

Senate Bill No. 273

(By Senators Kessler (Acting President) and Hall,

By Request of the Executive)

[Introduced January 25, 2011; referred to the Committee on
Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §5-5-2 of the Code of West Virginia,
1931, as amended; to amend and reenact §15-2-5 of said code;
to amend and reenact §18A-4-2 and §18A-4-8a of said code; and
to amend and reenact §20-7-1c of said code, all relating to
providing a one-time, nonbase-building supplemental salary
increase for all eligible state employees, members of the West
Virginia State Police, teachers, service personnel and
conservation officers who are employed on dates certain;
providing the conditions under which and the date the salary
supplement shall be paid; and making technical corrections.

Be it enacted by the Legislature of West Virginia:

That §5-5-2 of the Code of West Virginia, 1931, as amended, be
amended and reenacted; that §15-2-5 of said code be amended and
reenacted; that §18A-4-2 and §18A-4-8a of said code be amended and
reenacted; and that §20-7-1c of said code be amended and reenacted,

1 all to read as follows:

2 **CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR,**
3 **SECRETARY OF STATE AND ATTORNEY GENERAL; BOARD OF PUBLIC WORKS;**
4 **MISCELLANEOUS AGENCIES, COMMISSIONS, OFFICES, PROGRAMS, ETC.**

5 **ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.**

6 **§5-5-2. Granting incremental salary increases based on years of**
7 **service.**

8 (a) Every eligible employee with three or more years of
9 service shall receive an annual salary increase equal to \$60 times
10 the employee's years of service. In each fiscal year and on July
11 1, each eligible employee shall receive an annual increment
12 increase of \$60 for that fiscal year.

13 (b) Every employee becoming newly eligible as a result of
14 meeting the three years of service minimum requirement on July 1 in
15 any fiscal year ~~is entitled to~~ shall receive the annual salary
16 increase equal to \$60 times the employee's years of service, where
17 he or she has not in a previous fiscal year received the benefit of
18 an increment computation. Thereafter, the employee shall receive
19 a single annual increment increase of \$60 for each subsequent
20 fiscal year.

21 (c) Notwithstanding the three year service minimum requirement
22 in this section, all eligible employees in the employ of the state
23 on July 1, 2011, and who continue to be in the employ of the state

1 on November 30, 2011, shall receive a one-time, nonrepeating,
2 nonbase building, supplemental salary increase in the amount of two
3 percent of the eligible employee's annual minimum salary as of
4 July, 1, 2011, or \$500, whichever is greater. The supplemental
5 salary increase shall be issued on December 16, 2011, and shall not
6 be applicable to an eligible employee's annual salary in any year
7 other than the fiscal year ending June 30, 2012.

8 ~~(c)~~ (d) These incremental and supplemental increases are in
9 addition to any across-the-board, cost-of-living or percentage
10 salary increases which may be granted in any fiscal year by the
11 Legislature.

12 ~~(d)~~ (e) This section shall not be construed to prohibit other
13 pay increases based on merit, seniority, promotion or other reason,
14 if funds are available for the other pay increases: *Provided*, That
15 the executive head of each spending unit shall first grant the
16 mandated increase in compensation in this section to all eligible
17 employees prior to the consideration of any increases based on
18 merit, seniority, promotion or other reason.

19 **CHAPTER 15. PUBLIC SAFETY.**

20 **ARTICLE 2. WEST VIRGINIA STATE POLICE.**

21 **§15-2-5. Career progression system; salaries; exclusion from wages**
22 **and hour law, with supplemental payment; bond; leave**
23 **time for members called to duty in guard or reserves.**

1 (a) The superintendent shall establish within the West
2 Virginia State Police a system to provide for: The promotion of
3 members to the supervisory ranks of sergeant, first sergeant,
4 second lieutenant and first lieutenant; the classification of
5 nonsupervisory members within the field operations force to the
6 ranks of trooper, senior trooper, trooper first class or corporal;
7 the classification of members assigned to the forensic laboratory
8 as criminalist ~~I-VII~~ I-VIII; and the temporary reclassification of
9 members assigned to administrative duties as administrative support
10 specialist I-VIII.

11 (b) The superintendent may propose legislative rules for
12 promulgation in accordance with article three, chapter
13 twenty-nine-a of this code for the purpose of ensuring consistency,
14 predictability and independent review of any system developed under
15 the provisions of this section.

16 (c) The superintendent shall provide to each member a written
17 manual governing any system established under the provisions of
18 this section and specific procedures shall be identified for the
19 evaluation and testing of members for promotion or reclassification
20 and the subsequent placement of any members on a promotional
21 eligibility or reclassification recommendation list.

