

H. B. 3039

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(By Delegates Hatfield, Poore, Lawrence, Moye,
Paxton, Shaver, Ellem, Guthrie, Pethel,
Butcher and Caputo)
[Introduced February 7, 2011; referred to the
Committee on Education then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §18A-4-8 and §18A-4-8a of the Code of
West Virginia, 1931, as amended, all relating to clarifying
the definition of a school "cook;" replacing the different
classifications for cooks with a single classification;
increasing the salary for the cook position; and granting an
additional increase in salaries for cooks and cafeteria
managers who obtain college credits in child nutrition.

Be it enacted by the Legislature of West Virginia:

That §18A-4-8 and §18A-4-8a of the Code of West Virginia,
1931, amended, be amended and reenacted, all to read as follows:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

**§18A-4-8. Employment term and class titles of service personnel;
definitions.**

(a) The purpose of this section is to establish an employment
term and class titles for service personnel. The employment term
for service personnel may not be less than ten months. A month is
defined as twenty employment days. The county board may contract
with all or part of these service personnel for a longer term. The
beginning and closing dates of the ten-month employment term may
not exceed forty-three weeks.

1 (b) Service personnel employed on a yearly or twelve-month
2 basis may be employed by calendar months. Whenever there is a
3 change in job assignment during the school year, the minimum pay
4 scale and any county supplement are applicable.

5 (c) Service personnel employed in the same classification for
6 more than the two hundred-day minimum employment term shall be paid
7 for additional employment at a daily rate of not less than the
8 daily rate paid for the two hundred-day minimum employment term.

9 (d) A service person may not be required to report for work
10 more than five days per week without his or her agreement, and no
11 part of any working day may be accumulated by the employer for
12 future work assignments, unless the employee agrees thereto.

13 (e) If a service person whose regular work week is scheduled
14 from Monday through Friday agrees to perform any work assignments
15 on a Saturday or Sunday, the service person shall be paid for at
16 least one-half day of work for each day he or she reports for work.
17 If the service person works more than three and one-half hours on
18 any Saturday or Sunday, he or she shall be paid for at least a full
19 day of work for each day.

20 (f) A custodian, aide, maintenance, office and school lunch
21 service person required to work a daily work schedule that is
22 interrupted shall be paid additional compensation in accordance
23 with this subsection.

24 (1) A maintenance person means a person who holds a
25 classification title other than in a custodial, aide, school lunch,
26 office or transportation category as provided in section one,
27 article one of this chapter.

1 (2) A service person's schedule is considered to be
2 interrupted if he or she does not work a continuous period in one
3 day. Aides are not regarded as working an interrupted schedule
4 when engaged exclusively in the duties of transporting students;

5 (3) The additional compensation provided for in this
6 subsection:

7 (A) Is equal to at least one-eighth of a service person's
8 total salary as provided by the state minimum pay scale and any
9 county pay supplement; and

10 (B) Is payable entirely from county board funds.

11 (g) When there is a change in classification or when a service
12 person meets the requirements of an advanced classification, his or
13 her salary shall be made to comply with the requirements of this
14 article and any county salary schedule in excess of the minimum
15 requirements of this article, based upon the service person's
16 advanced classification and allowable years of employment.

17 (h) A service person's contract, as provided in section five,
18 article two of this chapter, shall state the appropriate monthly
19 salary the employee is to be paid, based on the class title as
20 provided in this article and on any county salary schedule in
21 excess of the minimum requirements of this article.

22 (i) The column heads of the state minimum pay scale and class
23 titles, set forth in section eight-a of this article, are defined
24 as follows:

25 (1) "Pay grade" means the monthly salary applicable to class
26 titles of service personnel;

27 (2) "Years of employment" means the number of years which an

1 employee classified as a service person has been employed by a
2 county board in any position prior to or subsequent to the
3 effective date of this section and includes service in the Armed
4 Forces of the United States, if the employee was employed at the
5 time of his or her induction. For the purpose of section eight-a
6 of this article, years of employment is limited to the number of
7 years shown and allowed under the state minimum pay scale as set
8 forth in section eight-a of this article;

9 (3) "Class title" means the name of the position or job held
10 by a service person;

11 (4) "Accountant I" means a person employed to maintain payroll
12 records and reports and perform one or more operations relating to
13 a phase of the total payroll;

14 (5) "Accountant II" means a person employed to maintain
15 accounting records and to be responsible for the accounting process
16 associated with billing, budgets, purchasing and related
17 operations;

18 (6) "Accountant III" means a person employed in the county
19 board office to manage and supervise accounts payable, payroll
20 procedures, or both;

21 (7) "Accounts payable supervisor" means a person employed in
22 the county board office who has primary responsibility for the
23 accounts payable function and who either has completed twelve
24 college hours of accounting courses from an accredited institution
25 of higher education or has at least eight years of experience
26 performing progressively difficult accounting tasks.

