

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4145

BY MR. SPEAKER (MR. ARMSTEAD) AND DELEGATE MILEY

(BY REQUEST OF THE EXECUTIVE)

[Passed March 6, 2018; in effect July 1, 2018.]

1 AN ACT to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended as
2 contained in Enrolled Committee Substitute for Senate Bill 267, Regular Session, 2018;
3 and to amend and reenact §18A-4-2 and §18A-4-8a of said code as contained in Enrolled
4 Committee Substitute for Senate Bill 267, Regular Session, 2018, all relating to increasing
5 compensation for certain public employees; increasing the annual salaries of members of
6 the West Virginia State Police; increasing the minimum salaries payable to public school
7 teachers and professional personnel during the contract year; and increasing the minimum
8 monthly pay for public school service personnel.

Be it enacted by the Legislature of West Virginia:

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-5. Career progression system; salaries; exclusion from wages and hour law, with supplemental payment; bond; leave time for members called to duty in guard or reserves.

1 (a) The superintendent shall establish within the West Virginia State Police a system to
2 provide for: The promotion of members to the supervisory ranks of sergeant, first sergeant,
3 second lieutenant, and first lieutenant; the classification of nonsupervisory members within the
4 field operations force to the ranks of trooper, senior trooper, trooper first class, or corporal; the
5 classification of members assigned to the forensic laboratory as criminalist I-VIII; and the
6 temporary reclassification of members assigned to administrative duties as administrative support
7 specialist I-VIII.

8 (b) The superintendent may propose legislative rules for promulgation in accordance with
9 §29A-3-1 *et seq.* of this code for the purpose of ensuring consistency, predictability, and
10 independent review of any system developed under the provisions of this section.

11 (c) The superintendent shall provide to each member a written manual governing any
12 system established under the provisions of this section and specific procedures shall be identified
13 for the evaluation and testing of members for promotion or reclassification and the subsequent
14 placement of any members on a promotional eligibility or reclassification recommendation list.

15 (d) Beginning on July 1, 2018, members shall receive annual salaries payable at least
16 twice per month as follows:

17 ANNUAL SALARY SCHEDULE (BASE PAY)

18 SUPERVISORY AND NONSUPERVISORY RANKS

19	Cadet During Training	\$ 36,154
20	Cadet Trooper After Training	43,414
21	Trooper Second Year	44,426
22	Trooper Third Year	44,809
23	Senior Trooper	45,208
24	Trooper First Class	45,814
25	Corporal	46,420
26	Sergeant.....	50,721
27	First Sergeant.....	52,872
28	Second Lieutenant	55,022
29	First Lieutenant.....	57,173
30	Captain.....	59,324
31	Major	61,474
32	Lieutenant Colonel	63,625

33 ANNUAL SALARY SCHEDULE (BASE PAY)

34 ADMINISTRATION SUPPORT SPECIALIST CLASSIFICATION

35	I	44,426
36	II	45,208

37	III	45,814
38	IV	46,420
39	V	50,721
40	VI	52,872
41	VII	55,022
42	VIII	57,173

ANNUAL SALARY SCHEDULE (BASE PAY)

CRIMINALIST CLASSIFICATION

45	I	44,426
46	II	45,208
47	III	45,814
48	IV	46,420
49	V	50,721
50	VI	52,872
51	VII	55,022
52	VIII	57,173

53 Each member of the West Virginia State Police whose salary is fixed and specified in this
54 annual salary schedule is entitled to the length of service increases set forth in §15-2-5(e) of this
55 code and supplemental pay as provided in §15-2-5(g) of this code.

56 (e) Each member of the West Virginia State Police whose salary is fixed and specified
57 pursuant to this section shall receive, and is entitled to, an increase in salary over that set forth in
58 §15-2-5(d) of this code for grade in rank, based on length of service, including that service served
59 before and after the effective date of this section with the West Virginia State Police as follows:
60 Beginning on January 1, 2015, and continuing thereafter, at the end of two years of service with
61 the West Virginia State Police, the member shall receive a salary increase of \$500 to be effective

62 during his or her next year of service and a like increase at yearly intervals thereafter, with the
63 increases to be cumulative.

64 (f) In applying the salary schedules set forth in this section where salary increases are
65 provided for length of service, members of the West Virginia State Police in service at the time
66 the schedules become effective shall be given credit for prior service and shall be paid the salaries
67 the same length of service entitles them to receive under the provisions of this section.

