

# **WEST VIRGINIA LEGISLATURE**

## **2018 REGULAR SESSION**

### **Originating**

## **Senate Bill 635**

BY SENATORS ARVON, BOSO, DRENNAN, FACEMIRE,  
FERNS, GAUNCH, PALUMBO, PREZIOSO, STOLLINGS,  
SYPOLT, TAKUBO, AND BLAIR

[Originating in the Committee on Finance; Reported  
on March 7, 2018]



1 A BILL to amend and reenact §5-5-4 of the Code of West Virginia, 1931, as amended, relating to  
2 a 2019 across-the-board salary adjustment for employees of the Department of Health  
3 and Human Resources.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.**

**§5-5-4. Department of Health and Human Resources ~~pay equity~~ salary adjustment.**

1 The Legislature hereby directs that a ~~pay equity~~ an across-the-board salary adjustment  
2 be provided for employees of the various ~~agencies~~ bureaus and offices of the Department of  
3 Health and Human Resources. This salary adjustment shall be provided from the funding  
4 appropriated to the department in the fiscal year ~~2000~~ 2019 and may not be construed to require  
5 additional appropriations from the Legislature. This adjustment is separate from and in addition  
6 to any other salary adjustment approved during the 2018 regular session of the Legislature  
7 relative to the 2019 budget. In the event any provision of this section conflicts with any rule, policy,  
8 or provision of this code, the provisions of this section control. In determining the ~~pay equity~~ salary  
9 adjustments, the department may give additional consideration to ~~employee tenure, relevant~~  
10 ~~average salaries and such other factors~~ specific job classifications including, but not limited, to  
11 child protective services, as may be determined relevant by the secretary. Due to the limits of  
12 funding, the results of the ~~pay equity~~ salary adjustments shall not be subject to the provisions of  
13 §6C-2-1 *et seq.* of this code. ~~The provisions of this section are rehabilitative in nature and~~ It is the  
14 specific intent of the Legislature that no private cause of action, either express or implied, shall  
15 arise pursuant to the provisions or implementation of this section.

NOTE: The purpose of this bill is to enhance recruitment and retention in the Department of Health and Human Resources by raising salaries in 2019.

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