WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 663

By Senator Taylor

[Introduced February 16, 2023; referred
to the Committee on Education; and then to the Committee on Finance]

A BILL to amend and reenact §18A-4-2 of the Code of West Virginia, 1931, as amended, relating to approving overtime pay for teachers, based on a 200 day contract and hourly rate.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-2. State minimum salaries for teachers; and overtime based on hourly rate.

(a) For school year ~~2022-2023~~ 2023-2024, and continuing thereafter, each teacher shall receive the amount prescribed in the State Minimum Salary Schedule as set forth in this section, specific additional amounts prescribed in this section or article, and any county supplement in effect in a county pursuant to §18A-4-5a of this code during the contract year.

STATE MINIMUM SALARY SCHEDULE

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| YearsExp | 4th Class | 3rd Class | 2nd Class | A.B. | A.B. 15 | M.A. | M.A.15 | M.A.30 | M.A.45 | Doc-torate |
| ~~0~~ | ~~34,297~~ | ~~34,986~~ | ~~35,252~~ | ~~36,695~~ | ~~37,456~~ | ~~39,223~~ | ~~39,984~~ | ~~40,745~~ | ~~41,506~~ | ~~42,541~~ |
| ~~1~~ | ~~34,625~~ | ~~35,314~~ | ~~35,580~~ | ~~37,213~~ | ~~37,974~~ | ~~39,742~~ | ~~40,503~~ | ~~41,263~~ | ~~42,024~~ | ~~43,059~~ |
| ~~2~~ | ~~34,954~~ | ~~35,642~~ | ~~35,908~~ | ~~37,732~~ | ~~38,493~~ | ~~40,260~~ | ~~41,021~~ | ~~41,782~~ | ~~42,543~~ | ~~43,578~~ |
| ~~3~~ | ~~35,282~~ | ~~35,970~~ | ~~36,236~~ | ~~38,251~~ | ~~39,011~~ | ~~40,779~~ | ~~41,540~~ | ~~42,300~~ | ~~43,061~~ | ~~44,096~~ |
| ~~4~~ | ~~35,854~~ | ~~36,542~~ | ~~36,808~~ | ~~39,013~~ | ~~39,774~~ | ~~41,542~~ | ~~42,303~~ | ~~43,063~~ | ~~43,824~~ | ~~44,859~~ |
| ~~5~~ | ~~36,182~~ | ~~36,870~~ | ~~37,136~~ | ~~39,532~~ | ~~40,293~~ | ~~42,060~~ | ~~42,821~~ | ~~43,582~~ | ~~44,343~~ | ~~45,378~~ |
| ~~6~~ | ~~36,510~~ | ~~37,198~~ | ~~37,464~~ | ~~40,050~~ | ~~40,811~~ | ~~42,579~~ | ~~43,340~~ | ~~44,100~~ | ~~44,861~~ | ~~45,896~~ |
| ~~7~~ | ~~36,838~~ | ~~37,527~~ | ~~37,792~~ | ~~40,569~~ | ~~41,330~~ | ~~43,097~~ | ~~43,858~~ | ~~44,619~~ | ~~45,380~~ | ~~46,415~~ |
| ~~8~~ | ~~37,166~~ | ~~37,855~~ | ~~38,121~~ | ~~41,087~~ | ~~41,848~~ | ~~43,616~~ | ~~44,377~~ | ~~45,137~~ | ~~45,898~~ | ~~46,933~~ |
| ~~9~~ | ~~37,494~~ | ~~38,183~~ | ~~38,449~~ | ~~41,606~~ | ~~42,367~~ | ~~44,134~~ | ~~44,895~~ | ~~45,656~~ | ~~46,417~~ | ~~47,452~~ |