68 (g) The Legislature finds and declares that because of the unique duties of members of
69 the West Virginia State Police, it is not appropriate to apply the provisions of state wage and hour
70 laws to them. Accordingly, members of the West Virginia State Police are excluded from the
71 provisions of state wage and hour law. This express exclusion shall not be construed as any
72 indication that the members were or were not covered by the wage and hour law prior to this
73 exclusion.

74 In lieu of any overtime pay they might otherwise have received under the wage and hour
75 law, and in addition to their salaries and increases for length of service, members who have
76 completed basic training and who are exempt from federal Fair Labor Standards Act guidelines
77 may receive supplemental pay as provided in this section.

78 The authority of the superintendent to propose a legislative rule or amendment thereto for
79 promulgation in accordance with §29A-3-1 *et seq.* of this code to establish the number of hours
80 per month which constitute the standard pay period for the members of the West Virginia State
81 Police is hereby continued. The rule shall further establish, on a graduated hourly basis, the
82 criteria for receipt of a portion or all of supplemental payment when hours are worked in excess
83 of the standard pay period. The superintendent shall certify at least twice per month to the West
84 Virginia State Police's payroll officer the names of those members who have worked in excess of
85 the standard pay period and the amount of their entitlement to supplemental payment. The
86 supplemental payment may not exceed \$200 per pay period. The superintendent and civilian
87 employees of the West Virginia State Police are not eligible for any supplemental payments.

88 (h) Each member of the West Virginia State Police, except the superintendent and civilian
89 employees, shall execute, before entering upon the discharge of his or her duties, a bond with
90 security in the sum of \$5,000 payable to the State of West Virginia, conditioned upon the faithful
91 performance of his or her duties, and the bond shall be approved as to form by the Attorney
92 General and as to sufficiency by the Governor.

93 (i) In consideration for compensation paid by the West Virginia State Police to its members
94 during those members' participation in the West Virginia State Police Cadet Training Program
95 pursuant to §30-29-8 of this code, the West Virginia State Police may require of its members by
96 written agreement entered into with each of them in advance of such participation in the program
97 that, if a member should voluntarily discontinue employment any time within one year immediately
98 following completion of the training program, he or she shall be obligated to pay to the West
99 Virginia State Police a pro rata portion of such compensation equal to that part of such year which
100 the member has chosen not to remain in the employ of the West Virginia State Police.

101 (j) Any member of the West Virginia State Police who is called to perform active duty
102 training or inactive duty training in the National Guard or any reserve component of the armed
103 forces of the United States annually shall be granted, upon request, leave time not to exceed 30
104 calendar days for the purpose of performing the active duty training or inactive duty training and
105 the time granted may not be deducted from any leave accumulated as a member of the West
106 Virginia State Police.

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.

§18A-4-2. State minimum salaries for teachers.

1 (a) It is the goal of the Legislature to increase the state minimum salary for teachers with
2 zero years of experience and an A. B. degree, including the equity supplement, to at least \$43,000
3 by fiscal year 2019.

4 (b) For school year 2018–2019, and continuing thereafter, each teacher shall receive the
 5 amount prescribed in the State Minimum Salary Schedule as set forth in this section; specific
 6 additional amounts prescribed in this section or article; and any county supplement in effect in a
 7 county pursuant to §18A-4-5a of this code during the contract year.