27 Responsibilities of this class title may include supervision of

1 other personnel;

2 (8) "Aide I" means a person selected and trained for a
3 teacher-aide classification such as monitor aide, clerical aide,
4 classroom aide or general aide;

5 (9) "Aide II" means a service person referred to in the "Aide
6 I" classification who has completed a training program approved by
7 the state board, or who holds a high school diploma or has received
8 a general educational development certificate. Only a person
9 classified in an Aide II class title may be employed as an aide in
10 any special education program;

11 (10) "Aide III" means a service person referred to in the
12 "Aide I" classification who holds a high school diploma or a
13 general educational development certificate; and

14 (A) Has completed six semester hours of college credit at an
15 institution of higher education; or

16 (B) Is employed as an aide in a special education program and
17 has one year's experience as an aide in special education;

18 (11) "Aide IV" means a service person referred to in the "Aide
19 I" classification who holds a high school diploma or a general
20 educational development certificate; and

21 (A) Has completed eighteen hours of state board-approved
22 college credit at a regionally accredited institution of higher
23 education, or

24 (B) Has completed fifteen hours of state board-approved
25 college credit at a regionally accredited institution of higher
26 education; and has successfully completed an in-service training
27 program determined by the state board to be the equivalent of three

1 hours of college credit;

2 (12) "Audiovisual technician" means a person employed to
3 perform minor maintenance on audiovisual equipment, films and
4 supplies and who fills requests for equipment;

5 (13) "Auditor" means a person employed to examine and verify
6 accounts of individual schools and to assist schools and school
7 personnel in maintaining complete and accurate records of their
8 accounts;

9 (14) "Autism mentor" means a person who works with autistic
10 students and who meets standards and experience to be determined by
11 the state board. A person who has held or holds an aide title and
12 becomes employed as an autism mentor shall hold a
13 multiclassification status that includes both aide and autism
14 mentor titles, in accordance with section eight-b of this article;

15 (15) "Braille or sign language specialist" means a person
16 employed to provide braille and/or sign language assistance to
17 students. A service person who has held or holds an aide title and
18 becomes employed as a braille or sign language specialist shall
19 hold a multiclassification status that includes both aide and
20 braille or sign language specialist title, in accordance with
21 section eight-b of this article;

22 (16) "Bus operator" means a person employed to operate school
23 buses and other school transportation vehicles as provided by the
24 state board;

25 (17) "Buyer" means a person employed to review and write
26 specifications, negotiate purchase bids and recommend purchase
27 agreements for materials and services that meet predetermined

1 specifications at the lowest available costs;

2 (18) "Cabinetmaker" means a person employed to construct
3 cabinets, tables, bookcases and other furniture;

4 (19) "Cafeteria manager" means a person employed to direct the
5 operation of a food services program in a school, including
6 assigning duties to employees, approving requisitions for supplies
7 and repairs, keeping inventories, inspecting areas to maintain high
8 standards of sanitation, preparing financial reports and keeping
9 records pertinent to food services of a school;

10 (20) "Carpenter I" means a person classified as a carpenter's
11 helper;

12 (21) "Carpenter II" means a person classified as a journeyman
13 carpenter;

14 (22) "Chief mechanic" means a person employed to be
15 responsible for directing activities which ensure that student
16 transportation or other county board-owned vehicles are properly
17 and safely maintained;

18 (23) "Clerk I" means a person employed to perform clerical
19 tasks;

20 (24) "Clerk II" means a person employed to perform general
21 clerical tasks, prepare reports and tabulations and operate office
22 machines;

23 (25) "Computer operator" means a qualified person employed to
24 operate computers;

25 ~~(26) "Cook I" means a person employed as a cook's helper;~~

26 ~~(27) "Cook II" means a person employed to interpret menus and
27 to prepare and serve meals in a food service program of a school.~~

1 ~~This definition includes a service person who has been employed as~~
2 ~~a "Cook I" for a period of four years;~~

3 ~~(28) "Cook III" means a person employed to prepare and serve~~
4 ~~meals, make reports, prepare requisitions for supplies, order~~
5 ~~equipment and repairs for a food service program of a school~~
6 ~~system;~~

7 (26) "Cook" means a person employed to prepare and serve meals
8 and to make reports, prepare requisitions for supplies, order
9 equipment and repairs for a food service program of a school system
10 under the direction of a cafeteria manager;

11 ~~(29)~~ (27) "Crew leader" means a person employed to organize
12 the work for a crew of maintenance employees to carry out assigned
13 projects;

14 ~~(30)~~ (28) "Custodian I" means a person employed to keep
15 buildings clean and free of refuse;

16 ~~(31)~~ (29) "Custodian II" means a person employed as a watchman
17 or groundsman;

18 ~~(32)~~ (30) "Custodian III" means a person employed to keep
19 buildings clean and free of refuse, to operate the heating or
20 cooling systems and to make minor repairs;

21 ~~(33)~~ (31) "Custodian IV" means a person employed as head
22 custodians. In addition to providing services as defined in
23 "custodian III," duties may include supervising other custodian
24 personnel;

25 ~~(34)~~ (32) "Director or coordinator of services" means an
26 employee of a county board who is assigned to direct a department
27 or division.

