

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2787**

BY DELEGATES THOMPSON, ROHRBACH, MOYE, DEAN,

HICKS, MARCUM AND RODIGHIERO

[Introduced March 3, 2017; Referred  
to the Committee on Education then Finance.]

1 A BILL to amend and reenact §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as  
2 amended, all relating to creating an additional class of special education classroom aides  
3 and to specify the pay grade for this class of school service personnel.

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

1 That §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as amended, be  
2 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.**

1 (a) The purpose of this section is to establish an employment term and class titles for  
2 service personnel. The employment term for service personnel may not be less than ten months.  
3 A month is defined as twenty employment days. The county board may contract with all or part of  
4 these service personnel for a longer term.

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

8 (c) Service personnel employed in the same classification for more than the two hundred-  
9 day minimum employment term are paid for additional employment at a daily rate of not less than  
10 the daily rate paid for the two hundred-day minimum employment term.

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

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

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

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

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

28 (3) The additional compensation provided in this subsection:

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

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

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

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

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

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

44 (2) "Years of employment" means the number of years which an employee classified as a

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

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

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

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

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

58 (7) "Accounts payable supervisor" means a person employed in the county board office  
59 who has primary responsibility for the accounts payable function and who either has completed  
60 twelve college hours of accounting courses from an accredited institution of higher education or  
61 has at least eight years of experience performing progressively difficult accounting tasks.  
62 Responsibilities of this class title may include supervision of other personnel;

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

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

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

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

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

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

77 (A) Has completed eighteen hours of State Board-approved college credit at a regionally  
78 accredited institution of higher education, or

79 (B) Has completed fifteen hours of State Board-approved college credit at a regionally  
80 accredited institution of higher education; and has successfully completed an in-service training  
81 program determined by the state Board to be the equivalent of three hours of college credit;

82 (12) "Aide V" means a special education classroom aide who has elected to complete  
83 three e-learning classes, designed to improve skills and competencies related to the provision of  
84 services to special needs students, provided through the Department of Education's Office of  
85 Special Education;

86 ~~(12)~~ (13) "Audiovisual technician" means a person employed to perform minor  
87 maintenance on audiovisual equipment, films, and supplies and who fills requests for equipment;

88 ~~(13)~~ (14) "Auditor" means a person employed to examine and verify accounts of individual  
89 schools and to assist schools and school personnel in maintaining complete and accurate records  
90 of their accounts;

91 ~~(14)~~ (15) "Autism mentor" means a person who works with autistic students and who  
92 meets standards and experience to be determined by the state Board. A person who has held or  
93 holds an aide title and becomes employed as an autism mentor shall hold a multiclassification  
94 status that includes both aide and autism mentor titles, in accordance with section eight-b of this  
95 article;

96 ~~(15)~~ (16) "Braille specialist" means a person employed to provide braille assistance to

97 students. A service person who has held or holds an aide title and becomes employed as a braille  
98 specialist shall hold a multiclassification status that includes both aide and braille specialist title,  
99 in accordance with section eight-b of this article;

100 ~~(16)~~ (17) "Bus operator" means a person employed to operate school buses and other  
101 school transportation vehicles as provided by the state board;

102 ~~(17)~~ (18) "Buyer" means a person employed to review and write specifications, negotiate  
103 purchase bids and recommend purchase agreements for materials and services that meet  
104 predetermined specifications at the lowest available costs;

105 ~~(18)~~ (19) "Cabinetmaker" means a person employed to construct cabinets, tables,  
106 bookcases and other furniture;

107 ~~(19)~~ (20) "Cafeteria manager" means a person employed to direct the operation of a food  
108 services program in a school, including assigning duties to employees, approving requisitions for  
109 supplies and repairs, keeping inventories, inspecting areas to maintain high standards of  
110 sanitation, preparing financial reports and keeping records pertinent to food services of a school;

111 ~~(20)~~ (21) "Carpenter I" means a person classified as a carpenter's helper;

112 ~~(21)~~ (22) "Carpenter II" means a person classified as a journeyman carpenter;

113 ~~(22)~~ (23) "Chief mechanic" means a person employed to be responsible for directing  
114 activities which ensure that student transportation or other county board-owned vehicles are  
115 properly and safely maintained;