STATE MINIMUM SALARY SCHEDULE

Years Exp	4 th Class	3 rd Class	2 nd Class	A.B.	A.B. + 15	M.A.	M.A. + 15	M.A. + 30	M.A. + 45	Doc- torate
0	29,937	30,626	30,892	32,335	33,096	34,863	35,624	36,385	37,146	38,181
1	30,265	30,954	31,220	32,853	33,614	35,382	36,143	36,903	37,664	38,699
2	30,594	31,282	31,548	33,372	34,133	35,900	36,661	37,422	38,183	39,218
3	30,922	31,610	31,876	33,891	34,651	36,419	37,180	37,940	38,701	39,736
4	31,494	32,182	32,448	34,653	35,414	37,182	37,943	38,703	39,464	40,499
5	31,822	32,510	32,776	35,172	35,933	37,700	38,461	39,222	39,983	41,018
6	32,150	32,838	33,104	35,690	36,451	38,219	38,980	39,740	40,501	41,536
7	32,478	33,167	33,432	36,209	36,970	38,737	39,498	40,259	41,020	42,055
8	32,806	33,495	33,761	36,727	37,488	39,256	40,017	40,777	41,538	42,573
9	33,134	33,823	34,089	37,246	38,007	39,774	40,535	41,296	42,057	43,092
10	33,463	34,151	34,417	37,766	38,526	40,294	41,055	41,816	42,576	43,611
11	33,791	34,479	34,745	38,284	39,045	40,813	41,573	42,334	43,095	44,130
12	34,119	34,807	35,073	38,803	39,563	41,331	42,092	42,853	43,613	44,648
13	34,447	35,135	35,401	39,321	40,082	41,850	42,610	43,371	44,132	45,167
14	34,775	35,463	35,729	39,840	40,600	42,368	43,129	43,890	44,650	45,685
15	35,103	35,791	36,057	40,358	41,119	42,887	43,647	44,408	45,169	46,204
16	35,431	36,119	36,385	40,877	41,637	43,405	44,166	44,927	45,687	46,722
17	35,759	36,448	36,713	41,395	42,156	43,924	44,685	45,445	46,206	47,241
18	36,087	36,776	37,042	41,914	42,675	44,442	45,203	45,964	46,725	47,760
19	36,415	37,104	37,370	42,432	43,193	44,961	45,722	46,482	47,243	48,278
20	36,743	37,432	37,698	42,951	43,712	45,479	46,240	47,001	47,762	48,797

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21	37,072	37,760	38,026	43,469	44,230	45,998	46,759	47,519	48,280	49,315
22	37,400	38,088	38,354	43,988	44,749	46,516	47,277	48,038	48,799	49,834
23	37,728	38,416	38,682	44,507	45,267	47,035	47,796	48,556	49,317	50,352
24	38,056	38,744	39,010	45,025	45,786	47,554	48,314	49,075	49,836	50,871
25	38,384	39,072	39,338	45,544	46,304	48,072	48,833	49,594	50,354	51,389
26	38,712	39,400	39,666	46,062	46,823	48,591	49,351	50,112	50,873	51,908
27	39,040	39,728	39,994	46,581	47,341	49,109	49,870	50,631	51,391	52,426
28	39,368	40,057	40,322	47,099	47,860	49,628	50,388	51,149	51,910	52,945
29	39,696	40,385	40,651	47,618	48,378	50,146	50,907	51,668	52,428	53,463
30	40,024	40,713	40,979	48,136	48,897	50,665	51,425	52,186	52,947	53,982
31	40,353	41,041	41,307	48,655	49,416	51,183	51,944	52,705	53,465	54,500
32	40,681	41,369	41,635	49,173	49,934	51,702	52,463	53,223	53,984	55,019
33	41,009	41,697	41,963	49,692	50,453	52,220	52,981	53,742	54,503	55,538
34	41,337	42,025	42,291	50,210	50,971	52,739	53,500	54,260	55,021	56,056
35	41,665	42,353	42,619	50,729	51,490	53,257	54,018	54,779	55,540	56,575

8 (c) Six hundred dollars shall be paid annually to each classroom teacher who has at least
9 20 years of teaching experience. The payments: (i) Shall be in addition to any amounts prescribed
10 in the applicable State Minimum Salary Schedule; (ii) shall be paid in equal monthly installments;
11 and (iii) shall be considered a part of the state minimum salaries for teachers.

12 (d) To meet the objective of salary equity among the counties as set forth in §18A-4-5 of
13 this code, each teacher shall be paid an equity supplement amount as applicable for his or her
14 classification of certification or classification of training and years of experience as follows, subject
15 to the provisions of that section:

16 (1) For "4th Class" at zero years of experience, \$1,781. An additional \$38 shall be paid for
17 each year of experience up to and including 35 years of experience;

18 (2) For "3rd Class" at zero years of experience, \$1,796. An additional \$67 shall be paid for
19 each year of experience up to and including 35 years of experience;

20 (3) For “2nd Class” at zero years of experience, \$1,877. An additional \$69 shall be paid
21 for each year of experience up to and including 35 years of experience;

22 (4) For “A. B.” at zero years of experience, \$2,360. An additional \$69 shall be paid for
23 each year of experience up to and including 35 years of experience;

24 (5) For “A. B. + 15” at zero years of experience, \$2,452. An additional \$69 shall be paid
25 for each year of experience up to and including 35 years of experience;

