

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 COMMITTEE SUBSTITUTE

5 FOR

6 **Senate Bill No. 391**

7 (BY SENATORS KESSLER (MR. PRESIDENT) AND M. HALL,

8 BY REQUEST OF THE EXECUTIVE)

9 _____
10 [Passed March 8, 2014; to take effect July 1, 2014]
11 _____

12
13
14 AN ACT to amend to amend and reenact §18A-4-2 and §18A-4-8a of the
15 Code of West Virginia, 1931, as amended, all relating to
16 generally to increasing compensation for teachers and school
17 service personnel; and expressing legislative goal.

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

19 That §18A-4-2 and §18A-4-8a of the Code of West Virginia,
20 1931, as amended, be amended and reenacted, all to read as follows:

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

22 **§18A-4-2. State minimum salaries for teachers.**

23 (a) It is the goal of the Legislature to increase the state
24 minimum salary for teachers with zero years of experience and an A.

1 B. degree, including the equity supplement, to at least \$43,000 by
 2 fiscal year 2019.

3 (b) Beginning July 1, 2014, and continuing thereafter, each
 4 teacher shall receive the amount prescribed in the State Minimum
 5 Salary Schedule as set forth in this section, specific additional
 6 amounts prescribed in this section or article and any county
 7 supplement in effect in a county pursuant to section five-a of this
 8 article during the contract year.

9 **STATE MINIMUM SALARY SCHEDULE**

10	Years	4th	3rd	2nd	A.B.		M.A.		M.A.	M.A.	Doc-
11	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	torate
12											
13	0	27,917	28,606	28,872	30,315	31,076	32,843	33,604	34,365	35,126	36,161
14	1	28,245	28,934	29,200	30,833	31,594	33,362	34,123	34,883	35,644	36,679
15	2	28,574	29,262	29,528	31,352	32,113	33,880	34,641	35,402	36,163	37,198
16	3	28,902	29,590	29,856	31,871	32,631	34,399	35,160	35,920	36,681	37,716
17	4	29,474	30,162	30,428	32,633	33,394	35,162	35,923	36,683	37,444	38,479
18	5	29,802	30,490	30,756	33,152	33,913	35,680	36,441	37,202	37,963	38,998
19	6	30,130	30,818	31,084	33,670	34,431	36,199	36,960	37,720	38,481	39,516
20	7	30,458	31,147	31,412	34,189	34,950	36,717	37,478	38,239	39,000	40,035
21	8	30,786	31,475	31,741	34,707	35,468	37,236	37,997	38,757	39,518	40,553
22	9	31,114	31,803	32,069	35,226	35,987	37,754	38,515	39,276	40,037	41,072
23	10	31,443	32,131	32,397	35,746	36,506	38,274	39,035	39,796	40,556	41,591
24	11	31,771	32,459	32,725	36,264	37,025	38,793	39,553	40,314	41,075	42,110
25	12	32,099	32,787	33,053	36,783	37,543	39,311	40,072	40,833	41,593	42,628
26	13	32,427	33,115	33,381	37,301	38,062	39,830	40,590	41,351	42,112	43,147
27	14	32,755	33,443	33,709	37,820	38,580	40,348	41,109	41,870	42,630	43,665
28	15	33,083	33,771	34,037	38,338	39,099	40,867	41,627	42,388	43,149	44,184
29	16	33,411	34,099	34,365	38,857	39,617	41,385	42,146	42,907	43,667	44,702
30	17	33,739	34,428	34,693	39,375	40,136	41,904	42,665	43,425	44,186	45,221
31	18	34,067	34,756	35,022	39,894	40,655	42,422	43,183	43,944	44,705	45,740
32	19	34,395	35,084	35,350	40,412	41,173	42,941	43,702	44,462	45,223	46,258
33	20	34,723	35,412	35,678	40,931	41,692	43,459	44,220	44,981	45,742	46,777

