

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2559**

BY DELEGATES HOWELL, PACK, HAMRICK, WORRELL,  
DEAN, FAST, HOFF, HOLLEN, STORCH, ELLINGTON AND  
BUTLER

[Introduced January 21, 2019; Referred  
to the Committee on Government Organization.]



1 A BILL to amend and reenact §29-6-7a of the Code of West Virginia, 1931, as amended, relating  
2 to requiring a special report by the Division of Personnel; setting a deadline for delivering  
3 the report; requiring certain financial revenue and expense data; requiring information  
4 related to classification and compensation actions of the division; and requiring a  
5 description of any administrative appeals and outcomes.

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

**ARTICLE 6. CIVIL SERVICE SYSTEM.**

**§29-6-7a. Special report on a centralized the state personnel system.**

1 Before September 30, ~~2007~~ 2019, the director of the Division of Personnel shall report to  
2 the Joint Committee on Government Organization on the following:

3 (1) A detailed financial report on the personnel/human relations system for the state, for  
4 Fiscal Year 2018 and Fiscal Year 2019, including the agency revenue for each fiscal year  
5 identified by appropriation, and for each category of fee charged by the agency, the amount of  
6 revenue received from each payee, and a detailed description of the agency expenses, including  
7 for contract services, legal fees, professional development training, job classification testing, and  
8 the annual cost of the maintenance of the lists of qualified applicants;

9 (2) ~~The benefits, cost effect and drawbacks of a centralized system~~ A detailed report for  
10 Fiscal Year 2018 and Fiscal Year 2019, of each Classification and Compensation Section action  
11 resulting in a pay grade demotion or pay grade promotion for each job classification where a  
12 demotion or promotion of one or more pay grade has been recommended by the division or has  
13 occurred, identified by each job classification title, with a description of the personnel  
14 management techniques, merit principles, and scientific methods used in justifying the personnel  
15 action;

16 (3) ~~The structure for the system, including a recommendation on the number of satellite~~  
17 ~~offices~~ A detailed report for Fiscal Year 2018 and Fiscal Year 2019, of each administrative appeal  
18 of any personnel action taken by the division, the result of each administrative appeal, and a

19 description of each personnel action that, after exhausting administrative remedies with the  
20 division, resulted in a grievance filed pursuant to §6C-2-1 *et seq.*, of this code, and the outcome  
21 of each grievance, including the status or outcome of any appeals of said grievances to circuit  
22 court; and the cost to the agency to litigate each administrative appeal or grievance; and

23 ~~(4) Any other recommendations the director finds beneficial to satisfy the~~  
24 ~~personnel/human relations needs of the state~~ A detailed report for Fiscal Year 2018 and Fiscal  
25 Year 2019, of each intervention by the division in the State Employee Grievance System  
26 describing the nature and style of the grievances being intervened in, the party whom the  
27 intervention by the division is intended to represent, the outcome of each grievance where the  
28 division has intervened, and a detailed description of the review of all settlement agreements  
29 reviewed by the division where the division rejected, modified, amended, or otherwise altered the  
30 proposed settlement agreement, and the legal justification used by the division to alter each  
31 modified settlement agreement.

NOTE: The purpose of this bill is to require a special report from the Division of Personnel to the Legislature by September 30 of 2019, regarding classification and compensation section activities, a report on administrative appeals of actions by the division and a report on the specific nature of intervention by the division in grievance and settlement activities.

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