

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4313

FISCAL
NOTE

BY DELEGATES NESTOR, D. KELLY, HOTT, B. WARD,
WAMSLEY, COOPER, ZATEZALO, TULLY, SUMMERS, AND
PACK

[Introduced January 21, 2022; Referred to the
Committee on Select Committee on Jails and Prisons
then Finance]

1 A BILL to amend and reenact §5-5-4b of the Code of West Virginia, 1931, as amended, relating
2 to providing a pay raise and sign-on bonus to correctional personnel in West Virginia to
3 retain current workers and attract new workers to this field.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.

**§5-5-4b. Division of Corrections, Division of Juvenile Services, and Regional Jail Authority
pay equity salary adjustment.**

1 (a) The Legislature hereby finds that the Division of Corrections, Division of Juvenile
2 Services and the West Virginia Regional Jail and Correctional Facility Authority have extreme
3 difficulty with recruiting and retaining employees of all types.

4 (b) The Legislature hereby directs that a pay equity salary adjustment and increase be
5 provided to all employees of the Division of Corrections, Division of Juvenile Services, and the
6 West Virginia Regional Jail and Correctional Facility Authority, regardless of where the employee
7 reports to work. This salary adjustment shall be for a total of \$6,000 apportioned over a three-
8 year period as follows:

9 (1) On July 1, 2018, applicable employees of the Division of Corrections, Division of
10 Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority shall be
11 given an increase in annual pay of \$2,000;

12 (2) On July 1, 2019, applicable employees of the Division of Corrections, Division of
13 Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority shall be
14 given an increase in annual pay of \$2,000; and

15 (3) On July 1, 2020, applicable employees of the Division of Corrections, Division of
16 Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority shall be
17 given an increase in annual pay of \$2,000.

18 (4) On July 1, 2022, applicable employees of Division of Corrections, Division of Juvenile
19 Services, and the West Virginia Regional Jail and Correctional Facility Authority who have

20 accumulated (3) years or more years of continuous employment shall be given a bonus of \$6000.

21 (5) On or after July 1, 2022, individuals becoming employed with the Division of
22 Corrections, Division of Juvenile Services, or the West Virginia Regional Jail and Correctional
23 Authority shall receive a sign on bonus of \$3,000: *Provided*, That such employee shall only be
24 given a \$3,000 bonus after accumulating (3) or more years of continuous employment.

25 (c) Funding for the pay rates for employees of the Division of Corrections and Division of
26 Juvenile Services shall be provided from the general revenue appropriations to the Division of
27 Corrections and Division of Juvenile Services, respectively.

28 (d) The salary adjustment for employees of the West Virginia Regional Jail Authority shall
29 be funded from the special revenue fund established in §31-20-10 of this code, and shall not
30 require additional general revenue appropriations from the Legislature.

31 (e) In the event any provision of this section conflicts with any rule, policy, or provision of
32 this code, this section shall control. Due to the limits of funding, the implementation of the pay
33 rates and employment requirements shall not be subject to the provisions of §6C-2-1 et seq. of
34 this code. The provisions of this section are rehabilitative in nature and it is the specific intent of
35 the Legislature that no private cause of action, either express or implied, shall arise pursuant to
36 the provisions or implementation of this section.

37 (f) If, following this pay raise, the employee will make more than the maximum allowable
38 by the Division of Personnel for the pay grade, this salary increase shall still take effect, and that
39 employee shall make more than the pay grade maximum.

NOTE: The purpose of this bill is to provide for a pay increase and a sign-on bonus for corrections employees to retain current workers and to attract new workers to this field.

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