

SB 573

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**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE**  
**REGULAR SESSION, 2008**

WEST VIRGINIA LEGISLATURE  
STATE

**ENROLLED**

COMMITTEE SUBSTITUTE

FOR

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 573**

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND CARUTH,  
BY REQUEST OF THE EXECUTIVE)

[Passed March 8, 2008; to take effect July 1, 2008.]

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AN ACT to amend and reenact §18A-4-2, §18A-4-3 and §18A-4-8a of the Code of West Virginia, 1931, as amended, all relating to school personnel salary increases; increasing minimum salaries of public school teachers; increasing salary

increment for principals and assistant principals; and increasing minimum salaries of school service personnel.

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

That §18A-4-2, §18A-4-3 and §18A-4-8a of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

**ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.**

**§18A-4-2. State minimum salaries for teachers.**

1 (a) Effective the first day of July, two thousand seven,  
2 through the thirtieth day of June, two thousand eight,  
3 each teacher shall receive the amount prescribed in the  
4 2007-08 State Minimum Salary Schedule as set forth in  
5 this section, specific additional amounts prescribed in  
6 this section or article and any county supplement in  
7 effect in a county pursuant to section five-a of this  
8 article during the contract year.

9 Effective the first day of July, two thousand eight,  
10 and thereafter, each teacher shall receive the amount  
11 prescribed in the 2008-09 State Minimum Salary  
12 Schedule as set forth in this section, specific additional  
13 amounts prescribed in this section or article and any  
14 county supplement in effect in a county pursuant to  
15 section five-a of this article during the contract year.

16 **2007-08 MINIMUM SALARY SCHEDULE**

17	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
18	Years	4th	3rd	2nd		A.B.		M.A.	M.A.	M.A.	
19	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	Doc-torate
20	0	24,051	24,711	24,975	26,227	26,988	28,755	29,516	30,277	31,038	32,073

3 [Enr. Com. Sub. for Com. Sub. for S. B. No. 573

21	1	24,379	25,039	25,303	26,745	27,506	29,274	30,035	30,795	31,556	32,591
22	2	24,708	25,367	25,631	27,264	28,025	29,792	30,553	31,314	32,075	33,110
23	3	25,036	25,695	25,959	27,783	28,543	30,311	31,072	31,832	32,593	33,628
24	4	25,608	26,267	26,531	28,545	29,306	31,074	31,835	32,595	33,356	34,391
25	5	25,936	26,595	26,859	29,064	29,825	31,592	32,353	33,114	33,875	34,910
26	6	26,264	26,923	27,187	29,582	30,343	32,111	32,872	33,632	34,393	35,428
27	7	26,592	27,252	27,515	30,101	30,862	32,629	33,390	34,151	34,912	35,947
28	8	26,920	27,580	27,844	30,619	31,380	33,148	33,909	34,669	35,430	36,465
29	9	27,248	27,908	28,172	31,138	31,899	33,666	34,427	35,188	35,949	36,984
30	10	27,577	28,238	28,500	31,657	32,417	34,185	34,946	35,708	36,467	37,502
31	11	27,905	28,564	28,828	32,175	32,936	34,704	35,464	36,225	36,986	38,021
32	12	28,233	28,892	29,156	32,894	33,454	35,222	35,983	36,744	37,504	38,539
33	13	28,561	29,220	29,484	33,212	33,973	35,741	36,501	37,262	38,023	39,058
34	14	28,561	29,548	29,812	33,731	34,491	38,259	37,020	37,781	38,541	39,576
35	15	28,561	29,876	30,140	34,249	35,010	36,778	37,538	38,299	39,060	40,095
36	16	28,561	29,876	30,468	34,768	35,528	37,296	38,057	38,818	39,578	40,613
37	17	28,561	29,878	30,796	35,286	36,047	37,815	38,575	39,336	40,097	41,132
38	18	28,561	29,876	30,796	35,805	36,566	38,333	39,094	39,855	40,615	41,650
39	19	28,561	29,876	30,796	36,323	37,084	38,852	39,613	40,373	41,134	42,169
40	20	28,561	29,876	30,796	36,842	37,603	39,370	40,131	40,892	41,653	42,688
41	21	28,561	29,876	30,796	36,842	37,603	39,889	40,650	41,410	42,171	43,206