116 ~~(23)~~ (24) "Clerk I" means a person employed to perform clerical tasks;

117 ~~(24)~~ (25) "Clerk II" means a person employed to perform general clerical tasks, prepare  
118 reports and tabulations, and operate office machines;

119 ~~(25)~~ (26) "Computer operator" means a qualified person employed to operate computers;

120 ~~(26)~~ (27) "Cook I" means a person employed as a cook's helper;

121 ~~(27)~~ (28) "Cook II" means a person employed to interpret menus and to prepare and serve  
122 meals in a food service program of a school. This definition includes a service person who has

123 been employed as a "Cook I" for a period of four years;

124 ~~(28)~~ (29) "Cook III" means a person employed to prepare and serve meals, make reports,  
125 prepare requisitions for supplies, order equipment and repairs for a food service program of a  
126 school system;

127 ~~(29)~~ (30) "Crew leader" means a person employed to organize the work for a crew of  
128 maintenance employees to carry out assigned projects;

129 ~~(30)~~ (31) "Custodian I" means a person employed to keep buildings clean and free of  
130 refuse;

131 ~~(31)~~ (32) "Custodian II" means a person employed as a watchman or groundsman;

132 ~~(32)~~ (33) "Custodian III" means a person employed to keep buildings clean and free of  
133 refuse, to operate the heating or cooling systems and to make minor repairs;

134 ~~(33)~~ (34) "Custodian IV" means a person employed as a head custodian. In addition to  
135 providing services as defined in "Custodian III" duties may include supervising other custodian  
136 personnel;

137 ~~(34)~~ (35) "Director or coordinator of services" means an employee of a county board who  
138 is assigned to direct a department or division.

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

141 (B) Professional personnel holding this class title may not be defined or classified as  
142 service personnel unless the professional person held a service personnel title under this section  
143 prior to holding the class title of "director or coordinator of services;"

144 (C) The director or coordinator of services is classified either as a professional person or  
145 a service person for state aid formula funding purposes;

146 (D) Funding for the position of director or coordinator of services is based upon the  
147 employment status of the director or coordinator either as a professional person or a service  
148 person; and

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

153 ~~(35)~~ (36) "Draftsman" means a person employed to plan, design and produce detailed  
154 architectural/engineering drawings;

155 ~~(36)~~ (37) "Early Childhood Classroom Assistant Teacher I" means a person who does not  
156 possess minimum requirements for the permanent authorization requirements, but is enrolled in  
157 and pursuing requirements;

158 ~~(37)~~ (38) "Early Childhood Classroom Assistant Teacher II" means a person who has  
159 completed the minimum requirements for a state-awarded certificate for early childhood  
160 classroom assistant teachers as determined by the state Board;

161 ~~(38)~~ (39) "Early Childhood Classroom Assistant Teacher III" means a person who has  
162 completed permanent authorization requirements, as well as additional requirements comparable  
163 to current paraprofessional certificate;

164 ~~(39)~~ (40) "Educational Sign Language Interpreter I" means a person employed to provide  
165 communication access across all educational environments to students who are deaf or hard of  
166 hearing, and who holds the Initial Paraprofessional Certificate – Educational Interpreter pursuant  
167 to state board policy;

168 ~~(40)~~ (41) "Educational Sign Language Interpreter II" means a person employed to provide  
169 communication access across all educational environments to students who are deaf or hard of  
170 hearing, and who holds the Permanent Paraprofessional Certificate – Educational Interpreter  
171 pursuant to state board policy;

172 ~~(41)~~ (42) "Electrician I" means a person employed as an apprentice electrician helper or  
173 one who holds an electrician helper license issued by the State Fire Marshal;

174 ~~(42)~~ (43) "Electrician II" means a person employed as an electrician journeyman or one



175 who holds a journeyman electrician license issued by the State Fire Marshal;

176 ~~(43)~~ (44) "Electronic technician I" means a person employed at the apprentice level to  
177 repair and maintain electronic equipment;

178 ~~(44)~~ (45) "Electronic technician II" means a person employed at the journeyman level to  
179 repair and maintain electronic equipment;

180 ~~(45)~~ (46) "Executive secretary" means a person employed as secretary to the county  
181 school superintendent or as a secretary who is assigned to a position characterized by significant  
182 administrative duties;