| ~~10~~ | ~~37,823~~ | ~~38,511~~ | ~~38,777~~ | ~~42,126~~ | ~~42,886~~ | ~~44,654~~ | ~~45,415~~ | ~~46,176~~ | ~~46,936~~ | ~~47,971~~ |
| ~~11~~ | ~~38,151~~ | ~~38,839~~ | ~~39,105~~ | ~~42,644~~ | ~~43,405~~ | ~~45,173~~ | ~~45,933~~ | ~~46,694~~ | ~~47,455~~ | ~~48,490~~ |
| ~~12~~ | ~~38,479~~ | ~~39,167~~ | ~~39,433~~ | ~~43,163~~ | ~~43,923~~ | ~~45,691~~ | ~~46,452~~ | ~~47,213~~ | ~~47,973~~ | ~~49,008~~ |
| ~~13~~ | ~~38,807~~ | ~~39,495~~ | ~~39,761~~ | ~~43,681~~ | ~~44,442~~ | ~~46,210~~ | ~~46,970~~ | ~~47,731~~ | ~~48,492~~ | ~~49,527~~ |
| ~~14~~ | ~~39,135~~ | ~~39,823~~ | ~~40,089~~ | ~~44,200~~ | ~~44,960~~ | ~~46,728~~ | ~~47,489~~ | ~~48,250~~ | ~~49,010~~ | ~~50,045~~ |
| ~~15~~ | ~~39,463~~ | ~~40,151~~ | ~~40,417~~ | ~~44,718~~ | ~~45,479~~ | ~~47,247~~ | ~~48,007~~ | ~~48,768~~ | ~~49,529~~ | ~~50,564~~ |
| ~~16~~ | ~~39,791~~ | ~~40,479~~ | ~~40,745~~ | ~~45,237~~ | ~~45,997~~ | ~~47,765~~ | ~~48,526~~ | ~~49,287~~ | ~~50,047~~ | ~~51,082~~ |
| ~~17~~ | ~~40,119~~ | ~~40,808~~ | ~~41,073~~ | ~~45,755~~ | ~~46,516~~ | ~~48,284~~ | ~~49,045~~ | ~~49,805~~ | ~~50,566~~ | ~~51,601~~ |
| ~~18~~ | ~~40,447~~ | ~~41,136~~ | ~~41,402~~ | ~~46,274~~ | ~~47,035~~ | ~~48,802~~ | ~~49,563~~ | ~~50,324~~ | ~~51,085~~ | ~~52,120~~ |
| ~~19~~ | ~~40,775~~ | ~~41,464~~ | ~~41,730~~ | ~~46,792~~ | ~~47,553~~ | ~~49,321~~ | ~~50,082~~ | ~~50,842~~ | ~~51,603~~ | ~~52,638~~ |
| ~~20~~ | ~~41,103~~ | ~~41,792~~ | ~~42,058~~ | ~~47,311~~ | ~~48,072~~ | ~~49,839~~ | ~~50,600~~ | ~~51,361~~ | ~~52,122~~ | ~~53,157~~ |
| ~~21~~ | ~~41,432~~ | ~~42,120~~ | ~~42,386~~ | ~~47,829~~ | ~~48,590~~ | ~~50,358~~ | ~~51,119~~ | ~~51,879~~ | ~~52,640~~ | ~~53,675~~ |
| ~~22~~ | ~~41,760~~ | ~~42,448~~ | ~~42,714~~ | ~~48,348~~ | ~~49,109~~ | ~~50,876~~ | ~~51,637~~ | ~~52,398~~ | ~~53,159~~ | ~~54,194~~ |
| ~~23~~ | ~~42,088~~ | ~~42,776~~ | ~~43,042~~ | ~~48,867~~ | ~~49,627~~ | ~~51,395~~ | ~~52,156~~ | ~~52,916~~ | ~~53,677~~ | ~~54,712~~ |
| ~~24~~ | ~~42,416~~ | ~~43,104~~ | ~~43,370~~ | ~~49,385~~ | ~~50,146~~ | ~~51,914~~ | ~~52,674~~ | ~~53,435~~ | ~~54,196~~ | ~~55,231~~ |
| ~~25~~ | ~~42,744~~ | ~~43,432~~ | ~~43,698~~ | ~~49,904~~ | ~~50,664~~ | ~~52,432~~ | ~~53,193~~ | ~~53,954~~ | ~~54,714~~ | ~~55,749~~ |
| ~~26~~ | ~~43,072~~ | ~~43,760~~ | ~~44,026~~ | ~~50,422~~ | ~~51,183~~ | ~~52,951~~ | ~~53,711~~ | ~~54,472~~ | ~~55,233~~ | ~~56,268~~ |