1 (A) Nothing in this subdivision prohibits a professional
2 person or a professional educator from holding this class title;

3 (B) Professional personnel holding this class title may not be
4 defined or classified as service personnel unless the professional
5 person held a service personnel title under this section prior to
6 holding the class title of "director or coordinator of services."

7 (C) The director or coordinator of services shall be
8 classified either as a professional person or a service person for
9 state aid formula funding purposes;

10 (D) Funding for the position of director or coordinator of
11 services is based upon the employment status of the director or
12 coordinator either as a professional person or a service person;
13 and

14 (E) A person employed under the class title "director or
15 coordinator of services" may not be exclusively assigned to perform
16 the duties ascribed to any other class title as defined in this
17 subsection: *Provided*, That nothing in this paragraph prohibits a
18 person in this position from being multiclassified;

19 ~~(35)~~ (33) "Draftsman" means a person employed to plan, design
20 and produce detailed architectural/engineering drawings;

21 ~~(36)~~ (34) "Electrician I" means a person employed as an
22 apprentice electrician helper or one who holds an electrician
23 helper license issued by the State Fire Marshal;

24 ~~(37)~~ (35) "Electrician II" means a person employed as an
25 electrician journeyman or one who holds a journeyman electrician
26 license issued by the State Fire Marshal;

27 ~~(38)~~ (36) "Electronic technician I" means a person employed at

1 the apprentice level to repair and maintain electronic equipment;

2 ~~(39)~~ (37) "Electronic technician II" means a person employed
3 at the journeyman level to repair and maintain electronic
4 equipment;

5 ~~(40)~~ (38) "Executive secretary" means a person employed as
6 secretary to the county school superintendent or as a secretary who
7 is assigned to a position characterized by significant
8 administrative duties;

9 ~~(41)~~ (39) "Food services supervisor" means a qualified person
10 who is not a professional person or professional educator as
11 defined in section one, article one of this chapter. The food
12 services supervisor is employed to manage and supervise a county
13 school system's food service program. The duties include preparing
14 in-service training programs for cooks and food service employees,
15 instructing personnel in the areas of quantity cooking with economy
16 and efficiency and keeping aggregate records and reports;

17 ~~(42)~~ (40) "Foreman" means a skilled person employed to
18 supervise personnel who work in the areas of repair and maintenance
19 of school property and equipment;

20 ~~(43)~~ (41) "General maintenance" means a person employed as a
21 helper to skilled maintenance employees and to perform minor
22 repairs to equipment and buildings of a county school system;

23 ~~(44)~~ (42) "Glazier" means a person employed to replace glass
24 or other materials in windows and doors and to do minor carpentry
25 tasks;

26 ~~(45)~~ (43) "Graphic artist" means a person employed to prepare
27 graphic illustrations;

1 ~~(46)~~ (44) "Groundsman" means a person employed to perform
2 duties that relate to the appearance, repair and general care of
3 school grounds in a county school system. Additional assignments
4 may include the operation of a small heating plant and routine
5 cleaning duties in buildings;

6 ~~(47)~~ (45) "Handyman" means a person employed to perform
7 routine manual tasks in any operation of the county school system;

8 ~~(48)~~ (46) "Heating and air conditioning mechanic I" means a
9 person employed at the apprentice level to install, repair and
10 maintain heating and air conditioning plants and related electrical
11 equipment;

12 ~~(49)~~ (47) "Heating and air conditioning mechanic II" means a
13 person employed at the journeyman level to install, repair and
14 maintain heating and air conditioning plants and related electrical
15 equipment;

16 ~~(50)~~ (48) "Heavy equipment operator" means a person employed
17 to operate heavy equipment;

18 ~~(51)~~ (49) "Inventory supervisor" means a person employed to
19 supervise or maintain operations in the receipt, storage, inventory
20 and issuance of materials and supplies;

21 ~~(52)~~ (50) "Key punch operator" means a qualified person
22 employed to operate key punch machines or verifying machines;

23 ~~(53)~~ (51) "Licensed practical nurse" means a nurse, licensed
24 by the West Virginia Board of Examiners for Licensed Practical
25 Nurses, employed to work in a public school under the supervision
26 of a school nurse;

27 ~~(54)~~ (52) "Locksmith" means a person employed to repair and

1 maintain locks and safes;

2 ~~(55)~~ (53) "Lubrication man" means a person employed to
3 lubricate and service gasoline or diesel-powered equipment of a
4 county school system;

5 ~~(56)~~ (54) "Machinist" means a person employed to perform
6 machinist tasks which include the ability to operate a lathe,
7 planer, shaper, threading machine and wheel press. A person
8 holding this class title also should have the ability to work from
9 blueprints and drawings;

10 ~~(57)~~ (55) "Mail clerk" means a person employed to receive,
11 sort, dispatch, deliver or otherwise handle letters, parcels and
12 other mail;