22 (d) The annual salaries of members shall be as follows:

23 (1) Beginning July 1, 2007 2008, until and including June 30,
24 ~~2008~~ and continuing thereafter, members shall receive annual

1 salaries as follows:

2 **ANNUAL SALARY SCHEDULE (BASE PAY)**

3 **SUPERVISORY AND NONSUPERVISORY RANKS**

4	Cadet During Training..	2,550.50 Mo.	\$30,606
5	<u>Cadet During Training..</u>	<u>\$2,752 Mo.</u>	<u>\$33,024</u>
6	Cadet Trooper After Training..	3,138.17 Mo.	37,658
7	<u>Cadet Trooper After Training..</u>	<u>\$3,357.33 Mo.</u>	<u>\$40,288</u>
8	Trooper Second Year..	39,122	<u>\$41,296</u>
9	Trooper Third Year..	39,494	<u>\$41,679</u>
10	Senior Trooper..	39,882	<u>\$42,078</u>
11	Trooper First Class..	40,470	<u>\$42,684</u>
12	Corporal..	41,058	<u>\$43,290</u>
13	Sergeant	45,234	<u>\$47,591</u>
14	First Sergeant..	47,322	<u>\$49,742</u>
15	Second Lieutenant..	49,410	<u>\$51,892</u>
16	First Lieutenant..	51,498	<u>\$54,043</u>
17	Captain..	53,586	<u>\$56,194</u>
18	Major..	55,674	<u>\$58,344</u>
19	Lieutenant Colonel..	57,762	<u>\$60,495</u>

20 **ANNUAL SALARY SCHEDULE (BASE PAY)**

21 **ADMINISTRATION SUPPORT**

22 **SPECIALIST CLASSIFICATION**

23	I..	\$39,494	<u>\$41,679</u>
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1 whichever is greater. The supplemental salary increase shall be
2 issued on December 16, 2011, and shall not be applicable to a
3 member's annual salary in any year other than the fiscal year
4 ending June 30, 2012. members shall receive annual salaries as
5 follows:

6 **~~ANNUAL SALARY SCHEDULE (BASE PAY)~~**

7 **~~SUPERVISORY AND NONSUPERVISORY RANKS~~**

8	Cadet During Training.	\$ 2,752 Mo.	\$ 33,024
9	Cadet Trooper After Training.	3,357.33 Mo.	40,288
10	Trooper Second Year.		41,296
11	Trooper Third Year.		41,679
12	Senior Trooper.		42,078
13	Trooper First Class.		42,684
14	Corporal.		43,290
15	Sergeant.		47,591
16	First Sergeant.		49,742
17	Second Lieutenant.		51,892
18	First Lieutenant.		54,043
19	Captain.		56,194
20	Major.		58,344
21	Lieutenant Colonel.		60,495

22 **~~ANNUAL SALARY SCHEDULE (BASE PAY)~~**

23 **~~ADMINISTRATION SUPPORT~~**

~~SPECIALIST CLASSIFICATION~~

1		
2	I..	-\$ 41,679
3	II..	42,078
4	III..	42,684
5	IV..	43,290
6	V..	47,591
7	VI..	49,742
8	VII..	51,892
9	VIII..	54,043

~~ANNUAL SALARY SCHEDULE (BASE PAY)~~

~~CRIMINALIST CLASSIFICATION~~

10		
11		
12	I..	-\$ 41,679
13	II..	42,078
14	III..	42,684
15	IV..	43,290
16	V..	47,591
17	VI..	49,742
18	VII..	51,892
19	VIII..	54,043

20 Each member of the West Virginia State Police whose salary is
 21 fixed and specified in this annual salary schedule is entitled to
 22 the length of service increases set forth in subsection (e) of this
 23 section and supplemental pay as provided in subsection (g) of this
 24 section.

1 (e) Each member of the West Virginia State Police whose salary
2 is fixed and specified pursuant to this section shall receive, and
3 is entitled to, an increase in salary over that set forth in
4 subsection (d) of this section for grade in rank, based on length
5 of service, including that service served before and after the
6 effective date of this section with the West Virginia State Police
7 as follows: At the end of two years of service with the West
8 Virginia State Police, the member shall receive a salary increase
9 of \$400 to be effective during his or her next year of service and
10 a like increase at yearly intervals thereafter, with the increases
11 to be cumulative.

12 (f) In applying the salary schedules set forth in this section
13 where salary increases are provided for length of service, members
14 of the West Virginia State Police in service at the time the
15 schedules become effective shall be given credit for prior service
16 and shall be paid the salaries the same length of service entitles
17 them to receive under the provisions of this section.