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42	22	28,561	29,876	30,796	36,842	37,603	40,407	41,168	41,929	42,690	43,725
43	23	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,447	43,208	44,243
44	24	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,966	43,727	44,762
45	25	28,561	29,876	30,796	36,842	37,603	40,926	41,687	43,484	44,245	45,280
46	26	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,784	45,799
47	27	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,784	45,799
48	28	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,784	45,799
49	29	28,889	30,204	31,125	37,360	38,121	41,445	42,205	44,522	45,282	46,317
50	30	29,217	30,533	31,453	37,879	38,640	41,963	42,724	45,040	45,801	46,836
51	31	29,545	30,881	31,781	38,397	39,158	42,482	43,242	45,559	46,319	47,354
52	32	29,873	31,189	32,109	38,916	39,677	43,000	43,761	46,077	46,838	47,873
53	33	30,201	31,517	32,437	39,435	40,195	43,519	44,279	46,596	47,356	48,391
54	34	30,529	31,845	32,765	39,953	40,714	44,037	44,798	47,114	47,875	48,910
55	35	30,857	32,173	33,093	40,472	41,232	44,558	45,316	47,833	48,393	49,428

56 **2008-09 STATE MINIMUM SALARY SCHEDULE**

57	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
58	Years	4th	3rd	2nd		A.B.		M.A.	M.A.	M.A.	
59	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	Doc-torate
60	0	25,851	28,311	26,575	27,827	28,588	30,355	31,116	31,877	32,638	33,673
61	1	25,979	26,639	26,903	28,345	29,106	30,874	31,635	32,395	33,156	34,191
62	2	26,308	26,967	27,231	28,864	29,625	31,392	32,153	32,914	33,675	34,710
63	3	28,636	27,295	27,559	29,383	30,143	31,911	32,872	33,432	34,193	35,228
64	4	27,208	27,867	28,131	30,145	30,906	32,674	33,435	34,195	34,958	35,991