183 ~~(46)~~ (47) "Food services supervisor" means a qualified person who is not a professional  
184 person or professional educator as defined in section one, article one of this chapter. The food  
185 services supervisor is employed to manage and supervise a county school system's food service  
186 program. The duties include preparing in-service training programs for cooks and food service  
187 employees, instructing personnel in the areas of quantity cooking with economy and efficiency  
188 and keeping aggregate records and reports;

189 ~~(47)~~ (48) "Foreman" means a skilled person employed to supervise personnel who work  
190 in the areas of repair and maintenance of school property and equipment;

191 ~~(48)~~ (49) "General maintenance" means a person employed as a helper to skilled  
192 maintenance employees, and to perform minor repairs to equipment and buildings of a county  
193 school system;

194 ~~(49)~~ (50) "Glazier" means a person employed to replace glass or other materials in  
195 windows and doors and to do minor carpentry tasks;

196 ~~(50)~~ (51) "Graphic artist" means a person employed to prepare graphic illustrations;

197 ~~(51)~~ (52) "Groundsman" means a person employed to perform duties that relate to the  
198 appearance, repair and general care of school grounds in a county school system. Additional  
199 assignments may include the operation of a small heating plant and routine cleaning duties in  
200 buildings;

201           ~~(52)~~ (53) "Handyman" means a person employed to perform routine manual tasks in any  
202 operation of the county school system;

203           ~~(53)~~ (54) "Heating and air conditioning mechanic I" means a person employed at the  
204 apprentice level to install, repair and maintain heating and air conditioning plants and related  
205 electrical equipment;

206           ~~(54)~~ (55) "Heating and air conditioning mechanic II" means a person employed at the  
207 journeyman level to install, repair and maintain heating and air conditioning plants and related  
208 electrical equipment;

209           ~~(55)~~ (56) "Heavy equipment operator" means a person employed to operate heavy  
210 equipment;

211           ~~(56)~~ (57) "Inventory supervisor" means a person employed to supervise or maintain  
212 operations in the receipt, storage, inventory and issuance of materials and supplies;

213           ~~(57)~~ (58) "Key punch operator" means a qualified person employed to operate key punch  
214 machines or verifying machines;

215           ~~(58)~~ (59) "Licensed practical nurse" means a nurse, licensed by the West Virginia Board  
216 of Examiners for Licensed Practical Nurses, employed to work in a public school under the  
217 supervision of a school nurse;

218           ~~(59)~~ (60) "Locksmith" means a person employed to repair and maintain locks and safes;

219           ~~(60)~~ (61) "Lubrication man" means a person employed to lubricate and service gasoline  
220 or diesel-powered equipment of a county school system;

221           ~~(61)~~ (62) "Machinist" means a person employed to perform machinist tasks which include  
222 the ability to operate a lathe, planer, shaper, threading machine and wheel press. A person  
223 holding this class title also should have the ability to work from blueprints and drawings;

224           ~~(62)~~ (63) "Mail clerk" means a person employed to receive, sort, dispatch, deliver or  
225 otherwise handle letters, parcels and other mail;

226           ~~(63)~~ (64) "Maintenance clerk" means a person employed to maintain and control a stocking

227 facility to keep adequate tools and supplies on hand for daily withdrawal for all school  
228 maintenance crafts;

229 ~~(64)~~ (65) "Mason" means a person employed to perform tasks connected with brick and  
230 block laying and carpentry tasks related to these activities;

231 ~~(65)~~ (66) "Mechanic" means a person employed to perform skilled duties independently in  
232 the maintenance and repair of automobiles, school buses and other mechanical and mobile  
233 equipment to use in a county school system;

234 ~~(66)~~ (67) "Mechanic assistant" means a person employed as a mechanic apprentice and  
235 helper;

236 ~~(67)~~ (68) "Multiclassification" means a person employed to perform tasks that involve the  
237 combination of two or more class titles in this section. In these instances the minimum salary  
238 scale is the higher pay grade of the class titles involved;

239 ~~(68)~~ (69) "Office equipment repairman I" means a person employed as an office equipment  
240 repairman apprentice or helper;

241 ~~(69)~~ (70) "Office equipment repairman II" means a person responsible for servicing and  
242 repairing all office machines and equipment. A person holding this class title is responsible for the  
243 purchase of parts necessary for the proper operation of a program of continuous maintenance  
244 and repair;

245 ~~(70)~~ (71) "Painter" means a person employed to perform duties painting, finishing and  
246 decorating wood, metal and concrete surfaces of buildings, other structures, equipment,  
247 machinery and furnishings of a county school system;

248 ~~(71)~~ (72) "Paraprofessional" means a person certified pursuant to section two-a, article  
249 three of this chapter to perform duties in a support capacity including, but not limited to, facilitating  
250 in the instruction and direct or indirect supervision of students under the direction of a principal, a  
251 teacher or another designated professional educator.