| ~~27~~ | ~~43,400~~ | ~~44,088~~ | ~~44,354~~ | ~~50,941~~ | ~~51,701~~ | ~~53,469~~ | ~~54,230~~ | ~~54,991~~ | ~~55,751~~ | ~~56,786~~ |
| ~~28~~ | ~~43,728~~ | ~~44,417~~ | ~~44,682~~ | ~~51,459~~ | ~~52,220~~ | ~~53,988~~ | ~~54,748~~ | ~~55,509~~ | ~~56,270~~ | ~~57,305~~ |
| ~~29~~ | ~~44,056~~ | ~~44,745~~ | ~~45,011~~ | ~~51,978~~ | ~~52,738~~ | ~~54,506~~ | ~~55,267~~ | ~~56,028~~ | ~~56,788~~ | ~~57,823~~ |
| ~~30~~ | ~~44,384~~ | ~~45,073~~ | ~~45,339~~ | ~~52,496~~ | ~~53,257~~ | ~~55,025~~ | ~~55,785~~ | ~~56,546~~ | ~~57,307~~ | ~~58,342~~ |
| ~~31~~ | ~~44,713~~ | ~~45,401~~ | ~~45,667~~ | ~~53,015~~ | ~~53,776~~ | ~~55,543~~ | ~~56,304~~ | ~~57,065~~ | ~~57,825~~ | ~~58,860~~ |
| ~~32~~ | ~~45,041~~ | ~~45,729~~ | ~~45,995~~ | ~~53,533~~ | ~~54,294~~ | ~~56,062~~ | ~~56,823~~ | ~~57,583~~ | ~~58,344~~ | ~~59,379~~ |
| ~~33~~ | ~~45,369~~ | ~~46,057~~ | ~~46,323~~ | ~~54,052~~ | ~~54,813~~ | ~~56,580~~ | ~~57,341~~ | ~~58,102~~ | ~~58,863~~ | ~~59,898~~ |
| ~~34~~ | ~~45,697~~ | ~~46,385~~ | ~~46,651~~ | ~~54,570~~ | ~~55,331~~ | ~~57,099~~ | ~~57,860~~ | ~~58,620~~ | ~~59,381~~ | ~~60,416~~ |
| ~~35~~ | ~~46,025~~ | ~~46,713~~ | ~~46,979~~ | ~~55,089~~ | ~~55,850~~ | ~~57,617~~ | ~~58,378~~ | ~~59,139~~ | ~~59,900~~ | ~~60,935~~ |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 4th Class | 3rd Class | 2nd Class | A.B. | A.B. 15 | M.A. | M.A. 15 | M.A. 30 | M.A.  | Doc-torate |
| $21.44 | $21.87 | $22.03 | $22.93 | $23.41 | $24.51 | $24.99 | $25.47 | $25.94 | $26.59 |
| $21.64 | $22.07 | $22.24 | $23.26 | $23.73 | $24.84 | $25.31 | $25.79 | $26.27 | $26.91 |
| $21.85 | $22.28 | $22.44 | $23.58 | $24.06 | $25.16 | $25.64 | $26.11 | $26.59 | $27.24 |
| $22.05 | $22.48 | $22.65 | $23.91 | $24.38 | $25.49 | $25.96 | $26.44 | $26.91 | $27.56 |
| $22.41 | $22.84 | $23.01 | $24.38 | $24.86 | $25.96 | $26.44 | $26.91 | $27.39 | $28.04 |
| $22.61 | $23.04 | $23.21 | $24.71 | $25.18 | $26.29 | $26.76 | $27.24 | $27.71 | $28.36 |
| $22.82 | $23.25 | $23.42 | $25.03 | $25.51 | $26.61 | $27.09 | $27.56 | $28.04 | $28.69 |
| $23.02 | $23.45 | $23.62 | $25.36 | $25.83 | $26.94 | $27.41 | $27.89 | $28.36 | $29.01 |
| $23.23 | $23.66 | $23.83 | $25.68 | $26.16 | $27.26 | $27.74 | $28.21 | $28.69 | $29.33 |
| $23.43 | $23.86 | $24.03 | $26.00 | $26.48 | $27.58 | $28.06 | $28.54 | $29.01 | $29.66 |
