

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 2013

By Delegates Hanshaw (Mr. Speaker) and

Hornbuckle

(By Request of the Executive)

[Originating in the Committee on Government

Organization; Reported on March 26, 2025]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §5F-2-9, relating to exempting new hires and employees who leave their
3 positions within the Bureau of Senior Services, Department of Administration, Department
4 of Environmental Protection, Department of Revenue, and Department of Veterans'
5 Assistance from the classified civil service system and the state grievance procedures
6 beginning on July 1, 2025; stating a legislative finding; providing that as of July 1, 2025,
7 any new hire and any employee who leaves his or her position will be exempt from the
8 classified civil service system and from the state grievance procedures; providing that any
9 employee who is currently covered by the civil service system and who currently has
10 access to the state grievance procedures will continue to be covered and have access, so
11 long as he or she remains in his or her current position; providing that the chief
12 administrative officers of the bureau and the departments may designate certain
13 employees' status within the civil service system in order to comply with federal law or
14 receive federal funds; clarifying that this section does not affect any other employee
15 protections found elsewhere in code.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. TRANSFER OF AGENCIES AND BOARDS.

**§5F-2-9. Transfer of New Hires and Promoted Employees Within the Bureau of Senior
Services and Certain Departments to Classified Exempt System.**

1 (a) The Legislature hereby finds that to attract and retain employees in the Bureau of
2 Senior Services, Department of Administration, Department of Environmental Protection,
3 Department of Revenue, and Department of Veterans' Assistance, the chief administrative officers
4 of this bureau and these departments, and heads of the agencies, boards, and commissions
5 therein require additional flexibility in the promotion, transfer, layoff, removal, discipline, and
6 compensation of state employees within this bureau and these departments.

7 (b) Notwithstanding any provision of this code or any rule to the contrary, beginning on July
8 1, 2025, all employees of the Bureau of Senior Services, Department of Administration,
9 Department of Environmental Protection, Department of Revenue, and Department of Veterans'
10 Assistance shall be exempt from the state grievance procedures as set forth in §6C-2-1 *et seq.* of
11 this code and from the classified civil service system under §29-6-1 *et seq.* of this code except
12 that:

13 (1) All employees of the Bureau of Senior Services, Department of Administration,
14 Department of Environmental Protection, Department of Revenue, and Department of Veterans'
15 Assistance who are currently members of the classified civil service system shall retain their status
16 as long as they remain in their current position;

17 (2) All employees of this bureau and these departments who currently have recourse to the
18 state grievance procedures will continue to have access to the state grievance procedures as long
19 as they remain in their current position; and

20 (3) Any employee of this bureau and these departments that leaves his or her position and
21 remains an employee within this bureau or any of these departments shall, at that time, be
22 transferred to the classified exempt service system as defined in §29-6-2(g) of this code and be
23 exempted from the state grievance procedures as set forth in §6C-2-1 *et seq.* of this code.

24 (c) The Commissioner of the Bureau of Senior Services and the secretary of each of these
25 departments shall have the authority to designate certain employees' status under the classified
26 civil service system and grievance procedures as may be deemed necessary to comply with
27 federal law, federal regulation, or the requirements for receipt of federal funding or assistance.

28 (d) Subsection (b) of this section shall not apply to any position appointed by the Governor.

29 (e) Nothing in this section shall exempt this bureau or these departments from the
30 provisions of this code prohibiting nepotism, favoritism, discrimination, or unethical practices
31 related to the promotion, transfer, layoff, removal, discipline, and compensation of state
32 employees.