1	21	35,052	35,740	36,006	41,449	42,210	43,978	44,739	45,499	46,260	47,295
2	22	35,380	36,068	36,334	41,968	42,729	44,496	45,257	46,018	46,779	47,814
3	23	35,708	36,396	36,662	42,487	43,247	45,015	45,776	46,536	47,297	48,332
4	24	36,036	36,724	36,990	43,005	43,766	45,534	46,294	47,055	47,816	48,851
5	25	36,364	37,052	37,318	43,524	44,284	46,052	46,813	47,574	48,334	49,369
6	26	36,692	37,380	37,646	44,042	44,803	46,571	47,331	48,092	48,853	49,888
7	27	37,020	37,708	37,974	44,561	45,321	47,089	47,850	48,611	49,371	50,406
8	28	37,348	38,037	38,302	45,079	45,840	47,608	48,368	49,129	49,890	50,925
9	29	37,676	38,365	38,631	45,598	46,358	48,126	48,887	49,648	50,408	51,443
10	30	38,004	38,693	38,959	46,116	46,877	48,645	49,405	50,166	50,927	51,962
11	31	38,333	39,021	39,287	46,635	47,396	49,163	49,924	50,685	51,445	52,480
12	32	38,661	39,349	39,615	47,153	47,914	49,682	50,443	51,203	51,964	52,999
13	33	38,989	39,677	39,943	47,672	48,433	50,200	50,961	51,722	52,483	53,518
14	34	39,317	40,005	40,271	48,190	48,951	50,719	51,480	52,240	53,001	54,036
15	35	39,645	40,333	40,599	48,709	49,470	51,237	51,998	52,759	53,520	54,555

16 (c) Six hundred dollars shall be paid annually to each
17 classroom teacher who has at least twenty years of teaching
18 experience. The payments: (i) Shall be in addition to any amounts
19 prescribed in the applicable State Minimum Salary Schedule; (ii)
20 shall be paid in equal monthly installments; and (iii) shall be
21 considered a part of the state minimum salaries for teachers.

22 (d) To meet the objective of salary equity among the counties
23 as set forth in section five of this article, each teacher shall be
24 paid an equity supplement amount as applicable for his or her
25 classification of certification or classification of training and
26 years of experience as follows, subject to the provisions of that
27 section:

28 (1) For "4th Class" at zero years of experience, \$1,781. An
29 additional \$38 shall be paid for each year of experience up to and
30 including thirty-five years of experience;

1 (2) For "3rd Class" at zero years of experience, \$1,796. An
2 additional \$67 shall be paid for each year of experience up to and
3 including thirty-five years of experience;

4 (3) For "2nd Class" at zero years of experience, \$1,877. An
5 additional \$69 shall be paid for each year of experience up to and
6 including thirty-five years of experience;

7 (4) For "A. B." at zero years of experience, \$2,360. An
8 additional \$69 shall be paid for each year of experience up to and
9 including thirty-five years of experience;

10 (5) For "A. B. + 15" at zero years of experience, \$2,452.
11 An additional \$69 shall be paid for each year of experience up to
12 and including thirty-five years of experience;

13 (6) For "M. A." at zero years of experience, \$2,644. An
14 additional \$69 shall be paid for each year of experience up to and
15 including thirty-five years of experience;

16 (7) For "M. A. + 15" at zero years of experience, \$2,740.
17 An additional \$69 shall be paid for each year of experience up to
18 and including thirty-five years of experience;

19 (8) For "M. A. + 30" at zero years of experience, \$2,836.
20 An additional \$69 shall be paid for each year of experience up to
21 and including thirty-five years of experience;

22 (9) For "M. A. + 45" at zero years of experience, \$2,836.
23 An additional \$69 shall be paid for each year of experience up to
24 and including thirty-five years of experience; and

1 (10) For "Doctorate" at zero years of experience, \$2,927. An
2 additional \$69 shall be paid for each year of experience up to and
3 including thirty-five years of experience.

4 These payments: (i) Shall be in addition to any amounts
5 prescribed in the applicable State Minimum Salary Schedule, any
6 specific additional amounts prescribed in this section and article
7 and any county supplement in effect in a county pursuant to section
8 five-a of this article; (ii) shall be paid in equal monthly
9 installments; and (iii) shall be considered a part of the state
10 minimum salaries for teachers.

11 **§18A-4-8a. Service personnel minimum monthly salaries.**

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

14 (1) Beginning July 1, 2014, and continuing thereafter, the
15 minimum monthly pay for each service employee whose employment is
16 for a period of more than three and one-half hours a day shall be
17 at least the amounts indicated in the State Minimum Pay Scale Pay
18 Grade and the minimum monthly pay for each service employee whose
19 employment is for a period of three and one-half hours or less a
20 day shall be at least one-half the amount indicated in the State
21 Minimum Pay Scale Pay Grade set forth in this subdivision.