| $23.64 | $24.07 | $24.24 | $26.33 | $26.80 | $27.91 | $28.38 | $28.86 | $29.34 | $29.98 |
| $23.84 | $24.27 | $24.44 | $26.65 | $27.13 | $28.23 | $28.71 | $29.18 | $29.66 | $30.31 |
| $24.05 | $24.48 | $24.65 | $26.98 | $27.45 | $28.56 | $29.03 | $29.51 | $29.98 | $30.63 |
| $24.25 | $24.68 | $24.85 | $27.30 | $27.78 | $28.88 | $29.36 | $29.83 | $30.31 | $30.95 |
| $24.46 | $24.89 | $25.06 | $27.63 | $28.10 | $29.21 | $29.68 | $30.16 | $30.63 | $31.28 |
| $24.66 | $25.09 | $25.26 | $27.95 | $28.42 | $29.53 | $30.00 | $30.48 | $30.96 | $31.60 |
| $24.87 | $25.30 | $25.47 | $28.27 | $28.75 | $29.85 | $30.33 | $30.80 | $31.28 | $31.93 |
| $25.07 | $25.51 | $25.67 | $28.60 | $29.07 | $30.18 | $30.65 | $31.13 | $31.60 | $32.25 |
| $25.28 | $25.71 | $25.88 | $28.92 | $29.40 | $30.50 | $30.98 | $31.45 | $31.93 | $32.58 |
| $25.48 | $25.92 | $26.08 | $29.25 | $29.72 | $30.83 | $31.30 | $31.78 | $32.25 | $32.90 |
| $25.69 | $26.12 | $26.29 | $29.57 | $30.05 | $31.15 | $31.63 | $32.10 | $32.58 | $33.22 |
| $25.90 | $26.33 | $26.49 | $29.89 | $30.37 | $31.47 | $31.95 | $32.42 | $32.90 | $33.55 |
| $26.10 | $26.53 | $26.70 | $30.22 | $30.69 | $31.80 | $32.27 | $32.75 | $33.22 | $33.87 |
| $26.31 | $26.74 | $26.90 | $30.54 | $31.02 | $32.12 | $32.60 | $33.07 | $33.55 | $34.20 |
| $26.51 | $26.94 | $27.11 | $30.87 | $31.34 | $32.45 | $32.92 | $33.40 | $33.87 | $34.52 |
| $26.72 | $27.15 | $27.31 | $31.19 | $31.67 | $32.77 | $33.25 | $33.72 | $34.20 | $34.84 |
| $26.92 | $27.35 | $27.52 | $31.51 | $31.99 | $33.09 | $33.57 | $34.05 | $34.52 | $35.17 |
| $27.13 | $27.56 | $27.72 | $31.84 | $32.31 | $33.42 | $33.89 | $34.37 | $34.84 | $35.49 |
| $27.33 | $27.76 | $27.93 | $32.16 | $32.64 | $33.74 | $34.22 | $34.69 | $35.17 | $35.82 |
| $27.54 | $27.97 | $28.13 | $32.49 | $32.96 | $34.07 | $34.54 | $35.02 | $35.49 | $36.14 |
| $27.74 | $28.17 | $28.34 | $32.81 | $33.29 | $34.39 | $34.87 | $35.34 | $35.82 | $36.46 |
| $27.95 | $28.38 | $28.54 | $33.13 | $33.61 | $34.71 | $35.19 | $35.67 | $36.14 | $36.79 |
| $28.15 | $28.58 | $28.75 | $33.46 | $33.93 | $35.04 | $35.51 | $35.99 | $36.47 | $37.11 |
| $28.36 | $28.79 | $28.95 | $33.78 | $34.26 | $35.36 | $35.84 | $36.31 | $36.79 | $37.44 |
| $28.56 | $28.99 | $29.16 | $34.11 | $34.58 | $35.69 | $36.16 | $36.64 | $37.11 | $37.76 |
| $28.77 | $29.20 | $29.36 | $34.43 | $34.91 | $36.01 | $36.49 | $36.96 | $37.44 | $38.08 |