5 [Enr. Com. Sub. for Com. Sub. for S. B. No. 573

65	5	27,536	28,195	28,459	30,664	31,425	33,192	33,953	34,714	35,475	38,510
66	6	27,864	28,523	28,787	31,182	31,943	33,711	34,472	35,232	35,993	37,028
67	7	28,192	28,852	29,115	31,701	32,462	34,229	34,990	35,751	36,512	37,547
68	8	28,520	29,180	29,444	32,219	32,980	34,748	35,509	36,269	37,030	38,065
69	9	28,848	29,508	29,772	32,738	33,499	35,266	36,027	36,788	37,549	38,584
70	10	29,177	29,838	30,100	33,258	34,018	35,786	36,547	37,308	38,088	39,103
71	11	29,505	30,164	30,428	33,776	34,537	36,305	37,065	37,826	38,587	39,822
72	12	29,833	30,492	30,756	34,295	35,055	36,823	37,584	38,345	39,105	40,140
73	13	30,161	30,820	31,084	34,813	35,574	37,342	38,102	38,883	39,624	40,659
74	14	30,489	31,148	31,412	35,332	36,092	37,860	38,621	39,382	40,142	41,177
75	15	30,817	31,476	31,740	35,850	36,611	38,379	39,139	39,900	40,661	41,696
76	16	31,145	31,804	32,068	36,369	37,129	38,897	38,658	40,419	41,179	42,214
77	17	31,473	32,133	32,396	36,887	37,648	39,416	40,177	40,937	41,698	42,733
78	18	31,801	32,461	32,725	37,406	38,167	39,934	40,695	41,456	42,217	43,252
79	19	32,129	32,789	33,053	37,924	38,685	40,453	41,214	41,974	42,735	43,770
80	20	32,457	33,117	33,381	38,443	39,204	40,971	41,732	42,493	43,254	44,289
81	21	32,786	33,445	33,709	38,961	39,722	41,490	42,251	43,011	43,772	44,807
82	22	33,114	33,773	34,037	39,480	40,241	42,008	42,789	43,530	44,291	45,328
83	23	33,442	34,101	34,365	39,999	40,759	42,527	43,288	44,048	44,809	45,844
84	24	33,770	34,429	34,693	40,517	41,278	43,046	43,806	44,567	45,328	46,363
85	25	34,098	34,757	35,021	41,036	41,796	43,564	44,325	45,086	45,846	48,881
86	26	34,426	35,085	35,349	41,554	42,315	44,083	44,843	45,604	46,365	47,400
87	27	34,754	35,413	35,677	42,073	42,833	44,601	45,362	46,123	46,883	47,918
88	28	35,082	35,742	36,005	42,591	43,352	45,120	45,880	46,641	47,402	48,437
89	29	35,410	36,070	36,334	43,110	43,870	45,638	46,399	47,160	47,920	48,955
90	30	35,738	36,398	36,662	43,628	44,389	46,157	46,917	47,678	48,439	49,474
91	31	36,067	36,726	36,990	44,147	44,908	46,675	47,436	48,197	48,957	49,992
92	32	36,395	37,054	37,318	44,665	45,426	47,194	47,955	48,715	49,476	50,511
93	33	36,723	37,382	37,646	45,184	45,945	47,712	48,473	49,234	49,995	51,030
94	34	37,051	37,710	37,974	45,702	46,463	48,231	48,992	49,752	50,513	51,548
95	35	37,379	38,038	38,302	46,221	46,982	48,749	49,510	50,271	51,032	52,067

96 (b) Six hundred dollars shall be paid annually to each  
97 classroom teacher who has at least twenty years of  
98 teaching experience. The payments: (i) Shall be in  
99 addition to any amounts prescribed in the applicable  
100 state minimum salary schedule; (ii) shall be paid in  
101 equal monthly installments; and (iii) shall be considered  
102 a part of the state minimum salaries for teachers.

**§18A-4-3. State minimum annual salary increments for  
principals and assistant principals.**

1 (a) In addition to any salary increments for principals  
2 and assistant principals, in effect on the first day of  
3 January, two thousand eight, and paid from local funds,  
4 and in addition to the county schedule in effect for  
5 teachers, the county board shall pay each principal a  
6 principal's salary increment and each assistant  
7 principal an assistant principal's salary increment as  
8 prescribed by this section from state funds  
9 appropriated for the salary increments.

10 (b) State funds for this purpose shall be paid within  
11 the West Virginia public school support plan in  
12 accordance with article nine-a, chapter eighteen of this  
13 code.

14 (c) The salary increment in this section for each  
15 principal shall be determined by multiplying the basic  
16 salary for teachers in accordance with the classification  
17 of certification and of training of the principal as  
18 prescribed in this article by the appropriate percentage  
19 rate prescribed in this section according to the number  
20 of teachers supervised.

21 STATE MINIMUM SALARY INCREMENT

22 RATES FOR PRINCIPALS

7 [Enr. Com. Sub. for Com. Sub. for S. B. No. 573

23 EFFECTIVE UNTIL JULY 1, 2008

24 No. of Teachers

25	Supervised	Rates
26	1-7	10.0%
27	8-14	10.5%
28	15-24	11.0%
29	25-38	11.5%
30	39-57	12.0%
31	58 and up	12.5%

32 STATE MINIMUM SALARY INCREMENT

33 RATES FOR PRINCIPALS

34 EFFECTIVE ON AND AFTER JULY 1, 2008

35 No. of Teachers

36	Supervised	Rates
37	1-7	11.0%
38	8-14	11.5%
39	15-24	12.0%
40	25-38	12.5%
41	39-57	13.0%



42                    58 and up        13.5%

43        (d) The salary increment in this section for each  
44        assistant principal shall be determined in the same  
45        manner as that for principals using the number of  
46        teachers supervised by the principal under whose  
47        direction the assistant principal works, except that the  
48        percentage rate shall be fifty percent of the rate  
49        prescribed for the principal.