26 (6) For “M. A.” at zero years of experience, \$2,644. An additional \$69 shall be paid for
27 each year of experience up to and including 35 years of experience;

28 (7) For “M. A. + 15” at zero years of experience, \$2,740. An additional \$69 shall be paid
29 for each year of experience up to and including 35 years of experience;

30 (8) For “M. A. + 30” at zero years of experience, \$2,836. An additional \$69 shall be paid
31 for each year of experience up to and including 35 years of experience;

32 (9) For “M. A. + 45” at zero years of experience, \$2,836. An additional \$69 shall be paid
33 for each year of experience up to and including 35 years of experience; and

34 (10) For “Doctorate” at zero years of experience, \$2,927. An additional \$69 shall be paid
35 for each year of experience up to and including 35 years of experience.

36 These payments: (i) Shall be in addition to any amounts prescribed in the applicable State
37 Minimum Salary Schedule, any specific additional amounts prescribed in this section and article
38 and any county supplement in effect in a county pursuant to §18A-4-5a of this code; (ii) shall be
39 paid in equal monthly installments; and (iii) shall be considered a part of the state minimum
40 salaries for teachers.

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

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

2 (1) For school year 2018–2019, and continuing thereafter, the minimum monthly pay for
3 each service employee whose employment is for a period of more than three and one-half hours
4 a day shall be at least the amounts indicated in the State Minimum Pay Scale Pay Grade and the

5 minimum monthly pay for each service employee whose employment is for a period of three and
 6 one-half hours or less a day shall be at least one-half the amount indicated in the State Minimum
 7 Pay Scale Pay Grade set forth in this subdivision.

8 STATE MINIMUM PAY SCALE PAY GRADE

Years Exp.	PAY GRADE							
	A	B	C	D	E	F	G	H
0	1,770	1,791	1,833	1,886	1,939	2,002	2,034	2,107
1	1,802	1,824	1,865	1,918	1,972	2,035	2,066	2,140
2	1,835	1,856	1,898	1,951	2,004	2,067	2,099	2,172
3	1,867	1,889	1,931	1,984	2,037	2,100	2,132	2,205
4	1,900	1,922	1,963	2,016	2,069	2,133	2,164	2,239
5	1,933	1,954	1,996	2,049	2,102	2,165	2,197	2,271
6	1,965	1,987	2,030	2,082	2,135	2,198	2,230	2,304
7	1,999	2,019	2,062	2,114	2,167	2,231	2,262	2,337
8	2,032	2,052	2,095	2,147	2,200	2,263	2,295	2,369
9	2,064	2,085	2,128	2,181	2,233	2,296	2,327	2,402
10	2,097	2,118	2,160	2,213	2,265	2,330	2,361	2,435
11	2,130	2,151	2,193	2,246	2,298	2,362	2,394	2,467
12	2,162	2,184	2,225	2,279	2,332	2,395	2,426	2,500
13	2,195	2,216	2,258	2,311	2,364	2,427	2,459	2,533
14	2,228	2,249	2,291	2,344	2,397	2,460	2,492	2,565
15	2,260	2,282	2,323	2,376	2,429	2,493	2,524	2,598
16	2,293	2,314	2,356	2,409	2,462	2,525	2,557	2,631
17	2,325	2,347	2,390	2,442	2,495	2,558	2,590	2,664
18	2,358	2,380	2,422	2,474	2,527	2,591	2,622	2,697
19	2,392	2,412	2,455	2,507	2,560	2,623	2,655	2,729
20	2,424	2,445	2,488	2,541	2,593	2,656	2,688	2,763
21	2,457	2,477	2,520	2,573	2,625	2,689	2,720	2,797
22	2,490	2,511	2,553	2,606	2,658	2,722	2,754	2,829