22
23 STATE MINIMUM PAY SCALE PAY GRADE
24 Years Exp. Pay Grade
25 A B C D E F G H
26 0 1,660 1,681 1,723 1,776 1,829 1,892 1,924 1,997

1	1	1,692	1,714	1,755	1,808	1,862	1,925	1,956	2,030
2	2	1,725	1,746	1,788	1,841	1,894	1,957	1,989	2,062
3	3	1,757	1,779	1,821	1,874	1,927	1,990	2,022	2,095
4	4	1,790	1,812	1,853	1,906	1,959	2,023	2,054	2,129
5	5	1,823	1,844	1,886	1,939	1,992	2,055	2,087	2,161
6	6	1,855	1,877	1,920	1,972	2,025	2,088	2,120	2,194
7	7	1,889	1,909	1,952	2,004	2,057	2,121	2,152	2,227
8	8	1,922	1,942	1,985	2,037	2,090	2,153	2,185	2,259
9	9	1,954	1,975	2,018	2,071	2,123	2,186	2,217	2,292
10	10	1,987	2,008	2,050	2,103	2,155	2,220	2,251	2,325
11	11	2,020	2,041	2,083	2,136	2,188	2,252	2,284	2,357
12	12	2,052	2,074	2,115	2,169	2,222	2,285	2,316	2,390
13	13	2,085	2,106	2,148	2,201	2,254	2,317	2,349	2,423
14	14	2,118	2,139	2,181	2,234	2,287	2,350	2,382	2,455
15	15	2,150	2,172	2,213	2,266	2,319	2,383	2,414	2,488
16	16	2,183	2,204	2,246	2,299	2,352	2,415	2,447	2,521
17	17	2,215	2,237	2,280	2,332	2,385	2,448	2,480	2,554
18	18	2,248	2,270	2,312	2,364	2,417	2,481	2,512	2,587
19	19	2,282	2,302	2,345	2,397	2,450	2,513	2,545	2,619
20	20	2,314	2,335	2,378	2,431	2,483	2,546	2,578	2,653
21	21	2,347	2,367	2,410	2,463	2,515	2,579	2,610	2,687
22	22	2,380	2,401	2,443	2,496	2,548	2,612	2,644	2,719
23	23	2,412	2,434	2,476	2,529	2,582	2,646	2,678	2,753
24	24	2,445	2,466	2,508	2,561	2,614	2,680	2,711	2,787
25	25	2,478	2,499	2,541	2,594	2,648	2,712	2,745	2,819
26	26	2,510	2,532	2,573	2,628	2,682	2,746	2,777	2,853
27	27	2,543	2,564	2,606	2,660	2,714	2,778	2,811	2,886
28	28	2,576	2,597	2,640	2,694	2,748	2,812	2,845	2,920
29	29	2,608	2,631	2,673	2,726	2,781	2,846	2,877	2,954
30	30	2,642	2,663	2,707	2,760	2,814	2,878	2,911	2,987
31	31	2,675	2,697	2,741	2,794	2,848	2,912	2,945	3,020
32	32	2,709	2,730	2,773	2,827	2,880	2,946	2,977	3,054
33	33	2,743	2,763	2,807	2,861	2,914	2,978	3,011	3,087
34	34	2,775	2,797	2,841	2,895	2,948	3,012	3,045	3,120

1	35	2,809	2,831	2,873	2,927	2,980	3,046	3,078	3,154
2	36	2,843	2,864	2,907	2,961	3,015	3,079	3,112	3,186
3	37	2,875	2,898	2,941	2,995	3,049	3,113	3,145	3,220
4	38	2,909	2,930	2,973	3,027	3,081	3,146	3,178	3,254
5	39	2,943	2,964	3,007	3,061	3,115	3,179	3,212	3,286
6	40	2,975	2,998	3,040	3,094	3,149	3,213	3,245	3,320

7
8 (2) Each service employee shall receive the amount prescribed
9 in the Minimum Pay Scale in accordance with the provisions of this
10 subsection according to their class title and pay grade as set
11 forth in this subdivision:

12 CLASS TITLE	PAY GRADE
13 Accountant I.	D
14 Accountant II.. . . .	E
15 Accountant III.	F
16 Accounts Payable Supervisor.. . . .	G
17 Aide I.	A
18 Aide II.. . . .	B
19 Aide III.	C
20 Aide IV.. . . .	D
21 Audiovisual Technician.	C
22 Auditor.. . . .	G
23 Autism Mentor.. . . .	F
24 Braille Specialist.	E
25 Bus Operator.	D
26 Buyer.. . . .	F
27 Cabinetmaker.	G

