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H. B. 2438

(By Delegates P. Smith, Perry, Hartman, Rodighiero, Trecoast
Eldridge, Campbell, Lynch, Williams, L. Phillips and Ferro)

[Introduced January 27, 2015; referred to the
Committee on Education then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §18A-4-8a of the Code of West Virginia, 1931, as amended, relating to school service personnel minimum monthly salaries; increasing one of the education increments.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

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

(a) The minimum monthly pay for each service employee shall be as follows:

(1) Beginning July 1, 2014, and continuing thereafter, the minimum monthly pay for each service employee whose employment is for a period of more than three and one-half hours a day shall be at least the amounts indicated in the state Minimum Pay Scale Pay Grade and the minimum monthly pay for each service employee whose employment is for a period of three and one-half hours or less a day shall be at least one-half the amount indicated in the state Minimum Pay Scale Pay

1 Grade set forth in this subdivision.

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3 STATE MINIMUM PAY SCALE PAY GRADE

4	Years	Exp. Pay Grade							
5		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
6	0	1,660	1,681	1,723	1,776	1,829	1,892	1,924	1,997
7	1	1,692	1,714	1,755	1,808	1,862	1,925	1,956	2,030
8	2	1,725	1,746	1,788	1,841	1,894	1,957	1,989	2,062
9	3	1,757	1,779	1,821	1,874	1,927	1,990	2,022	2,095
10	4	1,790	1,812	1,853	1,906	1,959	2,023	2,054	2,129
11	5	1,823	1,844	1,886	1,939	1,992	2,055	2,087	2,161
12	6	1,855	1,877	1,920	1,972	2,025	2,088	2,120	2,194
13	7	1,889	1,909	1,952	2,004	2,057	2,121	2,152	2,227
14	8	1,922	1,942	1,985	2,037	2,090	2,153	2,185	2,259
15	9	1,954	1,975	2,018	2,071	2,123	2,186	2,217	2,292
16	10	1,987	2,008	2,050	2,103	2,155	2,220	2,251	2,325
17	11	2,020	2,041	2,083	2,136	2,188	2,252	2,284	2,357
18	12	2,052	2,074	2,115	2,169	2,222	2,285	2,316	2,390
19	13	2,085	2,106	2,148	2,201	2,254	2,317	2,349	2,423
20	14	2,118	2,139	2,181	2,234	2,287	2,350	2,382	2,455
21	15	2,150	2,172	2,213	2,266	2,319	2,383	2,414	2,488
22	16	2,183	2,204	2,246	2,299	2,352	2,415	2,447	2,521
23	17	2,215	2,237	2,280	2,332	2,385	2,448	2,480	2,554
24	18	2,248	2,270	2,312	2,364	2,417	2,481	2,512	2,587
25	19	2,282	2,302	2,345	2,397	2,450	2,513	2,545	2,619
26	20	2,314	2,335	2,378	2,431	2,483	2,546	2,578	2,653
27	21	2,347	2,367	2,410	2,463	2,515	2,579	2,610	2,687
28	22	2,380	2,401	2,443	2,496	2,548	2,612	2,644	2,719
29	23	2,412	2,434	2,476	2,529	2,582	2,646	2,678	2,753
30	24	2,445	2,466	2,508	2,561	2,614	2,680	2,711	2,787
31	25	2,478	2,499	2,541	2,594	2,648	2,712	2,745	2,819
32	26	2,510	2,532	2,573	2,628	2,682	2,746	2,777	2,853