13 ~~(58)~~ (56) "Maintenance clerk" means a person employed to
14 maintain and control a stocking facility to keep adequate tools and
15 supplies on hand for daily withdrawal for all school maintenance
16 crafts;

17 ~~(59)~~ (57) "Mason" means a person employed to perform tasks
18 connected with brick and block laying and carpentry tasks related
19 to these activities;

20 ~~(60)~~ (58) "Mechanic" means a person employed to perform
21 skilled duties independently in the maintenance and repair of
22 automobiles, school buses and other mechanical and mobile equipment
23 to use in a county school system;

24 ~~(61)~~ (59) "Mechanic assistant" means a person employed as a
25 mechanic apprentice and helper;

26 ~~(62)~~ (60) "Multiclassification" means a person employed to
27 perform tasks that involve the combination of two or more class

1 titles in this section. In these instances the minimum salary
2 scale shall be the higher pay grade of the class titles involved;

3 ~~(63)~~ (61) "Office equipment repairman I" means a person
4 employed as an office equipment repairman apprentice or helper;

5 ~~(64)~~ (62) "Office equipment repairman II" means a person
6 responsible for servicing and repairing all office machines and
7 equipment. A person holding this class title is responsible for
8 the purchase of parts necessary for the proper operation of a
9 program of continuous maintenance and repair;

10 ~~(65)~~ (63) "Painter" means a person employed to perform duties
11 painting, finishing and decorating wood, metal and concrete
12 surfaces of buildings, other structures, equipment, machinery and
13 furnishings of a county school system;

14 ~~(66)~~ (64) "Paraprofessional" means a person certified pursuant
15 to section two-a, article three of this chapter to perform duties
16 in a support capacity including, but not limited to, facilitating
17 in the instruction and direct or indirect supervision of students
18 under the direction of a principal, a teacher or another designated
19 professional educator.

20 (A) A person employed on the effective date of this section in
21 the position of an aide may not be subject to a reduction in force
22 or transferred to create a vacancy for the employment of a
23 paraprofessional;

24 (B) A person who has held or holds an aide title and becomes
25 employed as a paraprofessional shall hold a multiclassification
26 status that includes both aide and paraprofessional titles in
27 accordance with section eight-b of this article; and

1 (C) When a service person who holds an aide title becomes
2 certified as a paraprofessional and is required to perform duties
3 that may not be performed by an aide without paraprofessional
4 certification, he or she shall receive the paraprofessional title
5 pay grade;

6 ~~(67)~~ (65) "Payroll supervisor" means a person employed in the
7 county board office who has primary responsibility for the payroll
8 function and who either has completed twelve college hours of
9 accounting from an accredited institution of higher education or
10 has at least eight years of experience performing progressively
11 difficult accounting tasks. Responsibilities of this class title
12 may include supervision of other personnel;

13 ~~(68)~~ (66) "Plumber I" means a person employed as an apprentice
14 plumber and helper;

15 ~~(69)~~ (67) "Plumber II" means a person employed as a journeyman
16 plumber;

17 ~~(70)~~ (68) "Printing operator" means a person employed to
18 operate duplication equipment, and to cut, collate, staple, bind
19 and shelve materials as required;

20 ~~(71)~~ (69) "Printing supervisor" means a person employed to
21 supervise the operation of a print shop;

22 ~~(72)~~ (70) "Programmer" means a person employed to design and
23 prepare programs for computer operation;

24 ~~(73)~~ (71) "Roofing/sheet metal mechanic" means a person
25 employed to install, repair, fabricate and maintain roofs, gutters,
26 flashing and duct work for heating and ventilation;

27 ~~(74)~~ (72) "Sanitation plant operator" means a person employed

1 to operate and maintain a water or sewage treatment plant to ensure
2 the safety of the plant's effluent for human consumption or
3 environmental protection;

4 ~~(75)~~ (73) "School bus supervisor" means a qualified person:

5 (A) Employed to assist in selecting school bus operators and
6 routing and scheduling school buses, operate a bus when needed,
7 relay instructions to bus operators, plan emergency routing of
8 buses and promote good relationships with parents, students, bus
9 operators and other employees; and

10 (B) Certified to operate a bus or previously certified to
11 operate a bus;

12 ~~(76)~~ (74) "Secretary I" means a person employed to transcribe
13 from notes or mechanical equipment, receive callers, perform
14 clerical tasks, prepare reports and operate office machines;

15 ~~(77)~~ (75) "Secretary II" means a person employed in any
16 elementary, secondary, kindergarten, nursery, special education,
17 vocational or any other school as a secretary. The duties may
18 include performing general clerical tasks; transcribing from notes,
19 stenotype, mechanical equipment or a sound-producing machine;
20 preparing reports; receiving callers and referring them to proper
21 persons; operating office machines; keeping records and handling
22 routine correspondence. Nothing in this subdivision prevents a
23 service person from holding or being elevated to a higher
24 classification;