50        (e) Salaries for employment beyond the minimum  
51        employment term shall be at the same daily rate as the  
52        salaries for the minimum employment terms.

53        (f) For the purpose of determining the number of  
54        teachers supervised by a principal, the county board  
55        shall use data for the second school month of the prior  
56        school term and the number of teachers shall be  
57        interpreted to mean the total number of professional  
58        educators assigned to each school on a full-time  
59        equivalency basis: *Provided*, That if there is a change in  
60        circumstances because of consolidation or catastrophe,  
61        the county board shall determine what is a reasonable  
62        number of supervised teachers in order to establish the  
63        appropriate increment percentage rate.

64        (g) No county may reduce local funds allocated for  
65        salary increments for principals and assistant  
66        principals in effect on the first day of January, two  
67        thousand eight, and used in supplementing the state  
68        minimum salaries as provided in this article, unless  
69        forced to do so by defeat of a special levy, or a loss in  
70        assessed values or events over which it has no control  
71        and for which the county board has received approval  
72        from the state board prior to making the reduction.

73 (h) Nothing in this section prevents a county board  
 74 from providing, in a uniform manner, salary increments  
 75 greater than those required by this section.

**§18A-4-8a. Service personnel minimum monthly salaries.**

1 (a) The minimum monthly pay for each service  
 2 employee whose employment is for a period of more  
 3 than three and one-half hours a day shall be at least the  
 4 amounts indicated in the state minimum pay scale pay  
 5 grade and the minimum monthly pay for each service  
 6 employee whose employment is for a period of three  
 7 and one-half hours or less a day shall be at least  
 8 one-half the amount indicated in the state minimum  
 9 pay scale pay grade set forth in this section.

10 **STATE MINIMUM PAY SCALE PAY GRADE**

11	Years	PAY GRADE							
12	Exp.	A	B	C	D	E	F	G	H
13	0	1,577	1,598	1,639	1,691	1,743	1,805	1,836	1,908
14	1	1,609	1,630	1,671	1,723	1,775	1,837	1,868	1,940
15	2	1,641	1,662	1,703	1,755	1,807	1,869	1,900	1,972
16	3	1,673	1,694	1,735	1,787	1,839	1,901	1,932	2,004
17	4	1,705	1,726	1,767	1,819	1,871	1,933	1,964	2,037
18	5	1,737	1,758	1,799	1,851	1,903	1,965	1,996	2,069
19	6	1,769	1,790	1,832	1,883	1,935	1,997	2,028	2,101
20	7	1,802	1,822	1,864	1,915	1,967	2,029	2,060	2,133
21	8	1,834	1,854	1,896	1,947	1,999	2,061	2,092	2,165
22	9	1,866	1,886	1,928	1,980	2,031	2,093	2,124	2,197
23	10	1,898	1,919	1,960	2,012	2,063	2,126	2,157	2,229