1	27	2,543	2,564	2,606	2,660	2,714	2,778	2,811	2,886
2	28	2,576	2,597	2,640	2,694	2,748	2,812	2,845	2,920
3	29	2,608	2,631	2,673	2,726	2,781	2,846	2,877	2,954
4	30	2,642	2,663	2,707	2,760	2,814	2,878	2,911	2,987
5	31	2,675	2,697	2,741	2,794	2,848	2,912	2,945	3,020
6	32	2,709	2,730	2,773	2,827	2,880	2,946	2,977	3,054
7	33	2,743	2,763	2,807	2,861	2,914	2,978	3,011	3,087
8	34	2,775	2,797	2,841	2,895	2,948	3,012	3,045	3,120
9	35	2,809	2,831	2,873	2,927	2,980	3,046	3,078	3,154
10	36	2,843	2,864	2,907	2,961	3,015	3,079	3,112	3,186
11	37	2,875	2,898	2,941	2,995	3,049	3,113	3,145	3,220
12	38	2,909	2,930	2,973	3,027	3,081	3,146	3,178	3,254
13	39	2,943	2,964	3,007	3,061	3,115	3,179	3,212	3,286
14	40	2,975	2,998	3,040	3,094	3,149	3,213	3,245	3,320

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16 (2) Each service employee shall receive the amount prescribed in the Minimum Pay Scale
 17 in accordance with the provisions of this subsection according to their class title and pay grade as
 18 set forth in this subdivision:

19 CLASS TITLE	PAY GRADE
20 Accountant I.	D
21 Accountant II.	E
22 Accountant III.	F
23 Accounts Payable Supervisor..	G
24 Aide I.	A
25 Aide II.	B
26 Aide III.	C

1 Aide IV.....	D
2 Audiovisual Technician.....	C
3 Auditor.....	G
4 Autism Mentor.....	F
5 Braille Specialist.....	E
6 Bus Operator.....	D
7 Buyer.....	F
8 Cabinetmaker.....	G
9 Cafeteria Manager.....	D
10 Carpenter I.....	E
11 Carpenter II.....	F
12 Chief Mechanic.....	G
13 Clerk I.....	B
14 Clerk II.....	C
15 Computer Operator.....	E
16 Cook I.....	A
17 Cook II.....	B
18 Cook III.....	C
19 Crew Leader.....	F
20 Custodian I.....	A
21 Custodian II.....	B
22 Custodian III.....	C

1 Custodian IV.	D
2 Director or Coordinator of Services.....	H
3 Draftsman.....	D
4 Early Childhood Classroom Assistant Teacher -	
5 Temporary Authorization.....	E
6 Early Childhood Classroom Assistant Teacher -	
7 Permanent Authorization.....	E
8 Early Childhood Classroom Assistant Teacher -	
9 Paraprofessional Certificate.	F
10 Educational Sign Language Interpreter I.	F
11 Educational Sign Language Interpreter II.	G
12 Electrician I.	F
13 Electrician II.....	G
14 Electronic Technician I.	F
15 Electronic Technician II.....	G
16 Executive Secretary.	G
17 Food Services Supervisor.	G
18 Foreman.....	G
19 General Maintenance.....	C
20 Glazier.	D
21 Graphic Artist.....	D
22 Groundsman.....	B

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

1	Printing Operator.	B
2	Printing Supervisor.	D
3	Programmer.	H
4	Roofing/Sheet Metal Mechanic.	F
5	Sanitation Plant Operator.	G
6	School Bus Supervisor.	E
7	Secretary I.	D
8	Secretary II.	E
9	Secretary III.	F
10	Sign Support Specialist.	E
11	Supervisor of Maintenance.	H
12	Supervisor of Transportation.	H
13	Switchboard Operator-Receptionist.	D
14	Truck Driver.	D
15	Warehouse Clerk.	C
16	Watchman.	B
17	Welder.	F
18	WVEIS Data Entry and Administrative Clerk.	B

19 (b) An additional \$12 per month is added to the minimum monthly pay of each service person
20 who holds a high school diploma or its equivalent.

21 (c) An additional ~~\$11~~ \$15 per month also is added to the minimum monthly pay of each
22 service person for each of the following:

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

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

5 (3) A service person who holds thirty-six college hours or comparable credit obtained in a
6 trade or vocational school as approved by the state board;

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

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

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

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

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

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

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

21 (d) An additional \$40 per month also is added to the minimum monthly pay of each service
22 person for each of the following:

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

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

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

4 (4) A service person who holds a doctorate degree.