25 ~~(78)~~ (76) "Secretary III" means a person assigned to the
26 county board office administrators in charge of various
27 instructional, maintenance, transportation, food services,

1 operations and health departments, federal programs or departments
2 with particular responsibilities in purchasing and financial
3 control or any person who has served for eight years in a position
4 which meets the definition of "secretary II" or "secretary III";

5 ~~(79)~~ (77) "Supervisor of maintenance" means a skilled person
6 who is not a professional person or professional educator as
7 defined in section one, article one of this chapter. The
8 responsibilities include directing the upkeep of buildings and
9 shops, and issuing instructions to subordinates relating to
10 cleaning, repairs and maintenance of all structures and mechanical
11 and electrical equipment of a county board;

12 ~~(80)~~ (78) "Supervisor of transportation" means a qualified
13 person employed to direct school transportation activities properly
14 and safely, and to supervise the maintenance and repair of
15 vehicles, buses and other mechanical and mobile equipment used by
16 the county school system. After July 1, 2010, all persons employed
17 for the first time in a position with this classification title or
18 in a multiclassification position that includes this title shall
19 have five years of experience working in the transportation
20 department of a county board. Experience working in the
21 transportation department shall consist of serving as a bus
22 operator, bus aide, assistant mechanic, mechanic, chief mechanic or
23 in a clerical position within the transportation department;

24 ~~(81)~~ (79) "Switchboard operator-receptionist" means a person
25 employed to refer incoming calls, to assume contact with the
26 public, to direct and to give instructions as necessary, to operate
27 switchboard equipment and to provide clerical assistance;

1 ~~(82)~~ (80) "Truck driver" means a person employed to operate
2 light or heavy duty gasoline and diesel-powered vehicles;

3 ~~(83)~~ (81) "Warehouse clerk" means a person employed to be
4 responsible for receiving, storing, packing and shipping goods;

5 ~~(84)~~ (82) "Watchman" means a person employed to protect school
6 property against damage or theft. Additional assignments may
7 include operation of a small heating plant and routine cleaning
8 duties;

9 ~~(85)~~ (83) "Welder" means a person employed to provide
10 acetylene or electric welding services for a school system; and

11 ~~(86)~~ (84) "WVEIS data entry and administrative clerk" means a
12 person employed to work under the direction of a school principal
13 to assist the school counselor or counselors in the performance of
14 administrative duties, to perform data entry tasks on the West
15 Virginia Education Information System, and to perform other
16 administrative duties assigned by the principal.

17 (j) Notwithstanding any provision in this code to the
18 contrary, and in addition to the compensation provided for service
19 personnel in section eight-a of this article, each service person
20 is entitled to all service personnel employee rights, privileges
21 and benefits provided under this or any other chapter of this code
22 without regard to the employee's hours of employment or the methods
23 or sources of compensation.

24 (k) A service person whose years of employment exceeds the
25 number of years shown and provided for under the state minimum pay
26 scale set forth in section eight-a of this article may not be paid
27 less than the amount shown for the maximum years of employment

1 shown and provided for in the classification in which he or she is
2 employed.

3 (1) Each county board shall review each service person's job
4 classification annually and shall reclassify all service persons as
5 required by the job classifications. The state superintendent may
6 withhold state funds appropriated pursuant to this article for
7 salaries for service personnel who are improperly classified by the
8 county boards. Further, the state superintendent shall order a
9 county board to correct immediately any improper classification
10 matter and, with the assistance of the Attorney General, shall take
11 any legal action necessary against any county board to enforce the
12 order.

13 (m) Without his or her written consent, a service person may
14 not be:

15 (1) Reclassified by class title; or

16 (2) Relegated to any condition of employment which would
17 result in a reduction of his or her salary, rate of pay,
18 compensation or benefits earned during the current fiscal year; or
19 for which he or she would qualify by continuing in the same job
20 position and classification held during that fiscal year and
21 subsequent years.

22 (n) Any county board failing to comply with the provisions of
23 this article may be compelled to do so by mandamus and is liable to
24 any party prevailing against the board for court costs and the
25 prevailing party's reasonable attorney fee, as determined and
26 established by the court.

27 (o) Notwithstanding any provision of this code to the

1 contrary, a service person who holds a continuing contract in a
2 specific job classification and who is physically unable to perform
3 the job's duties as confirmed by a physician chosen by the
4 employee, shall be given priority status over any employee not
5 holding a continuing contract in filling other service personnel
6 job vacancies if the service person is qualified as provided in
7 section eight-e of this article.

8 (p) Any person employed in an aide position on the effective
9 date of this section may not be transferred or subject to a
10 reduction in force for the purpose of creating a vacancy for the
11 employment of a licensed practical nurse.

12 (q) Without the written consent of the service person, a
13 county board may not establish the beginning work station for a bus
14 operator or transportation aide at any site other than a county
15 board-owned facility with available parking. The workday of the
16 bus operator or transportation aide commences at the bus at the
17 designated beginning work station and ends when the employee is
18 able to leave the bus at the designated beginning work station,
19 unless he or she agrees otherwise in writing. The application or
20 acceptance of a posted position may not be construed as the written
21 consent referred to in this subsection.