1 Cafeteria Manager..	D
2 Carpenter I..	E
3 Carpenter II..	F
4 Chief Mechanic.	G
5 Clerk I..	B
6 Clerk II..	C
7 Computer Operator..	E
8 Cook I.	A
9 Cook II..	B
10 Cook III..	C
11 Crew Leader..	F
12 Custodian I..	A
13 Custodian II..	B
14 Custodian III..	C
15 Custodian IV.	D
16 Director or Coordinator of Services..	H
17 Draftsman..	D
18 Early Childhood Classroom Assistant Teacher -	
19 Temporary Authorization..	E
20 Early Childhood Classroom Assistant Teacher -	
21 Permanent Authorization..	E
22 Early Childhood Classroom Assistant Teacher -	
23 Paraprofessional Certificate..	F
24 Educational Sign Language Interpreter I..	F

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

1	Mason..	G
2	Mechanic.	F
3	Mechanic Assistant.	E
4	Office Equipment Repairman I.	F
5	Office Equipment Repairman II.. . . .	G
6	Painter..	E
7	Paraprofessional.	F
8	Payroll Supervisor.	G
9	Plumber I..	E
10	Plumber II.	G
11	Printing Operator..	B
12	Printing Supervisor..	D
13	Programmer.	H
14	Roofing/Sheet Metal Mechanic.	F
15	Sanitation Plant Operator..	G
16	School Bus Supervisor..	E
17	Secretary I..	D
18	Secretary II.	E
19	Secretary III..	F
20	Sign Support Specialist..	E
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 (b) An additional \$12 per month is added to the minimum
 6 monthly pay of each service person who holds a high school diploma
 7 or its equivalent.

8 (c) An additional \$11 per month also is added to the minimum
 9 monthly pay of each service person for each of the following:

10 (1) A service person who holds twelve college hours or
 11 comparable credit obtained in a trade or vocational school as
 12 approved by the state board;

13 (2) A service person who holds twenty-four college hours or
 14 comparable credit obtained in a trade or vocational school as
 15 approved by the state board;

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

19 (4) A service person who holds forty-eight college hours or
 20 comparable credit obtained in a trade or vocational school as
 21 approved by the state board;

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

1 (6) A service person who holds seventy-two college hours or
2 comparable credit obtained in a trade or vocational school as
3 approved by the state board;

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

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

10 (9) A service person who holds one hundred eight college hours
11 or comparable credit obtained in a trade or vocational school as
12 approved by the state board;

13 (10) A service person who holds one hundred twenty college
14 hours or comparable credit obtained in a trade or vocational school
15 as approved by the state board.

16 (d) An additional \$40 per month also is added to the minimum
17 monthly pay of each service person for each of the following:

18 (1) A service person who holds an associate's degree;

19 (2) A service person who holds a bachelor's degree;

20 (3) A service person who holds a master's degree;

21 (4) A service person who holds a doctorate degree.

22 (e) An additional \$11 per month is added to the minimum
23 monthly pay of each service person for each of the following:

1 (1) A service person who holds a bachelor's degree plus
2 fifteen college hours;

3 (2) A service person who holds a master's degree plus fifteen
4 college hours;

5 (3) A service person who holds a master's degree plus thirty
6 college hours;

7 (4) A service person who holds a master's degree plus
8 forty-five college hours; and

9 (5) A service person who holds a master's degree plus sixty
10 college hours.

11 (f) To meet the objective of salary equity among the counties,
12 each service person is paid an equity supplement, as set forth in
13 section five of this article, of \$164 per month, subject to the
14 provisions of that section. These payments: (i) Are in addition to
15 any amounts prescribed in the applicable State Minimum Pay Scale
16 Pay Grade, any specific additional amounts prescribed in this
17 section and article and any county supplement in effect in a county
18 pursuant to section five-b of this article; (ii) are paid in equal
19 monthly installments; and (iii) are considered a part of the state
20 minimum salaries for service personnel.

21 (g) When any part of a school service person's daily shift of
22 work is performed between the hours of six o'clock p. m. and five
23 o'clock a. m. the following day, the employee is paid no less

1 than an additional \$10 per month and one half of the pay is paid
2 with local funds.

3 (h) Any service person required to work on any legal school
4 holiday is paid at a rate one and one-half times the person's usual
5 hourly rate.

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

12 (j) A service person may not have his or her daily work
13 schedule changed during the school year without the employee's
14 written consent and the person's required daily work hours may not
15 be changed to prevent the payment of time and one-half wages or the
16 employment of another employee.

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

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

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

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

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