5 (e) An additional \$11 per month is added to the minimum monthly pay of each service person
6 for each of the following:

7 (1) A service person who holds a bachelor's degree plus fifteen college hours;

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

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

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

11 (5) A service person who holds a master's degree plus sixty college hours.

12 (f) To meet the objective of salary equity among the counties, each service person is paid an
13 equity supplement, as set forth in section five of this article, of \$164 per month, subject to the
14 provisions of that section. These payments: (i) Are in addition to any amounts prescribed in the
15 applicable State Minimum Pay Scale Pay Grade, any specific additional amounts prescribed in this
16 section and article and any county supplement in effect in a county pursuant to section five-b of this
17 article; (ii) are paid in equal monthly installments; and (iii) are considered a part of the state
18 minimum salaries for service personnel.

19 (g) When any part of a school service person's daily shift of work is performed between the
20 hours of six o'clock p. m. and five o'clock a. m. the following day, the employee is paid no less
21 than an additional \$10 per month and one half of the pay is paid with local funds.

1 (h) Any service person required to work on any legal school holiday is paid at a rate one and
2 one-half times the person's usual hourly rate.

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

7 (j) A service person may not have his or her daily work schedule changed during the school
8 year without the employee's written consent and the person's required daily work hours may not be
9 changed to prevent the payment of time and one-half wages or the employment of another employee.

10 (k) The minimum hourly rate of pay for extra duty assignments as defined in section eight-b
11 of this article is no less than one seventh of the person's daily total salary for each hour the person
12 is involved in performing the assignment and paid entirely from local funds: *Provided*, That an
13 alternative minimum hourly rate of pay for performing extra duty assignments within a particular
14 category of employment may be used if the alternate hourly rate of pay is approved both by the
15 county board and by the affirmative vote of a two-thirds majority of the regular full-time persons
16 within that classification category of employment within that county: *Provided, however*, That the
17 vote is by secret ballot if requested by a service person within that classification category within that
18 county. The salary for any fraction of an hour the employee is involved in performing the
19 assignment is prorated accordingly. When performing extra duty assignments, persons who are
20 regularly employed on a one-half day salary basis shall receive the same hourly extra duty
21 assignment pay computed as though the person were employed on a full-day salary basis.

1 (l) The minimum pay for any service personnel engaged in the removal of asbestos material
2 or related duties required for asbestos removal is their regular total daily rate of pay and no less than
3 an additional \$3 per hour or no less than \$5 per hour for service personnel supervising asbestos
4 removal responsibilities for each hour these employees are involved in asbestos-related duties.
5 Related duties required for asbestos removal include, but are not limited to, travel, preparation of the
6 work site, removal of asbestos, decontamination of the work site, placing and removal of equipment
7 and removal of structures from the site. If any member of an asbestos crew is engaged in asbestos-
8 related duties outside of the employee's regular employment county, the daily rate of pay is no less
9 than the minimum amount as established in the employee's regular employment county for asbestos
10 removal and an additional \$30 per each day the employee is engaged in asbestos removal and related
11 duties. The additional pay for asbestos removal and related duties shall be payable entirely from
12 county funds. Before service personnel may be used in the removal of asbestos material or related
13 duties, they shall have completed a federal Environmental Protection Act-approved training program
14 and be licensed. The employer shall provide all necessary protective equipment and maintain all
15 records required by the Environmental Protection Act.

16 (m) For the purpose of qualifying for additional pay as provided in section eight, article five
17 of this chapter, an aide is considered to be exercising the authority of a supervisory aide and control
18 over pupils if the aide is required to supervise, control, direct, monitor, escort or render service to
19 a child or children when not under the direct supervision of a certified professional person within
20 the classroom, library, hallway, lunchroom, gymnasium, school building, school grounds or
21 wherever supervision is required. For purposes of this section, "under the direct supervision of a

- 1 certified professional person” means that certified professional person is present, with and
- 2 accompanying the aide.

NOTE: The purpose of this bill is to increase one of the educational increments for school service personnel from \$11 per month to \$15 per month.

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