

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2013

BY DELEGATES HANSHAW (MR. SPEAKER) AND

HORNBUCKLE

(BY REQUEST OF THE EXECUTIVE)

[Passed April 8, 2025; in effect July 1, 2025]

1 AN ACT 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; making legislative finding; providing that as of July 1, 2025, any
7 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 civil service system and who currently has access
10 to the state grievance procedures will continue to be covered and have access, so long
11 as he or she remains in his or her current position; providing that chief administrative
12 officers of bureau and departments may designate certain employees' status within the
13 civil service system in order to comply with federal law or receive federal funds; and
14 clarifying that this section does not affect any other employee protections found elsewhere
15 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
4 officers of this bureau and these departments, and heads of the agencies, boards, and
5 commissions therein require additional flexibility in the promotion, transfer, layoff, removal,
6 discipline, and compensation of state employees within this bureau and these departments.

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

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

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

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

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

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

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

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 July 1, 2025.

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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, 2025.

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Governor