18 (g) The Legislature finds and declares that because of the
19 unique duties of members of the West Virginia State Police, it is
20 not appropriate to apply the provisions of state wage and hour laws
21 to them. Accordingly, members of the West Virginia State Police
22 are excluded from the provisions of state wage and hour law. This
23 express exclusion shall not be construed as any indication that the
24 members were or were not covered by the wage and hour law prior to

1 this exclusion.

2 In lieu of any overtime pay they might otherwise have received
3 under the wage and hour law, and in addition to their salaries and
4 increases for length of service, members who have completed basic
5 training and who are exempt from federal Fair Labor Standards Act
6 guidelines may receive supplemental pay as provided in this
7 section.

8 The authority of the superintendent to propose a legislative
9 rule or amendment thereto for promulgation in accordance with
10 article three, chapter twenty-nine-a of this code to establish the
11 number of hours per month which constitute the standard work month
12 for the members of the West Virginia State Police is hereby
13 continued. The rule shall further establish, on a graduated hourly
14 basis, the criteria for receipt of a portion or all of supplemental
15 payment when hours are worked in excess of the standard work month.
16 The superintendent shall certify monthly to the West Virginia State
17 Police's payroll officer the names of those members who have worked
18 in excess of the standard work month and the amount of their
19 entitlement to supplemental payment. The supplemental payment may
20 not exceed \$236 monthly. The superintendent and civilian employees
21 of the West Virginia State Police are not eligible for any
22 supplemental payments.

23 (h) Each member of the West Virginia State Police, except the
24 superintendent and civilian employees, shall execute, before

1 entering upon the discharge of his or her duties, a bond with
2 security in the sum of \$5,000 payable to the State of West
3 Virginia, conditioned upon the faithful performance of his or her
4 duties, and the bond shall be approved as to form by the Attorney
5 General and as to sufficiency by the Governor. (i) In consideration
6 for compensation paid by the West Virginia State Police to its
7 members during those members' participation in the West Virginia
8 State Police Cadet Training Program pursuant to section eight,
9 article twenty-nine, chapter thirty of this code, the West Virginia
10 State Police may require of its members by written agreement
11 entered into with each of them in advance of such participation in
12 the program that, if a member should voluntarily discontinue
13 employment any time within one year immediately following
14 completion of the training program, he or she shall be obligated to
15 pay to the West Virginia State Police a pro rata portion of such
16 compensation equal to that part of such year which the member has
17 chosen not to remain in the employ of the West Virginia State
18 Police.

19 (i) Any member of the West Virginia State Police who is called
20 to perform active duty training or inactive duty training in the
21 National Guard or any reserve component of the armed forces of the
22 United States annually shall be granted, upon request, leave time
23 not to exceed thirty calendar days for the purpose of performing the
24 active duty training or inactive duty training and the time granted

1 may not be deducted from any leave accumulated as a member of the
 2 West Virginia State Police.

3 **CHAPTER 18A. SCHOOL PERSONNEL.**

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

5 **§18A-4-2. State minimum salaries for teachers.**

6 (a) ~~Effective July 1, 2007, through June 30, 2008, each~~
 7 ~~teacher shall receive the amount prescribed in the 2007-08 State~~
 8 ~~Minimum Salary Schedule as set forth in this section, specific~~
 9 ~~additional amounts prescribed in this section or article and any~~
 10 ~~county supplement in effect in a county pursuant to section five-a~~
 11 ~~of this article during the contract year.~~

12 Effective July 1, 2008, and continuing thereafter, each
 13 teacher shall receive the amount prescribed in the 2008-09 State
 14 Minimum Salary Schedule as set forth in this section, specific
 15 additional amounts prescribed in this section or article and any
 16 county supplement in effect in a county pursuant to section five-a
 17 of this article during the contract year.

18 **~~2007-08 STATE MINIMUM SALARY SCHEDULE~~**

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Years	4th	3rd	2nd	A.B.	A.B.	M.A.	M.A.	M.A.	M.A.	Doctor
Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	ate
0	24,051	24,711	24,975	26,227	26,988	28,755	29,516	30,277	31,038	32,073
1	24,379	25,039	25,303	26,745	27,506	29,274	30,035	30,795	31,556	32,591