22 (r) Itinerant status means a service person who does not have
23 a fixed work site and may be involuntarily reassigned to another
24 work site. A service person is considered to hold itinerant status
25 if he or she has bid upon a position posted as itinerant or has
26 agreed to accept this status. A county board may establish
27 positions with itinerant status only within the aide and autism

1 mentor classification categories and only when the job duties
 2 involve exceptional students. A service person with itinerant
 3 status may be assigned to a different work site upon written notice
 4 ten days prior to the reassignment without the consent of the
 5 employee and without posting the vacancy. A service person with
 6 itinerant status may be involuntarily reassigned no more than twice
 7 during the school year. At the conclusion of each school year, the
 8 county board shall post and fill, pursuant to section eight-b of
 9 this article, all positions that have been filled without posting
 10 by a service person with itinerant status. A service person who is
 11 assigned to a beginning and ending work site and travels at the
 12 expense of the county board to other work sites during the daily
 13 schedule, shall not be considered to hold itinerant status.

14 **§18A-4-8a. Service personnel minimum monthly salaries.**

15 (a) The minimum monthly pay for each service employee whose
 16 employment is for a period of more than three and one-half hours a
 17 day shall be at least the amounts indicated in the state minimum
 18 pay scale pay grade and the minimum monthly pay for each service
 19 employee whose employment is for a period of three and one-half
 20 hours or less a day shall be at least one-half the amount indicated
 21 in the state minimum pay scale pay grade set forth in this section.

22 **STATE MINIMUM PAY SCALE PAY GRADE**

23 Years	PAY GRADE							
24 Exp.	A	B	C	D	E	F	G	H
25 0	1,577	1,598	1,639	1,691	1,743	1,805	1,836	1,908
26 1	1,609	1,630	1,671	1,723	1,775	1,837	1,868	1,940
27 2	1,641	1,662	1,703	1,755	1,807	1,869	1,900	1,972

1	3	1,673	1,694	1,735	1,787	1,839	1,901	1,932	2,004
2	4	1,705	1,726	1,767	1,819	1,871	1,933	1,964	2,037
3	5	1,737	1,758	1,799	1,851	1,903	1,965	1,996	2,069
4	6	1,769	1,790	1,832	1,883	1,935	1,997	2,028	2,101
5	7	1,802	1,822	1,864	1,915	1,967	2,029	2,060	2,133
6	8	1,834	1,854	1,896	1,947	1,999	2,061	2,092	2,165
7	9	1,866	1,886	1,928	1,980	2,031	2,093	2,124	2,197
8	10	1,898	1,919	1,960	2,012	2,063	2,126	2,157	2,229
9	11	1,930	1,951	1,992	2,044	2,095	2,158	2,189	2,261
10	12	1,962	1,983	2,024	2,076	2,128	2,190	2,221	2,293
11	13	1,994	2,015	2,056	2,108	2,160	2,222	2,253	2,325
12	14	2,026	2,047	2,088	2,140	2,192	2,254	2,285	2,357
13	15	2,058	2,079	2,120	2,172	2,224	2,286	2,317	2,389
14	16	2,090	2,111	2,152	2,204	2,256	2,318	2,349	2,422
15	17	2,122	2,143	2,185	2,236	2,288	2,350	2,381	2,454
16	18	2,154	2,175	2,217	2,268	2,320	2,382	2,413	2,486
17	19	2,187	2,207	2,249	2,300	2,352	2,414	2,445	2,518
18	20	2,219	2,239	2,281	2,333	2,384	2,446	2,477	2,550
19	21	2,251	2,271	2,313	2,365	2,416	2,478	2,509	2,582
20	22	2,283	2,304	2,345	2,397	2,448	2,511	2,542	2,614
21	23	2,315	2,336	2,377	2,429	2,481	2,543	2,574	2,646
22	24	2,347	2,368	2,409	2,461	2,513	2,575	2,606	2,678
23	25	2,379	2,400	2,441	2,493	2,545	2,607	2,638	2,710
24	26	2,411	2,432	2,473	2,525	2,577	2,639	2,670	2,742
25	27	2,443	2,464	2,505	2,557	2,609	2,671	2,702	2,774
26	28	2,475	2,496	2,537	2,589	2,641	2,703	2,734	2,807
27	29	2,507	2,528	2,570	2,621	2,673	2,735	2,766	2,839
28	30	2,540	2,560	2,602	2,653	2,705	2,767	2,798	2,871
29	31	2,572	2,592	2,634	2,685	2,737	2,799	2,830	2,903

