

# WEST VIRGINIA LEGISLATURE

## 2017 REGULAR SESSION

**Introduced**

### **Senate Bill 17**

<b>FISCAL NOTE</b>
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BY SENATORS SYPOLT AND RUCKER

[Introduced February 8, 2017; referred  
to the Committee on Education; and then to the Committee  
on Finance]

1 A BILL to amend and reenact §18B-9-3 of the Code of West Virginia, 1931, as amended, relating  
 2 to temporary higher education classified employees annual salary schedule; providing that  
 3 when developed and adopted by the Higher Education Policy Commission and the Council  
 4 for Community and Technical College Education, a new salary structure will replace the  
 5 schedule that currently exists for higher education classified employees; providing that  
 6 any provision of law in conflict with the new salary structure is null and void; requiring the  
 7 commission and council to recommend legislation in 2018 to enact the new salary  
 8 structure into law; and requiring prior to adoption of the new structure the commission and  
 9 council must seek comments from affected constituents.

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

1 That §18B-9-3 of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**ARTICLE 9. CLASSIFIED EMPLOYEE SALARY SCHEDULE AND CLASSIFICATION  
 SYSTEM.**

**§18B-9-3. Temporary higher education classified employee annual salary schedule.**

1 (a) There is hereby continued a temporary state annual salary schedule for classified  
 2 employees consisting of a minimum annual salary for each pay grade in accordance with years  
 3 of experience. Nothing in this article guarantees payment to a classified employee of the salary  
 4 indicated on the schedule at the actual years of experience. The minimum salary herein indicated  
 5 shall be prorated for classified employees working fewer than thirty-seven and one-half hours per  
 6 week. For the purposes of this article and article nine-a, despite any differences in salaries that  
 7 may occur, a classified employee is equitably compensated in relation to other classified  
 8 employees in the same pay grade if the following conditions exist:

9 (1) His or her annual salary is at least the minimum salary that was required for his or her  
 10 pay grade and years of experience on July 1, 2001, on the salary schedule included in this section;

11 and

12 (2) Progress is being made by the institution in meeting the salary goals set out in this  
13 article and article nine-a.

14 (b) Nothing in this section requires an appropriation by the Legislature in excess of the  
15 legislative funding priorities as set forth in this chapter.

16 (c) For purposes of this article, an organization has achieved full funding of the temporary  
17 salary schedule established by this section when it provides, in total, one hundred percent of the  
18 funds needed to meet the salary funding target as calculated in October, 2010, in a report,  
19 required by a prior enactment of this section, and presented to the Legislative Oversight  
20 Commission on Education Accountability. Until an organization has achieved full funding as  
21 described and has received certification to this effect from the commission or council, as  
22 appropriate, the following requirements apply:

23 (1) Classified salary increases distributed within the organization shall be provided in  
24 accordance with the uniform classification and compensation system established by this article  
25 and rules of the commission and council and shall be applied toward achieving full funding of the  
26 temporary salary schedule; and

27 (2) An organization may not provide discretionary salary increases, including merit or  
28 performance-based increases, to the president or chief executive officer of an organization or to  
29 any group or class of employees within the organization, other than classified employees, unless  
30 the organization has achieved full funding of the salary schedule established in this section or is  
31 making appropriate progress toward achieving full funding of the salary schedule.

32 (A) This prohibition does not apply to salary increases mandated by law or funded by the  
33 Legislature.

34 (B) For the purposes of subdivision (2) of this subsection, "appropriate progress" has the  
35 following meanings:

36 (i) For governing boards under the jurisdiction of the commission, appropriate progress

37 means an organization has funded at least twenty-five percent of the amount needed to reach full  
38 funding of the salary schedule by July 1, 2012 as calculated pursuant to this subsection; has  
39 funded at least fifty percent of the calculated amount by July 1, 2013; has funded at least seventy-  
40 five percent of the calculated amount by July 1, 2014 and has funded one hundred percent of the  
41 calculated amount by July 1, 2015; and

42 (ii) For governing boards under the jurisdiction of the council, appropriate progress means  
43 an organization has funded at least twenty-five percent of the amount needed to reach full funding  
44 of the salary schedule by July 1, 2013 as calculated pursuant to this subsection; has funded at  
45 least fifty percent of the calculated amount by July 1, 2014; has funded at least seventy-five  
46 percent of the calculated amount by July 1, 2015 and has funded one hundred percent of the  
47 calculated amount by July 1, 2016.

48 (d) Once the commission and council have developed and adopted the market salary  
49 structure, minimum salary schedules, classification and compensation evaluation, and slotting  
50 processes required by section six, article nine-a of this chapter, the temporary state annual salary  
51 schedule set forth below shall be replaced by the market salary structure set forth in subdivisions  
52 (1) and (2) of this subsection.

53 (1) The market salary structure adopted by the commission and council shall include and  
54 address all relevant guidelines, procedures, definitions and directives needed to implement the  
55 new market salary structure. All provisions of this code in conflict with that new market salary  
56 structure are hereby deemed null and void after adoption of that structure by the commission and  
57 council. The commission and council shall recommend legislation for enactment in the 2018  
58 Legislative session to incorporate provisions of the new market salary structure adopted by the  
59 commission and council under this subsection.