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24	11	1,930	1,951	1,992	2,044	2,095	2,158	2,189	2,261
25	12	1,962	1,963	2,024	2,076	2,128	2,190	2,221	2,293
26	13	1,994	2,015	2,056	2,108	2,160	2,222	2,253	2,325
27	14	2,026	2,047	2,088	2,140	2,192	2,254	2,285	2,357
28	15	2,056	2,079	2,120	2,172	2,224	2,286	2,317	2,389
29	16	2,090	2,111	2,152	2,204	2,256	2,318	2,349	2,422
30	17	2,122	2,143	2,185	2,236	2,288	2,350	2,361	2,454
31	18	2,154	2,175	2,217	2,268	2,320	2,382	2,413	2,486
32	19	2,187	2,207	2,249	2,300	2,352	2,414	2,445	2,518
33	20	2,219	2,239	2,261	2,333	2,384	2,446	2,477	2,550
34	21	2,251	2,271	2,313	2,365	2,416	2,478	2,509	2,582
35	22	2,283	2,304	2,345	2,397	2,448	2,511	2,542	2,614
36	23	2,315	2,336	2,377	2,429	2,481	2,543	2,574	2,646
37	24	2,347	2,368	2,409	2,461	2,513	2,575	2,606	2,678
38	25	2,379	2,400	2,441	2,493	2,545	2,607	2,638	2,710
39	26	2,411	2,432	2,473	2,525	2,577	2,639	2,670	2,742
40	27	2,443	2,464	2,505	2,557	2,609	2,671	2,702	2,774
41	28	2,475	2,496	2,537	2,589	2,641	2,703	2,734	2,807
42	29	2,507	2,528	2,570	2,621	2,673	2,735	2,766	2,839
43	30	2,540	2,560	2,602	2,653	2,705	2,767	2,798	2,871
44	31	2,572	2,592	2,634	2,665	2,737	2,799	2,830	2,903
45	32	2,604	2,624	2,666	2,716	2,769	2,831	2,862	2,935
46	33	2,636	2,656	2,698	2,750	2,801	2,863	2,895	2,967
47	34	2,668	2,689	2,730	2,782	2,833	2,896	2,927	2,999

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48	35	2,700	2,721	2,762	2,814	2,868	2,928	2,959	3,031
49	38	2,732	2,753	2,794	2,846	2,898	2,980	2,991	3,063
50	37	2,784	2,785	2,828	2,878	2,930	2,992	3,023	3,095
51	38	2,796	2,817	2,858	2,910	2,982	3,024	3,055	3,127
52	39	2,828	2,849	2,890	2,942	2,994	3,058	3,087	3,159
53	40	2,880	2,881	2,922	2,974	3,028	3,088	3,119	3,192

54	(Class Title)	Pay Grade
55	Accountant I .....	D
56	Accountant II .....	E
57	Accountant III .....	F
58	Accounts Payable Supervisor .....	G
59	Aide I .....	A
60	Aide II .....	B
61	Aide III .....	C
62	Aide IV .....	D
63	Audiovisual Technician .....	C
64	Auditor .....	G
65	Autism Mentor .....	F
66	Braille or Sign Language Specialist .....	E
67	Bus Operator .....	D

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68	Buyer .....	F
69	Cabinetmaker .....	G
70	Cafeteria Manager .....	D
71	Carpenter I .....	E
72	Carpenter II .....	F
73	Chief Mechanic .....	G
74	Clerk I .....	B
75	Clerk II .....	C
76	Computer Operator .....	E
77	Cook I .....	A
78	Cook II .....	B
79	Cook III .....	C
80	Crew Leader .....	F
81	Custodian I .....	A
82	Custodian II .....	B
83	Custodian III .....	C
84	Custodian IV .....	D
85	Director or Coordinator of Services .....	H
86	Draftsman .....	D

13 [Enr. Com. Sub. for Com. Sub. for S. B. No. 573

87	Electrician I .....	F
88	Electrician II .....	G
89	Electronic Technician I .....	F
90	Electronic Technician II .....	G
91	Executive Secretary .....	G
92	Food Services Supervisor .....	G
93	Foreman .....	G
94	General Maintenance .....	C
95	Glazier .....	D
96	Graphic Artist .....	D
97	Groundsman .....	B
98	Handyman .....	B
99	Heating and Air Conditioning Mechanic I .....	E
100	Heating and Air Conditioning Mechanic II .....	G
101	Heavy Equipment Operator .....	E
102	Inventory Supervisor .....	D
103	Key Punch Operator .....	B
104	Licensed Practical Nurse .....	F
105	Locksmith .....	G