1	32	2,604	2,624	2,666	2,718	2,769	2,831	2,862	2,935
2	33	2,636	2,656	2,698	2,750	2,801	2,863	2,895	2,967
3	34	2,668	2,689	2,730	2,782	2,833	2,896	2,927	2,999
4	35	2,700	2,721	2,762	2,814	2,866	2,928	2,959	3,031
5	36	2,732	2,753	2,794	2,846	2,898	2,960	2,991	3,063
6	37	2,764	2,785	2,826	2,878	2,930	2,992	3,023	3,095
7	38	2,796	2,817	2,858	2,910	2,962	3,024	3,055	3,127
8	39	2,828	2,849	2,890	2,942	2,994	3,056	3,087	3,159
9	40	2,860	2,881	2,922	2,974	3,026	3,088	3,119	3,192

10 (C l a s s T i t l e)

11 Pay Grade

12	Accountant I	D
13	Accountant II	E
14	Accountant III	F
15	Accounts Payable Supervisor	G
16	Aide I	A
17	Aide II	B
18	Aide III	C
19	Aide IV	D
20	Audiovisual Technician	C
21	Auditor	G
22	Autism Mentor	F
23	Braille or Sign Language Specialist	E
24	Bus Operator	D
25	Buyer	F
26	Cabinetmaker	G
27	Cafeteria Manager	D

1	Carpenter I	E
2	Carpenter II	F
3	Chief Mechanic	G
4	Clerk I	B
5	Clerk II.....	C
6	Computer Operator	E
7	Cook I	A
8	Cook II	B
9	Cook III	C
10	<u>Cook</u>	<u>D</u>
11	Crew Leader	F
12	Custodian I	A
13	Custodian II	B
14	Custodian III	C
15	Custodian IV	D
16	Director or Coordinator of Services	H
17	Draftsman	D
18	Electrician I	F
19	Electrician II	G
20	Electronic Technician I	F
21	Electronic Technician II	G
22	Executive Secretary	G
23	Food Services Supervisor	G
24	Foreman	G
25	General Maintenance	C
26	Glazier	D
27	Graphic Artist	D

1	Groundsman	B
2	Handyman	B
3	Heating and Air Conditioning Mechanic I	E
4	Heating and Air Conditioning Mechanic II	G
5	Heavy Equipment Operator	E
6	Inventory Supervisor	D
7	Key Punch Operator	B
8	Licensed Practical Nurse	F
9	Locksmith	G
10	Lubrication Man	C
11	Machinist	F
12	Mail Clerk	D
13	Maintenance Clerk	C
14	Mason	G
15	Mechanic	F
16	Mechanic Assistant	E
17	Office Equipment Repairman I	F
18	Office Equipment Repairman II	G
19	Painter	E
20	Paraprofessional	F
21	Payroll Supervisor	G
22	Plumber I	E
23	Plumber II	G
24	Printing Operator	B
25	Printing Supervisor	D
26	Programmer	H
27	Roofing/Sheet Metal Mechanic	F

1 Sanitation Plant Operator G
2 School Bus Supervisor E
3 Secretary I D
4 Secretary II E
5 Secretary III F
6 Supervisor of Maintenance H
7 Supervisor of Transportation H
8 Switchboard Operator-Receptionist D
9 Truck Driver D
10 Warehouse Clerk C
11 Watchman B
12 Welder F
13 WVEIS Data Entry and Administrative Clerk B

14 (b) An additional \$12 per month shall be added to the minimum
15 monthly pay of each service employee who holds a high school
16 diploma or its equivalent.

17 (c) An additional \$11 per month also shall be added to the
18 minimum monthly pay of each service employee for each of the
19 following:

20 (1) A service employee who holds twelve college hours or
21 comparable credit obtained in a trade or vocational school as
22 approved by the state board;

23 (2) A service employee who holds twenty-four college hours or
24 comparable credit obtained in a trade or vocational school as
25 approved by the state board;

26 (3) A service employee who holds thirty-six college hours or
27 comparable credit obtained in a trade or vocational school as

1 approved by the state board;

2 (4) A service employee who holds forty-eight college hours or
3 comparable credit obtained in a trade or vocational school as
4 approved by the state board;

5 (5) A service employee who holds sixty college hours or
6 comparable credit obtained in a trade or vocational school as
7 approved by the state board;

8 (6) A service employee who holds seventy-two college hours or
9 comparable credit obtained in a trade or vocational school as
10 approved by the state board;

11 (7) A service employee who holds eighty-four college hours or
12 comparable credit obtained in a trade or vocational school as
13 approved by the state board;

14 (8) A service employee who holds ninety-six college hours or
15 comparable credit obtained in a trade or vocational school as
16 approved by the state board;

17 (9) A service employee who holds one hundred eight college
18 hours or comparable credit obtained in a trade or vocational school
19 as approved by the state board;

20 (10) A service employee who holds one hundred twenty college
21 hours or comparable credit obtained in a trade or vocational school
22 as approved by the state board;

23 (d) An additional \$40 per month also shall be added to the
24 minimum monthly pay of each service employee for each of the
25 following:

26 (1) A service employee who holds an associate's degree;

27 (2) A service employee who holds a bachelor's degree;

1 (3) A service employee who holds a master's degree;

2 (4) A service employee who holds a doctorate degree.

