

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4142

FISCAL
NOTE

BY MR. SPEAKER (MR. ARMSTEAD) AND DELEGATE MILEY

[BY REQUEST OF THE EXECUTIVE]

[Introduced January 16, 2018; Referred
to the Committee on Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5-5-4b, relating to providing certain employees of the Division of Corrections,
 3 Division of Juvenile Services, and West Virginia Regional Jail and Correctional Facility
 4 Authority a pay equity salary adjustment.

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 employees of the Division of Corrections, Division of Juvenile Services, and the West
 6 Virginia Regional Jail and Correctional Facility Authority that are employed at a correctional center
 7 or complex, a regional jail, or a juvenile detention or corrections facility. This salary adjustment
 8 shall be for a total of \$6,000 apportioned over a three-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 (c) Funding for the pay rates for employees of the Division of Corrections and Division of

19 Juvenile Services shall be provided from the general revenue appropriations to the Division of
20 Corrections and Division of Juvenile Services, respectively.

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

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

NOTE: The purpose of this bill is to provide a \$6,000 pay increase spread over a period of three years, to all employees of the Division of Corrections, Division of Juvenile Services, and West Virginia Regional Jail and Correctional Facility Authority.

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