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106	Lubrication Man .....	C
107	Machinist .....	F
108	Mail Clerk .....	D
109	Maintenance Clerk .....	C
110	Mason .....	G
111	Mechanic .....	F
112	Mechanic Assistant .....	E
113	Office Equipment Repairman I .....	F
114	Office Equipment Repairman II .....	G
115	Painter .....	E
116	Paraprofessional .....	F
117	Payroll Supervisor .....	G
118	Plumber I .....	E
119	Plumber II .....	G
120	Printing Operator .....	B
121	Printing Supervisor .....	D
122	Programmer .....	H
123	Roofing/Sheet Metal Mechanic .....	F
124	Sanitation Plant Operator .....	G

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125	School Bus Supervisor .....	E
126	Secretary I .....	D
127	Secretary II .....	E
128	Secretary III .....	F
129	Supervisor of Maintenance .....	H
130	Supervisor of Transportation .....	H
131	Switchboard Operator-Receptionist .....	D
132	Truck Driver .....	D
133	Warehouse Clerk .....	C
134	Watchman .....	B
135	Welder .....	F
136	WVEIS Data Entry and Administrative	
137	Clerk .....	B

138 (b) An additional twelve dollars per month shall be  
139 added to the minimum monthly pay of each service  
140 employee who holds a high school diploma or its  
141 equivalent.

142 (c) An additional eleven dollars per month also shall  
143 be added to the minimum monthly pay of each service  
144 employee for each of the following:

145 (1) A service employee who holds twelve college hours  
146 or comparable credit obtained in a trade or vocational  
147 school as approved by the state board;



148       (2) A service employee who holds twenty-four college  
149       hours or comparable credit obtained in a trade or  
150       vocational school as approved by the state board;

151       (3) A service employee who holds thirty-six college  
152       hours or comparable credit obtained in a trade or  
153       vocational school as approved by the state board;

154       (4) A service employee who holds forty-eight college  
155       hours or comparable credit obtained in a trade or  
156       vocational school as approved by the state board;

157       (5) A service employee who holds sixty college hours  
158       or comparable credit obtained in a trade or vocational  
159       school as approved by the state board;

160       (6) A service employee who holds seventy-two college  
161       hours or comparable credit obtained in a trade or  
162       vocational school as approved by the state board;

163       (7) A service employee who holds eighty-four college  
164       hours or comparable credit obtained in a trade or  
165       vocational school as approved by the state board;

166       (8) A service employee who holds ninety-six college  
167       hours or comparable credit obtained in a trade or  
168       vocational school as approved by the state board;

169       (9) A service employee who holds one hundred eight  
170       college hours or comparable credit obtained in a trade  
171       or vocational school as approved by the state board;

172       (10) A service employee who holds one hundred  
173       twenty college hours or comparable credit obtained in  
174       a trade or vocational school as approved by the state  
175       board;

176 (d) An additional forty dollars per month also shall be  
177 added to the minimum monthly pay of each service  
178 employee for each of the following:

179 (1) A service employee who holds an associate's  
180 degree;

181 (2) A service employee who holds a bachelor's degree;

182 (3) A service employee who holds a master's degree;

183 (4) A service employee who holds a doctorate degree.

184 (e) An additional eleven dollars per month shall be  
185 added to the minimum monthly pay of each service  
186 employee for each of the following:

187 (1) A service employee who holds a bachelor's degree  
188 plus fifteen college hours;

189 (2) A service employee who holds a master's degree  
190 plus fifteen college hours;

191 (3) A service employee who holds a master's degree  
192 plus thirty college hours;

193 (4) A service employee who holds a master's degree  
194 plus forty-five college hours; and

195 (5) A service employee who holds a master's degree  
196 plus sixty college hours.

197 (f) When any part of a school service employee's daily  
198 shift of work is performed between the hours of six  
199 o'clock p.m. and five o'clock a.m. the following day,  
200 the employee shall be paid no less than an additional  
201 ten dollars per month and one half of the pay shall be  
202 paid with local funds.

203 (g) Any service employee required to work on any  
204 legal school holiday shall be paid at a rate one and one-  
205 half times the employee's usual hourly rate.

