

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

House Bill 5056

BY DELEGATES TONEY, STATLER, BURKHAMMER, AND

ELLINGTON

[Passed March 6, 2024; in effect ninety days from
passage.]

1 AN ACT to amend and reenact §18A-4-8h of the Code of West Virginia, 1931, as amended,
2 relating to allowing for service personnel to serve as substitute workers under certain
3 conditions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

**§18A-4-8h. Limitation on number of school service personnel positions to be held by an
employee.**

1 (a) Upon the effective date of this section, no school service personnel shall be permitted
2 to become employed in more than one regular full-day position, nor more than two one-half day
3 positions at the same time: *Provided*, That nothing herein shall be construed to prohibit a school
4 service personnel from holding an extracurricular assignment or assignments, as provided in
5 section sixteen of this article, or summer positions, as provided in section thirty-nine, article five,
6 chapter eighteen of this code, nor from performing extra-duty assignments, as provided in section
7 eight-b of this article, in addition to his or her regular position.

8 (b) Due to the shortages of substitutes in service personnel positions, a service personnel
9 may substitute on a day-to-day basis in a position outside of their regular full-time position:
10 *Provided*, That a service personnel may not substitute in another position if:

11 (a) A qualified substitute is available to fill the shift;

12 (b) The shift interferes with their regular duties and or responsibilities; and

13 (c) The service personnel assuming the shift is not properly certified and trained for that
14 position.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect ninety days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2024.

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Governor