1	2	24,708	25,367	25,631	27,264	28,025	29,792	30,553	31,314	32,075	33,110
2	3	25,036	25,695	25,959	27,783	28,543	30,311	31,072	31,832	32,593	33,628
3	4	25,608	26,267	26,531	28,545	29,306	31,074	31,835	32,595	33,356	34,391
4	5	25,936	26,595	26,859	29,064	29,825	31,592	32,353	33,114	33,875	34,910
5	6	26,264	26,923	27,187	29,582	30,343	32,111	32,872	33,632	34,393	35,428
6	7	26,592	27,252	27,515	30,101	30,862	32,629	33,390	34,151	34,912	35,947
7	8	26,920	27,580	27,844	30,619	31,380	33,148	33,909	34,669	35,430	36,465
8	9	27,248	27,908	28,172	31,138	31,899	33,666	34,427	35,188	35,949	36,984
9	10	27,577	28,236	28,500	31,657	32,417	34,185	34,946	35,706	36,467	37,502
10	11	27,905	28,564	28,828	32,175	32,936	34,704	35,464	36,225	36,986	38,021
11	12	28,233	28,892	29,156	32,694	33,454	35,222	35,983	36,744	37,504	38,539
12	13	28,561	29,220	29,484	33,212	33,973	35,741	36,501	37,262	38,023	39,058
13	14	28,561	29,548	29,812	33,731	34,491	36,259	37,020	37,781	38,541	39,576
14	15	28,561	29,876	30,140	34,249	35,010	36,778	37,538	38,299	39,060	40,095
15	16	28,561	29,876	30,468	34,768	35,528	37,296	38,057	38,818	39,578	40,613
16	17	28,561	29,876	30,796	35,286	36,047	37,815	38,575	39,336	40,097	41,132
17	18	28,561	29,876	30,796	35,805	36,566	38,333	39,094	39,855	40,615	41,650
18	19	28,561	29,876	30,796	36,323	37,084	38,852	39,613	40,373	41,134	42,169
19	20	28,561	29,876	30,796	36,842	37,603	39,370	40,131	40,892	41,653	42,688
20	21	28,561	29,876	30,796	36,842	37,603	39,889	40,650	41,410	42,171	43,206
21	22	28,561	29,876	30,796	36,842	37,603	40,407	41,168	41,929	42,690	43,725
22	23	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,447	43,208	44,243
23	24	28,561	29,876	30,796	36,842	37,603	40,926	41,687	42,966	43,727	44,762

1	25	28,561	29,876	30,796	36,842	37,603	40,926	41,687	43,484	44,245	45,280
2	26	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
3	27	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
4	28	28,561	29,876	30,796	36,842	37,603	40,926	41,687	44,003	44,764	45,799
5	29	28,889	30,204	31,125	37,360	38,121	41,445	42,205	44,522	45,282	46,317
6	30	29,217	30,533	31,453	37,879	38,640	41,963	42,724	45,040	45,801	46,836
7	31	29,545	30,861	31,781	38,397	39,158	42,482	43,242	45,559	46,319	47,354
8	32	29,873	31,189	32,109	38,916	39,677	43,000	43,761	46,077	46,838	47,873
9	33	30,201	31,517	32,437	39,435	40,195	43,519	44,279	46,596	47,356	48,391
10	34	30,529	31,845	32,765	39,953	40,714	44,037	44,798	47,114	47,875	48,910
11	35	30,857	32,173	33,093	40,472	41,232	44,556	45,316	47,633	48,393	49,428

2008-09 STATE MINIMUM SALARY SCHEDULE

13	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
14	Years	4th	3rd	2nd	A.B.	A.B.	M.A.	M.A.	M.A.	M.A.	Doc-
15	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	torate
16	0	25,651	26,311	26,575	27,827	28,588	30,355	31,116	31,877	32,638	33,673
17	1	25,979	26,639	26,903	28,345	29,106	30,874	31,635	32,395	33,156	34,191
18	2	26,308	26,967	27,231	28,864	29,625	31,392	32,153	32,914	33,675	34,710
19	3	26,636	27,295	27,559	29,383	30,143	31,911	32,672	33,432	34,193	35,228
20	4	27,208	27,867	28,131	30,145	30,906	32,674	33,435	34,195	34,956	35,991
21	5	27,536	28,195	28,459	30,664	31,425	33,192	33,953	34,714	35,475	36,510
22	6	27,864	28,523	28,787	31,182	31,943	33,711	34,472	35,232	35,993	37,028
23	7	28,192	28,852	29,115	31,701	32,462	34,229	34,990	35,751	36,512	37,547
24	8	28,520	29,180	29,444	32,219	32,980	34,748	35,509	36,269	37,030	38,065
25	9	28,848	29,508	29,772	32,738	33,499	35,266	36,027	36,788	37,549	38,584
26	10	29,177	29,836	30,100	33,258	34,018	35,786	36,547	37,308	38,068	39,103