60 (2) Prior to adopting the market salary structure set out herein, the commission and council  
61 shall solicit comments from the affected constituencies regarding that structure.

62 (3) The commission and council shall be required to update the Legislative Commission

63 on Education Accountability during each of its scheduled meetings until January 1, 2018.

64 TEMPORARY HIGHER EDUCATION CLASSIFIED EMPLOYEE

65 ANNUAL SALARY SCHEDULE

66 YEARS OF EXPERIENCE

PAY GRADE	0	1	2	3	4	5	6	7	8
1	12,809	13,094	13,385	13,677	13,968	14,274	14,580	14,900	15,221
2	13,465	13,764	14,070	14,376	14,696	15,017	15,352	15,687	16,036
3	14,164	14,478	14,798	15,133	15,483	15,832	16,182	16,546	16,925
4	14,908	15,250	15,599	15,949	16,313	16,692	17,085	17,478	17,872
5	15,696	16,066	16,444	16,837	17,231	17,624	18,046	18,469	18,906
6	16,556	16,954	17,362	17,784	18,207	18,644	19,081	19,547	20,013
7	17,489	17,915	18,352	18,804	19,255	19,721	20,202	20,697	21,192
8	18,495	18,949	19,416	19,896	20,391	20,901	21,411	21,950	22,489
9	19,559	20,056	20,566	21,091	21,615	22,168	22,722	23,290	23,887
10	19,916	20,421	20,938	21,484	22,029	22,602	23,176	23,763	24,379
11	21,107	21,665	22,239	22,812	23,400	24,015	24,645	25,288	25,945
12	22,436	23,022	23,624	24,253	24,896	25,554	26,225	26,924	27,638
13	23,837	24,477	25,134	25,805	26,505	27,218	27,945	28,701	29,470
14	25,363	26,057	26,771	27,498	28,253	29,022	29,806	30,631	31,470
15	27,015	27,764	28,533	29,330	30,141	30,981	31,834	32,715	33,624
16	28,821	29,624	30,449	31,316	32,197	33,092	34,030	34,981	35,974
17	30,767	31,638	32,533	33,470	34,421	35,400	36,421	37,456	38,519
18	32,868	33,820	34,799	35,806	36,841	37,904	39,009	40,142	41,303
19	37,613	38,718	39,855	41,022	42,219	43,460	44,747	46,064	47,410
20	40,265	41,471	42,712	43,984	45,301	46,647	48,038	49,460	50,941
21	43,171	44,478	45,824	47,216	48,637	50,103	51,614	53,170	54,786
22	46,332	47,754	49,220	50,731	52,272	53,873	55,534	57,224	58,975
23	49,777	51,330	52,931	54,561	56,252	58,002	59,797	61,653	63,568
24	53,552	55,234	56,970	58,750	60,605	62,505	64,465	66,485	68,579
25	57,462	59,483	61,383	63,328	65,348	67,427	69,567	71,781	74,070

PAY GRADE	9	10	11	12	13	14	15
1	15,541	15,876	16,226	16,575	16,939	17,304	17,682
2	16,386	16,750	17,129	17,507	17,886	18,294	18,687
3	17,304	17,697	18,090	18,498	18,920	19,343	19,780
4	18,279	18,702	19,139	19,576	20,027	20,493	20,959
5	19,343	19,794	20,260	20,741	21,222	21,717	22,227
6	20,479	20,974	21,469	21,994	22,518	23,057	23,596
7	21,717	22,241	22,780	23,334	23,902	24,484	25,081
8	23,042	23,610	24,193	24,805	25,416	26,043	26,684
9	24,484	25,096	25,737	26,378	27,048	27,732	28,417
10	25,008	25,638	26,295	26,980	27,666	28,379	29,106
11	26,617	27,316	28,015	28,757	29,498	30,267	31,064
12	28,365	29,120	29,890	30,687	31,498	32,323	33,176
13	30,267	31,078	31,918	32,771	33,652	34,561	35,484
14	32,323	33,204	34,114	35,051	36,002	36,981	38,002
15	34,561	35,512	36,505	37,512	38,547	39,624	40,715
16	36,981	38,030	39,093	40,198	41,331	42,492	43,694
17	39,624	40,757	41,918	43,121	44,352	45,611	46,925
18	42,506	43,736	44,995	46,296	47,639	49,023	50,450
19	48,801	50,238	51,719	53,230	54,801	56,416	58,062
20	52,452	54,023	55,623	57,284	58,990	60,755	62,550
21	56,431	58,137	59,902	61,712	63,568	65,482	67,472
22	60,785	62,640	64,555	66,530	68,579	70,674	72,828
23	65,527	67,562	69,656	71,826	74,040	76,344	78,708
24	70,734	72,948	75,237	77,601	80,039	82,552	85,156
25	76,419	78,842	81,356	83,944	86,607	89,360	92,202

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NOTE: The purpose of this bill is to provide that when developed and adopted by the Higher Education Policy Commission and the Council for Community and Technical College Education, a new salary structure will replace the schedule that currently exists for higher education classified employees. The bill also provides that any provision of law in conflict with the new salary structure is null and void. The bill, additionally, requires the commission and council to recommend legislation in 2018 to enact the new market salary structure into law but prior to adopting the new structure to seek comments from affected constituents. The commission and council are required to update the Legislative

Commission on Educational Accountability at its meetings.

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