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23	2,522	2,544	2,586	2,639	2,692	2,756	2,788	2,863
24	2,555	2,576	2,618	2,671	2,724	2,790	2,821	2,897
25	2,588	2,609	2,651	2,704	2,758	2,822	2,855	2,929
26	2,620	2,642	2,683	2,738	2,792	2,856	2,887	2,963
27	2,653	2,674	2,716	2,770	2,824	2,888	2,921	2,996
28	2,686	2,707	2,750	2,804	2,858	2,922	2,955	3,030
29	2,718	2,741	2,783	2,836	2,891	2,956	2,987	3,064
30	2,752	2,773	2,817	2,870	2,924	2,988	3,021	3,097
31	2,785	2,807	2,851	2,904	2,958	3,022	3,055	3,130
32	2,819	2,840	2,883	2,937	2,990	3,056	3,087	3,164
33	2,853	2,873	2,917	2,971	3,024	3,088	3,121	3,197
34	2,885	2,907	2,951	3,005	3,058	3,122	3,155	3,230
35	2,919	2,941	2,983	3,037	3,090	3,156	3,188	3,264
36	2,953	2,974	3,017	3,071	3,125	3,189	3,222	3,296
37	2,985	3,008	3,051	3,105	3,159	3,223	3,255	3,330
38	3,019	3,040	3,083	3,137	3,191	3,256	3,288	3,364
39	3,053	3,074	3,117	3,171	3,225	3,289	3,322	3,396
40	3,085	3,108	3,150	3,204	3,259	3,323	3,355	3,430

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

12	CLASS TITLE	PAY GRADE
13	Accountant I	D
14	Accountant II	E
15	Accountant III	F
16	Accounts Payable Supervisor	G
17	Aide I	A
18	Aide II	B
19	Aide III	C

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20	Aide IV	D
21	Audiovisual Technician	C
22	Auditor	G
23	Autism Mentor	F
24	Braille Specialist	E
25	Bus Operator	D
26	Buyer	F
27	Cabinetmaker	G
28	Cafeteria Manager	D
29	Carpenter I	E
30	Carpenter II	F
31	Chief Mechanic	G
32	Clerk I	B
33	Clerk II	C
34	Computer Operator	E
35	Cook I	A
36	Cook II	B
37	Cook III	C
38	Crew Leader	F
39	Custodian I	A
40	Custodian II	B
41	Custodian III	C
42	Custodian IV	D
43	Director or Coordinator of Services	H
44	Draftsman	D
45	Early Childhood Classroom Assistant Teacher I	E

46	Early Childhood Classroom Assistant Teacher II	E
47	Early Childhood Classroom Assistant Teacher III	F
48	Educational Sign Language Interpreter I	F
49	Educational Sign Language Interpreter II	G
50	Electrician I	F
51	Electrician II	G
52	Electronic Technician I	F
53	Electronic Technician II	G
54	Executive Secretary	G
55	Food Services Supervisor	G
56	Foreman	G
57	General Maintenance	C
58	Glazier	D
59	Graphic Artist	D
60	Groundsman	B
61	Handyman	B
62	Heating and Air Conditioning Mechanic I	E
63	Heating and Air Conditioning Mechanic II	G
64	Heavy Equipment Operator	E
65	Inventory Supervisor	D
66	Key Punch Operator	B
67	Licensed Practical Nurse	F
68	Locksmith	G
69	Lubrication Man	C
70	Machinist	F
71	Mail Clerk	D

72	Maintenance Clerk	C
73	Mason	G
74	Mechanic	F
75	Mechanic Assistant	E
76	Office Equipment Repairman I	F
77	Office Equipment Repairman II	G
78	Painter	E
79	Paraprofessional	F
80	Payroll Supervisor	G
81	Plumber I	E
82	Plumber II	G
83	Printing Operator	B
84	Printing Supervisor	D
85	Programmer	H
86	Roofing/Sheet Metal Mechanic	F
87	Sanitation Plant Operator	G
88	School Bus Supervisor	E
89	Secretary I	D
90	Secretary II	E
91	Secretary III	F
92	Sign Support Specialist	E
93	Supervisor of Maintenance	H
94	Supervisor of Transportation	H
95	Switchboard Operator-Receptionist	D
96	Truck Driver	D
97	Warehouse Clerk	C

98 WatchmanB
99 WelderF
100 WVEIS Data Entry and Administrative ClerkB

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

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

105 (1) A service person who holds 12 college hours or comparable credit obtained in a trade
106 or vocational school as approved by the state board;

107 (2) A service person who holds 24 college hours or comparable credit obtained in a trade
108 or vocational school as approved by the state board;

109 (3) A service person who holds 36 college hours or comparable credit obtained in a trade
110 or vocational school as approved by the state board;

111 (4) A service person who holds 48 college hours or comparable credit obtained in a trade
112 or vocational school as approved by the state board;

113 (5) A service employee who holds 60 college hours or comparable credit obtained in a
114 trade or vocational school as approved by the state board;

115 (6) A service person who holds 72 college hours or comparable credit obtained in a trade
116 or vocational school as approved by the state board;

117 (7) A service person who holds 84 college hours or comparable credit obtained in a trade
118 or vocational school as approved by the state board;

119 (8) A service person who holds 96 college hours or comparable credit obtained in a trade
120 or vocational school as approved by the state board;

121 (9) A service person who holds 108 college hours or comparable credit obtained in a trade
122 or vocational school as approved by the state board;

123 (10) A service person who holds 120 college hours or comparable credit obtained in a
124 trade or vocational school as approved by the state board.