3 (e) An additional \$11 per month shall be added to the minimum
4 monthly pay of each service employee for each of the following:

5 (1) A service employee who holds a bachelor's degree plus
6 fifteen college hours;

7 (2) A service employee who holds a master's degree plus
8 fifteen college hours;

9 (3) A service employee who holds a master's degree plus thirty
10 college hours;

11 (4) A service employee who holds a master's degree plus forty-
12 five college hours; and

13 (5) A service employee who holds a master's degree plus sixty
14 college hours.

15 (f) An additional \$20 per month shall be added to the minimum
16 monthly pay of each service employee classified as a cook or
17 cafeteria manager, either as a single classification title or as
18 part of a multiclassification title who holds three college hours
19 in the area of child nutrition as approved by the West Virginia
20 Department of Education: Provided, That cooks and cafeteria
21 managers shall be paid \$20 per month for each additional three
22 hours of college credit up to a total of twelve college hours or
23 \$80 per month;

24 ~~(f)~~ (g) When any part of a school service employee's daily
25 shift of work is performed between the hours of six o'clock p.m.
26 and five o'clock a.m. the following day, the employee shall be paid
27 no less than an additional \$10 per month and one half of the pay

1 shall be paid with local funds.

2 ~~(g)~~ (h) Any service employee required to work on any legal
3 school holiday shall be paid at a rate one and one-half times the
4 employee's usual hourly rate.

5 ~~(h)~~ (i) Any full-time service personnel required to work in
6 excess of their normal working day during any week which contains
7 a school holiday for which they are paid shall be paid for the
8 additional hours or fraction of the additional hours at a rate of
9 one and one-half times their usual hourly rate and paid entirely
10 from county board funds.

11 ~~(i)~~ (j) No service employee may have his or her daily work
12 schedule changed during the school year without the employee's
13 written consent and the employee's required daily work hours may
14 not be changed to prevent the payment of time and one-half wages or
15 the employment of another employee.

16 ~~(j)~~ (k) The minimum hourly rate of pay for extra duty
17 assignments as defined in section eight-b of this article shall be
18 no less than one seventh of the employee's daily total salary for
19 each hour the employee is involved in performing the assignment and
20 paid entirely from local funds: *Provided*, That an alternative
21 minimum hourly rate of pay for performing extra duty assignments
22 within a particular category of employment may be used if the
23 alternate hourly rate of pay is approved both by the county board
24 and by the affirmative vote of a two-thirds majority of the regular
25 full-time employees within that classification category of
26 employment within that county: *Provided, however*, That the vote
27 shall be by secret ballot if requested by a service personnel

1 employee within that classification category within that county.
2 The salary for any fraction of an hour the employee is involved in
3 performing the assignment shall be prorated accordingly. When
4 performing extra duty assignments, employees who are regularly
5 employed on a one-half day salary basis shall receive the same
6 hourly extra duty assignment pay computed as though the employee
7 were employed on a full-day salary basis.

8 ~~(k)~~ (l) The minimum pay for any service personnel employees
9 engaged in the removal of asbestos material or related duties
10 required for asbestos removal shall be their regular total daily
11 rate of pay and no less than an additional \$3 per hour or no less
12 than \$5 per hour for service personnel supervising asbestos removal
13 responsibilities for each hour these employees are involved in
14 asbestos related duties. Related duties required for asbestos
15 removal include, but are not limited to, travel, preparation of the
16 work site, removal of asbestos decontamination of the work site,
17 placing and removal of equipment and removal of structures from the
18 site. If any member of an asbestos crew is engaged in asbestos
19 related duties outside of the employee's regular employment county,
20 the daily rate of pay shall be no less than the minimum amount as
21 established in the employee's regular employment county for
22 asbestos removal and an additional \$30 per each day the employee is
23 engaged in asbestos removal and related duties. The additional pay
24 for asbestos removal and related duties shall be payable entirely
25 from county funds. Before service personnel employees may be used
26 in the removal of asbestos material or related duties, they shall
27 have completed a federal Environmental Protection Act approved

1 training program and be licensed. The employer shall provide all
2 necessary protective equipment and maintain all records required by
3 the Environmental Protection Act.

4 ~~(l)~~ (m) For the purpose of qualifying for additional pay as
5 provided in section eight, article five of this chapter, an aide
6 shall be considered to be exercising the authority of a supervisory
7 aide and control over pupils if the aide is required to supervise,
8 control, direct, monitor, escort or render service to a child or
9 children when not under the direct supervision of certified
10 professional personnel within the classroom, library, hallway,
11 lunchroom, gymnasium, school building, school grounds or wherever
12 supervision is required. For purposes of this section, "under the
13 direct supervision of certified professional personnel" means that
14 certified professional personnel is present, with and accompanying
15 the aide.

NOTE: The purpose of this bill is to replace the different
classifications for cooks with a single classification. The bill
increases the salary for the cook position. The bill also grants
additional increased salaries for cooks and cafeteria managers who
obtain college credits in child nutrition.

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