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

(c) Effective July 1, 2019, each classroom teacher providing math instruction in the teacher’s certified area of study for at least 60 percent of the time the teacher is providing instruction to students shall be considered to have three additional years of experience only for the purposes of the salary schedule set forth in subsection (b) of this section: *Provided,* That for any classroom teacher who satisfies these requirements and whose years of experience plus the three additional years due to them exceeds the years of experience provided for on the salary schedule shall be paid the additional amount equivalent to three additional years of experience notwithstanding the maximum experience provided on the salary schedule.

(d) Effective July 1, 2019, each classroom teacher certified in special education and employed as a full-time special education teacher, as defined by the State Superintendent, shall be considered to have three additional years of experience only for the purposes of the salary schedule set forth in subsection (a) of this section: *Provided*, That for any classroom teacher who satisfies these requirements and whose years of experience plus the three additional years due to them exceeds the years of experience provided for on the salary schedule shall be paid the additional amount equivalent to three additional years of experience notwithstanding the maximum experience provided on the salary schedule.

(e) In accordance with §18A-4-5 of this code, each teacher shall be paid the supplement amount as applicable for his or her classification of certification or classification of training and years of experience as follows, subject to the provisions of that section:

(1) For "4th Class" at zero years of experience, $1,781. An additional $38 shall be paid for each year of experience up to and including 35 years of experience;

(2) For "3rd Class" at zero years of experience, $1,796. An additional $67 shall be paid for each year of experience up to and including 35 years of experience;

(3) For "2nd Class" at zero years of experience, $1,877. An additional $69 shall be paid for each year of experience up to and including 35 years of experience;

(4) For "A.B." at zero years of experience, $2,360. An additional $69 shall be paid for each year of experience up to and including 35 years of experience;

(5) For "A.B. + 15" at zero years of experience, $2,452. An additional $69 shall be paid for each year of experience up to and including 35 years of experience;

(6) For "M.A." at zero years of experience, $2,644. An additional $69 shall be paid for each year of experience up to and including 35 years of experience;

(7) For "M.A. + 15" at zero years of experience, $2,740. An additional $69 shall be paid for each year of experience up to and including 35 years of experience;

(8) For "M.A. + 30" at zero years of experience, $2,836. An additional $69 shall be paid for each year of experience up to and including 35 years of experience;

(9) For "M.A. + 45" at zero years of experience, $2,836. An additional $69 shall be paid for each year of experience up to and including 35 years of experience; and

(10) For "Doctorate" at zero years of experience, $2,927. An additional $69 shall be paid for each year of experience up to and including 35 years of experience.

These payments: (i) Shall be in addition to any amounts prescribed in the applicable State Minimum Salary Schedule, any specific additional amounts prescribed in this section and article and any county supplement in effect in a county pursuant to §18A-4-5a of this code; (ii) shall be paid in equal monthly installments; and (iii) shall be considered a part of the state minimum salaries for teachers.

(f) Notwithstanding any other provision of this code to the contrary, effective July 1, 2024, teachers may receive overtime pay, if preapproved by the State Board of Education and school principal. If approved, a teacher shall receive overtime pay for the performance of any work assignment on a Saturday or a Sunday, or for the performance of any work assignment beyond the normal workweek hours.

(g) The State Board of Education shall establish the rate of overtime pay for teachers and calculate overtime at an hourly rate based on the state minimum salary schedule for teachers in this section and the overtime worked: *Provided*, That overtime work on a Saturday or Sunday may not be less than one-half the calculated amount a teacher would receive for one day in the regular school day: *Provided, however*, That the calculation of overtime pay shall be based on a 200 day contract; and the minimum salary schedule an hourly rate based on as set forth in subsection (a) of this section.

NOTE: The purpose of this bill is to approve overtime pay for teachers, based on a 200 day contract and minimum salary schedule on an hourly rate.

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