procedures of the West~~  
10 ~~Virginia Public Employees Grievance Board created under section one [~~§6C-3-1~~], article three,~~  
11 ~~chapter six-c of this Code of the governing board of the Regional Jail and Correctional Facility~~  
12 ~~Authority, created under section three, article twenty, chapter thirty-one of this code.~~

13 (c) ~~Notwithstanding the provisions of section ten [~~§29-6-10~~], article six, chapter twenty-nine~~  
14 ~~of this Code, and any rule promulgated thereunder, On, and after July 1, 2007, any person applying~~  
15 ~~for employment with the Regional Jail and Correctional Facility Authority shall be hired based on~~  
16 ~~passage of the correctional officer examination without regard to his or her position on the~~  
17 ~~correctional officer register: and shall be placed in the civil service system as covered employees:~~  
18 ~~Provided, That no such person shall be hired before an otherwise qualified person on a preference~~  
19 ~~register.~~

NOTE: The purpose of this bill is to exempt Regional Jail and Correctional Authority

Employees from the classified service and authorize the Authority to set salaries.

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