1	11	29,505	30,164	30,428	33,776	34,537	36,305	37,065	37,826	38,587	39,622
2	12	29,833	30,492	30,756	34,295	35,055	36,823	37,584	38,345	39,105	40,140
3	13	30,161	30,820	31,084	34,813	35,574	37,342	38,102	38,863	39,624	40,659
4	14	30,489	31,148	31,412	35,332	36,092	37,860	38,621	39,382	40,142	41,177
5	15	30,817	31,476	31,740	35,850	36,611	38,379	39,139	39,900	40,661	41,696
6	16	31,145	31,804	32,068	36,369	37,129	38,897	39,658	40,419	41,179	42,214
7	17	31,473	32,133	32,396	36,887	37,648	39,416	40,177	40,937	41,698	42,733
8	18	31,801	32,461	32,725	37,406	38,167	39,934	40,695	41,456	42,217	43,252
9	19	32,129	32,789	33,053	37,924	38,685	40,453	41,214	41,974	42,735	43,770
10	20	32,457	33,117	33,381	38,443	39,204	40,971	41,732	42,493	43,254	44,289
11	21	32,786	33,445	33,709	38,961	39,722	41,490	42,251	43,011	43,772	44,807
12	22	33,114	33,773	34,037	39,480	40,241	42,008	42,769	43,530	44,291	45,326
13	23	33,442	34,101	34,365	39,999	40,759	42,527	43,288	44,048	44,809	45,844
14	24	33,770	34,429	34,693	40,517	41,278	43,046	43,806	44,567	45,328	46,363
15	25	34,098	34,757	35,021	41,036	41,796	43,564	44,325	45,086	45,846	46,881
16	26	34,426	35,085	35,349	41,554	42,315	44,083	44,843	45,604	46,365	47,400
17	27	34,754	35,413	35,677	42,073	42,833	44,601	45,362	46,123	46,883	47,918
18	28	35,082	35,742	36,005	42,591	43,352	45,120	45,880	46,641	47,402	48,437
19	29	35,410	36,070	36,334	43,110	43,870	45,638	46,399	47,160	47,920	48,955
20	30	35,738	36,398	36,662	43,628	44,389	46,157	46,917	47,678	48,439	49,474
21	31	36,067	36,726	36,990	44,147	44,908	46,675	47,436	48,197	48,957	49,992
22	32	36,395	37,054	37,318	44,665	45,426	47,194	47,955	48,715	49,476	50,511
23	33	36,723	37,382	37,646	45,184	45,945	47,712	48,473	49,234	49,995	51,030
24	34	37,051	37,710	37,974	45,702	46,463	48,231	48,992	49,752	50,513	51,548
25	35	37,379	38,038	38,302	46,221	46,982	48,749	49,510	50,271	51,032	52,067

26 (b) Six hundred dollars shall be paid annually to each
27 classroom teacher who has at least twenty years of teaching
28 experience. The payments: (i) Shall be in addition to any
29 amounts prescribed in the applicable state minimum salary
30 schedule; (ii) shall be paid in equal monthly installments; and

1 (iii) shall be considered a part of the state minimum salaries for
2 teachers.

3 (c) All classroom teachers in the employ of a county board of
4 education at the beginning of the 2011-12 school year and who
5 continue to be in the employ of a county board of education on
6 November 30, 2011, shall receive a one-time, nonrepeating, nonbase
7 building, supplemental salary increase in the amount of \$800. The
8 supplemental salary increase shall be issued on December 16, 2011,
9 and shall not be applicable to a classroom teacher's minimum
10 annual salary in any year other than the fiscal year ending June
11 30, 2012.

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

13 **§18A-4-8a. Service personnel minimum monthly salaries.**

14 (a) The minimum monthly pay for each service employee shall
15 be as follows:

16 (1) The minimum monthly pay for each service employee whose
17 employment is for a period of more than three and one-half hours
18 a day shall be at least the amounts indicated in the state minimum
19 pay scale pay grade and the minimum monthly pay for each service
20 employee whose employment is for a period of three and one-half
21 hours or less a day shall be at least one-half the amount
22 indicated in the state minimum pay scale pay grade set forth in
23 this ~~section~~ subdivision.