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

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

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

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

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

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

133 (1) A service person who holds a bachelor's degree plus 15 college hours;

134 (2) A service person who holds a master's degree plus 15 college hours;

135 (3) A service person who holds a master's degree plus 30 college hours;

136 (4) A service person who holds a master's degree plus 45 college hours; and

137 (5) A service person who holds a master's degree plus 60 college hours.

138 (f) To meet the objective of salary equity among the counties, each service person is paid
139 an equity supplement, as set forth in §18A-4-5 of this code, of \$164 per month, subject to the
140 provisions of that section. These payments: (i) Are in addition to any amounts prescribed in the
141 applicable State Minimum Pay Scale Pay Grade, any specific additional amounts prescribed in
142 this section and article and any county supplement in effect in a county pursuant to §18A-4-5b of
143 this code; (ii) are paid in equal monthly installments; and (iii) are considered a part of the state
144 minimum salaries for service personnel.

145 (g) When any part of a school service person's daily shift of work is performed between
146 the hours of 6:00 p. m. and 5:00 a. m. the following day, the employee is paid no less than an
147 additional \$10 per month and one half of the pay is paid with local funds.

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

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

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

158 (k) The minimum hourly rate of pay for extra duty assignments as defined in §18A-4-8b of
159 this code is no less than one seventh of the person's daily total salary for each hour the person is
160 involved in performing the assignment and paid entirely from local funds: *Provided*, That an
161 alternative minimum hourly rate of pay for performing extra duty assignments within a particular
162 category of employment may be used if the alternate hourly rate of pay is approved both by the
163 county board and by the affirmative vote of a two-thirds majority of the regular full-time persons
164 within that classification category of employment within that county: *Provided, however*, That the
165 vote is by secret ballot if requested by a service person within that classification category within
166 that county. The salary for any fraction of an hour the employee is involved in performing the
167 assignment is prorated accordingly. When performing extra duty assignments, persons who are
168 regularly employed on a one-half day salary basis shall receive the same hourly extra duty
169 assignment pay computed as though the person were employed on a full-day salary basis.

170 (l) The minimum pay for any service personnel engaged in the removal of asbestos
171 material or related duties required for asbestos removal is their regular total daily rate of pay and
172 no less than an additional \$3 per hour or no less than \$5 per hour for service personnel
173 supervising asbestos removal responsibilities for each hour these employees are involved in

174 asbestos-related duties. Related duties required for asbestos removal include, but are not limited
175 to, travel, preparation of the work site, removal of asbestos, decontamination of the work site,
176 placing and removal of equipment and removal of structures from the site. If any member of an
177 asbestos crew is engaged in asbestos-related duties outside of the employee's regular
178 employment county, the daily rate of pay is no less than the minimum amount as established in
179 the employee's regular employment county for asbestos removal and an additional \$30 per each
180 day the employee is engaged in asbestos removal and related duties. The additional pay for
181 asbestos removal and related duties shall be payable entirely from county funds. Before service
182 personnel may be used in the removal of asbestos material or related duties, they shall have
183 completed a federal Environmental Protection Act-approved training program and be licensed.
184 The employer shall provide all necessary protective equipment and maintain all records required
185 by the Environmental Protection Act.

186 (m) For the purpose of qualifying for additional pay as provided in §18A-5-8 of this code,
187 an aide is considered to be exercising the authority of a supervisory aide and control over pupils
188 if the aide is required to supervise, control, direct, monitor, escort, or render service to a child or
189 children when not under the direct supervision of a certified professional person within the
190 classroom, library, hallway, lunchroom, gymnasium, school building, school grounds, or wherever
191 supervision is required. For purposes of this section, "under the direct supervision of a certified
192 professional person" means that certified professional person is present, with and accompanying
193 the aide.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....
Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect July 1, 2018.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2018.

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Governor