206 (h) Any full-time service personnel required to work  
207 in excess of their normal working day during any week  
208 which contains a school holiday for which they are paid  
209 shall be paid for the additional hours or fraction of the  
210 additional hours at a rate of one and one-half times  
211 their usual hourly rate and paid entirely from county  
212 board funds.

213 (i) No service employee may have his or her daily  
214 work schedule changed during the school year without  
215 the employee's written consent and the employee's  
216 required daily work hours may not be changed to  
217 prevent the payment of time and one-half wages or the  
218 employment of another employee.

219 (j) The minimum hourly rate of pay for extra duty  
220 assignments as defined in section eight-b of this article  
221 shall be no less than one seventh of the employee's daily  
222 total salary for each hour the employee is involved in  
223 performing the assignment and paid entirely from local  
224 funds: *Provided*, That an alternative minimum hourly  
225 rate of pay for performing extra duty assignments  
226 within a particular category of employment may be  
227 used if the alternate hourly rate of pay is approved both  
228 by the county board and by the affirmative vote of a  
229 two-thirds majority of the regular full-time employees  
230 within that classification category of employment  
231 within that county: *Provided, however*, That the vote  
232 shall be by secret ballot if requested by a service  
233 personnel employee within that classification category  
234 within that county. The salary for any fraction of an  
235 hour the employee is involved in performing the  
236 assignment shall be prorated accordingly. When  
237 performing extra duty assignments, employees who are

238 regularly employed on a one-half day salary basis shall  
239 receive the same hourly extra duty assignment pay  
240 computed as though the employee were employed on a  
241 full-day salary basis.

242 (k) The minimum pay for any service personnel  
243 employees engaged in the removal of asbestos material  
244 or related duties required for asbestos removal shall be  
245 their regular total daily rate of pay and no less than an  
246 additional three dollars per hour or no less than five  
247 dollars per hour for service personnel supervising  
248 asbestos removal responsibilities for each hour these  
249 employees are involved in asbestos related duties.  
250 Related duties required for asbestos removal include,  
251 but are not limited to, travel, preparation of the work  
252 site, removal of asbestos decontamination of the work  
253 site, placing and removal of equipment and removal of  
254 structures from the site. If any member of an asbestos  
255 crew is engaged in asbestos related duties outside of the  
256 employee's regular employment county, the daily rate  
257 of pay shall be no less than the minimum amount as  
258 established in the employee's regular employment  
259 county for asbestos removal and an additional thirty  
260 dollars per each day the employee is engaged in  
261 asbestos removal and related duties. The additional  
262 pay for asbestos removal and related duties shall be  
263 payable entirely from county funds. Before service  
264 personnel employees may be used in the removal of  
265 asbestos material or related duties, they shall have  
266 completed a federal Environmental Protection Act  
267 approved training program and be licensed. The  
268 employer shall provide all necessary protective  
269 equipment and maintain all records required by the  
270 Environmental Protection Act.

271 (l) For the purpose of qualifying for additional pay as  
272 provided in section eight, article five of this chapter, an  
273 aide shall be considered to be exercising the authority

274 of a supervisory aide and control over pupils if the aide  
275 is required to supervise, control, direct, monitor, escort  
276 or render service to a child or children when not under  
277 the direct supervision of certified professional  
278 personnel within the classroom, library, hallway,  
279 lunchroom, gymnasium, school building, school  
280 grounds or wherever supervision is required. For  
281 purposes of this section, "under the direct supervision  
282 of certified professional personnel" means that certified  
283 professional personnel is present, with and  
284 accompanying the aide.

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*C. H. White*  
.....  
Chairman Senate Committee

*Jim*  
.....  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 2008.

*Darrell E. Holmes*  
.....  
Clerk of the Senate

*Samuel B. S. V.*  
.....  
Clerk of the House of Delegates

*Earl Ray Tomblin*  
.....  
President of the Senate

*RB*  
.....  
Speaker House of Delegates

The within *is approved* ..... this  
the *1<sup>st</sup>* Day of *April* ..... 2008.

*Robert F. McAuliffe*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 25 2008

Time 3:50 p