1	STATE MINIMUM PAY SCALE PAY GRADE								
2	Years								
3	Exp.	A	B	C	D	E	F	G	H
5	0	1,577	1,598	1,639	1,691	1,743	1,805	1,836	1,908
6	1	1,609	1,630	1,671	1,723	1,775	1,837	1,868	1,940
7	2	1,641	1,662	1,703	1,755	1,807	1,869	1,900	1,972
8	3	1,673	1,694	1,735	1,787	1,839	1,901	1,932	2,004
9	4	1,705	1,726	1,767	1,819	1,871	1,933	1,964	2,037
10	5	1,737	1,758	1,799	1,851	1,903	1,965	1,996	2,069
11	6	1,769	1,790	1,832	1,883	1,935	1,997	2,028	2,101
12	7	1,802	1,822	1,864	1,915	1,967	2,029	2,060	2,133
13	8	1,834	1,854	1,896	1,947	1,999	2,061	2,092	2,165
14	9	1,866	1,886	1,928	1,980	2,031	2,093	2,124	2,197
15	10	1,898	1,919	1,960	2,012	2,063	2,126	2,157	2,229
16	11	1,930	1,951	1,992	2,044	2,095	2,158	2,189	2,261
17	12	1,962	1,983	2,024	2,076	2,128	2,190	2,221	2,293
18	13	1,994	2,015	2,056	2,108	2,160	2,222	2,253	2,325
19	14	2,026	2,047	2,088	2,140	2,192	2,254	2,285	2,357
20	15	2,058	2,079	2,120	2,172	2,224	2,286	2,317	2,389
21	16	2,090	2,111	2,152	2,204	2,256	2,318	2,349	2,422
22	17	2,122	2,143	2,185	2,236	2,288	2,350	2,381	2,454
23	18	2,154	2,175	2,217	2,268	2,320	2,382	2,413	2,486
24	19	2,187	2,207	2,249	2,300	2,352	2,414	2,445	2,518
25	20	2,219	2,239	2,281	2,333	2,384	2,446	2,477	2,550
26	21	2,251	2,271	2,313	2,365	2,416	2,478	2,509	2,582
27	22	2,283	2,304	2,345	2,397	2,448	2,511	2,542	2,614
28	23	2,315	2,336	2,377	2,429	2,481	2,543	2,574	2,646
29	24	2,347	2,368	2,409	2,461	2,513	2,575	2,606	2,678
30	25	2,379	2,400	2,441	2,493	2,545	2,607	2,638	2,710
31	26	2,411	2,432	2,473	2,525	2,577	2,639	2,670	2,742
32	27	2,443	2,464	2,505	2,557	2,609	2,671	2,702	2,774

STATE MINIMUM PAY SCALE PAY GRADE

Years										
	Exp.									
1	28	2,475	2,496	2,537	2,589	2,641	2,703	2,734	2,807	
2	29	2,507	2,528	2,570	2,621	2,673	2,735	2,766	2,839	
3	30	2,540	2,560	2,602	2,653	2,705	2,767	2,798	2,871	
4	31	2,572	2,592	2,634	2,685	2,737	2,799	2,830	2,903	
5	32	2,604	2,624	2,666	2,718	2,769	2,831	2,862	2,935	
6	33	2,636	2,656	2,698	2,750	2,801	2,863	2,895	2,967	
7	34	2,668	2,689	2,730	2,782	2,833	2,896	2,927	2,999	
8	35	2,700	2,721	2,762	2,814	2,866	2,928	2,959	3,031	
9	36	2,732	2,753	2,794	2,846	2,898	2,960	2,991	3,063	
10	37	2,764	2,785	2,826	2,878	2,930	2,992	3,023	3,095	
11	38	2,796	2,817	2,858	2,910	2,962	3,024	3,055	3,127	
12	39	2,828	2,849	2,890	2,942	2,994	3,056	3,087	3,159	
13	40	2,860	2,881	2,922	2,974	3,026	3,088	3,119	3,192	

14 (2) Each service employee shall receive the amount prescribed
 15 in the Minimum Pay Scale in accordance with the provisions of this
 16 subsection according to their class title and pay grade as set
 17 forth in this subdivision:

18	CLASS TITLE	P	A	Y
19		GRADE		
20	Accountant I.			D
21	Accountant II.. . . .			E
22	Accountant II <u>III</u>			F
23	Accounts Payable Supervisor.. . . .			G
24	Aide I.			A
25	Aide II.. . . .			B

1	Aide III.	C
2	Aide IV..	D
3	Audiovisual Technician.	C
4	Auditor..	G
5	Autism Mentor..	E
6	Braille or Sign Language Specialist..	E
7	Bus Operator.	D
8	Buyer..	F
9	Cabinetmaker.	G
10	Cafeteria Manager..	D
11	Carpenter I..	E
12	Carpenter II.	F
13	Chief Mechanic.	G
14	Clerk I..	B
15	Clerk II.	C
16	Computer Operator..	E
17	Cook I.	A
18	Cook II..	B
19	Cook III.	C
20	Crew Leader..	F
21	Custodian I..	A
22	Custodian II.	B
23	Custodian III..	C
24	Custodian IV.	D

1	Director or Coordinator of Services..	H
2	Draftsman..	D
3	Electrician I..	F
4	Electrician II..	G
5	Electronic Technician I..	F
6	Electronic Technician II..	G
7	Executive Secretary..	G
8	Food Services Supervisor..	G
9	Foreman..	G
10	General Maintenance..	C
11	Glazier..	D
12	Graphic Artist..	D
13	Groundsman..	B
14	Handyman..	B
15	Heating and Air Conditioning Mechanic I..	E
16	Heating and Air Conditioning Mechanic II..	G
17	Heavy Equipment Operator..	E
18	Inventory Supervisor..	D
19	Key Punch Operator..	B
20	Licensed Practical Nurse..	F
21	Locksmith..	G
22	Lubrication Man..	C
23	Machinist..	F
24	Mail Clerk..	D

1	Maintenance Clerk..	C
2	Mason..	G
3	Mechanic.	F
4	Mechanic Assistant.	E
5	Office Equipment Repairman I.	F
6	Office Equipment Repairman II..	G
7	Painter..	E
8	Paraprofessional.	F
9	Payroll Supervisor.	G
10	Plumber I..	E
11	Plumber II.	G
12	Printing Operator..	B
13	Printing Supervisor..	D
14	Programmer.	H
15	Roofing/Sheet Metal Mechanic.	F
16	Sanitation Plant Operator..	F
17	School Bus Supervisor..	E
18	Secretary I..	D
19	Secretary II.	E
20	Secretary III..	F
21	Supervisor of Maintenance..	H
22	Supervisor of Transportation.	H
23	Switchboard Operator-Receptionist..	D
24	Truck Driver.	D

1	Warehouse Clerk..	C
2	Watchman.	B
3	Welder.	F
4	WVEIS Data Entry and Administrative Clerk..	B

5 (3) All service employees in the employ of a county board of
6 education at the beginning of the 2011-12 school year and who
7 continue to be in the employ of a county board of education on
8 November 30, 2011, shall receive a one-time, nonrepeating, nonbase
9 building, supplemental salary increase in the amount of \$500. The
10 supplemental salary increase shall be issued on December 16, 2011,
11 and shall not be applicable to a service employee's minimum annual
12 salary in any year other than the fiscal year ending June 30,
13 2012.

14 (b) An additional \$12 per month shall be added to the minimum
15 monthly pay of each service employee who holds a high school
16 diploma or its equivalent.

17 (c) An additional \$11 per month also shall be added to the
18 minimum monthly pay of each service employee for each of the
19 following:

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

23 (2) A service employee who holds twenty-four college hours or
24 comparable credit obtained in a trade or vocational school as

1 approved by the state board;

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

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

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

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

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

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

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

23 (10) A service employee who holds one hundred twenty college
24 hours or comparable credit obtained in a trade or vocational

1 school as approved by the state board;

2 (d) An additional \$40 per month also shall be added to the
3 minimum monthly pay of each service employee for each of the
4 following:

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

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

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

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

9 (e) An additional \$11 per month shall be added to the minimum
10 monthly pay of each service employee for each of the following:

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

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

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

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

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

21 (f) When any part of a school service employee's daily shift
22 of work is performed between the hours of six o'clock p.m. and
23 five o'clock a.m. the following day, the employee shall be paid no
24 less than an additional \$10 per month and one half of the pay

1 shall be paid with local funds.

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

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

11 (i) No service employee may have his or her daily work
12 schedule changed during the school year without the employee's
13 written consent and the employee's required daily work hours may
14 not be changed to prevent the payment of time and one-half wages
15 or the employment of another employee.

16 (j) The minimum hourly rate of pay for extra duty assignments
17 as defined in section eight-b of this article shall be no less
18 than one seventh of the employee's daily total salary for each
19 hour the employee is involved in performing the assignment and
20 paid entirely from local funds: *Provided*, That an alternative
21 minimum hourly rate of pay for performing extra duty assignments
22 within a particular category of employment may be used if the
23 alternate hourly rate of pay is approved both by the county board
24 and by the affirmative vote of a two-thirds majority of the

1 regular full-time employees within that classification category of
2 employment within that county: *Provided, however,* That the vote
3 shall be by secret ballot if requested by a service personnel
4 employee within that classification category within that county.
5 The salary for any fraction of an hour the employee is involved in
6 performing the assignment shall be prorated accordingly. When
7 performing extra duty assignments, employees who are regularly
8 employed on a one-half day salary basis shall receive the same
9 hourly extra duty assignment pay computed as though the employee
10 were employed on a full-day salary basis.

11 (k) The minimum pay for any service personnel employees
12 engaged in the removal of asbestos material or related duties
13 required for asbestos removal shall be their regular total daily
14 rate of pay and no less than an additional \$3 per hour or no less
15 than \$5 per hour for service personnel supervising asbestos
16 removal responsibilities for each hour these employees are
17 involved in asbestos related duties. Related duties required for
18 asbestos removal include, but are not limited to, travel,
19 preparation of the work site, removal of asbestos decontamination
20 of the work site, placing and removal of equipment and removal of
21 structures from the site. If any member of an asbestos crew is
22 engaged in asbestos related duties outside of the employee's
23 regular employment county, the daily rate of pay shall be no less
24 than the minimum amount as established in the employee's regular

1 employment county for asbestos removal and an additional \$30 per
2 each day the employee is engaged in asbestos removal and related
3 duties. The additional pay for asbestos removal and related
4 duties shall be payable entirely from county funds. Before
5 service personnel employees may be used in the removal of asbestos
6 material or related duties, they shall have completed a federal
7 Environmental Protection Act approved training program and be
8 licensed. The employer shall provide all necessary protective
9 equipment and maintain all records required by the Environmental
10 Protection Act.

11 (1) For the purpose of qualifying for additional pay as
12 provided in section eight, article five of this chapter, an aide
13 shall be considered to be exercising the authority of a
14 supervisory aide and control over pupils if the aide is required
15 to supervise, control, direct, monitor, escort or render service
16 to a child or children when not under the direct supervision of
17 certified professional personnel within the classroom, library,
18 hallway, lunchroom, gymnasium, school building, school grounds or
19 wherever supervision is required. For purposes of this section,
20 "under the direct supervision of certified professional personnel"
21 means that certified professional personnel is present, with and
22 accompanying the aide.

23 **CHAPTER 20. NATURAL RESOURCES.**

24 **ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.**

1 **§20-7-1c. Conservation officers, ranks, salary schedule, base**
2 **pay, exceptions.**

3 (a) Notwithstanding any provision of this code to the
4 contrary, the ranks within the law-enforcement section of the
5 Division of Natural Resources are colonel, lieutenant colonel,
6 major, captain, lieutenant, sergeant, corporal, conservation
7 officer first class, senior conservation officer, conservation
8 officer and conservation officer-in-training. Each officer while
9 in uniform shall wear the insignia of rank as provided by the
10 chief conservation officer.

11 (b) Beginning July 1, 2002, and continuing thereafter,
12 conservation officers shall be paid the minimum annual salaries
13 based on the following schedule:

14 **ANNUAL SALARY SCHEDULE (BASE PAY)**

15 **SUPERVISORY AND NONSUPERVISORY RANKS**

16 Conservation Officer-In-Training (first year until end of	
17 probation).....	\$26,337
18 Conservation Officer (second year).....	\$29,768
19 Conservation Officer (third year).....	\$30,140
20 Senior Conservation Officer (fourth and fifth year).....	\$30,440
21 Senior Conservation Officer First Class (after fifth year) ..	\$32,528
22 Senior Conservation Officer (after tenth year).....	\$33,104
23 Senior Conservation Officer (after fifteenth year).....	\$33,528

1	Corporal (after sixteenth year).....	\$36,704
2	Sergeant.....	\$40,880
3	First Sergeant.....	\$42,968
4	Lieutenant.....	\$47,144
5	Captain.....	\$49,232
6	Major.....	\$51,320
7	Lieutenant Colonel.....	\$53,408
8	Colonel.....	

9 Conservation officers in service at the time the amendment to
10 this section becomes effective shall be given credit for prior
11 service and shall be paid salaries ~~as~~ the same length of service
12 ~~will entitle~~ entitles them to receive under the provisions of this
13 section.

14 (c) This section does not apply to special or emergency
15 conservation officers appointed under the authority of section one
16 of this article.

17 (d) Nothing in this section prohibits other pay increases as
18 provided for under section two, article five, chapter five of this
19 code: *Provided*, That any across-the-board pay increase granted by
20 the Legislature or the Governor will be added to, and reflected
21 in, the minimum salaries set forth in this section; and that any
22 merit increases granted to an officer over and above the annual
23 salary schedule listed in subsection (b) of this section are
24 retained by an officer when he or she advances from one rank to

1 another.

2 (e) Notwithstanding any other provision of this section, all
3 conservation officers in the employ of the state on July 1, 2011,
4 and who continue to be in the employ of the state on November 30,
5 2011, shall receive a one-time, nonrepeating, nonbase building,
6 supplemental salary increase in the amount of two percent of the
7 conservation officer's minimum annual salary as provided in this
8 section, or \$500, whichever is greater. The supplemental salary
9 increase shall be issued on December 16, 2011, and shall not be
10 applicable to a conservation officer's minimum annual salary in
11 any year other than the fiscal year ending June 30, 2012.

NOTE: The purpose of this bill is to provide a one-time, nonbase building, supplemental salary increase for state employees, teachers, service personnel, members of the West Virginia State Police and conservation officers.

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