252 (A) A person employed on the effective date of this section in the position of an aide may

253 not be subject to a reduction in force or transferred to create a vacancy for the employment of a  
254 paraprofessional;

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

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

261 ~~(72)~~ (73) "Payroll supervisor" means a person employed in the county board office who  
262 has primary responsibility for the payroll function and who either has completed twelve college  
263 hours of accounting from an accredited institution of higher education or has at least eight years  
264 of experience performing progressively difficult accounting tasks. Responsibilities of this class title  
265 may include supervision of other personnel;

266 ~~(73)~~ (74) "Plumber I" means a person employed as an apprentice plumber and helper;

267 ~~(74)~~ (75) "Plumber II" means a person employed as a journeyman plumber;

268 ~~(75)~~ (76) "Printing operator" means a person employed to operate duplication equipment,  
269 and to cut, collate, staple, bind and shelve materials as required;

270 ~~(76)~~ (77) "Printing supervisor" means a person employed to supervise the operation of a  
271 print shop;

272 ~~(77)~~ (78) "Programmer" means a person employed to design and prepare programs for  
273 computer operation;

274 ~~(78)~~ (79) "Roofing/sheet metal mechanic" means a person employed to install, repair,  
275 fabricate and maintain roofs, gutters, flashing and duct work for heating and ventilation;

276 ~~(79)~~ (80) "Sanitation plant operator" means a person employed to operate and maintain a  
277 water or sewage treatment plant to ensure the safety of the plant's effluent for human consumption  
278 or environmental protection;

279 ~~(80)~~ (81) "School bus supervisor" means a qualified person:

280 (A) Employed to assist in selecting school bus operators and routing and scheduling  
281 school buses, operate a bus when needed, relay instructions to bus operators, plan emergency  
282 routing of buses and promote good relationships with parents, students, bus operators and other  
283 employees; and

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

285 ~~(84)~~ (82) "Secretary I" means a person employed to transcribe from notes or mechanical  
286 equipment, receive callers, perform clerical tasks, prepare reports and operate office machines;

287 ~~(82)~~ (83) "Secretary II" means a person employed in any elementary, secondary,  
288 kindergarten, nursery, special education, vocational, or any other school as a secretary. The  
289 duties may include performing general clerical tasks; transcribing from notes; stenotype,  
290 mechanical equipment or a sound-producing machine; preparing reports; receiving callers and  
291 referring them to proper persons; operating office machines; keeping records and handling routine  
292 correspondence. Nothing in this subdivision prevents a service person from holding or being  
293 elevated to a higher classification;

294 ~~(83)~~ (84) "Secretary III" means a person assigned to the county board office administrators  
295 in charge of various instructional, maintenance, transportation, food services, operations and  
296 health departments, federal programs or departments with particular responsibilities in purchasing  
297 and financial control or any person who has served for eight years in a position which meets the  
298 definition of "Secretary II" or "Secretary III";

299 ~~(84)~~ (85) "Sign Support Specialist" means a person employed to provide sign supported  
300 speech assistance to students who are able to access environments through audition. A person  
301 who has held or holds an aide title and becomes employed as a sign support specialist shall hold  
302 a multiclassification status that includes both aide and sign support specialist titles, in accordance  
303 with section eight-b of this article.

304 ~~(85)~~ (86) "Supervisor of maintenance" means a skilled person who is not a professional

305 person or professional educator as defined in section one, article one of this chapter. The  
306 responsibilities include directing the upkeep of buildings and shops, and issuing instructions to  
307 subordinates relating to cleaning, repairs and maintenance of all structures and mechanical and  
308 electrical equipment of a county board;

309 ~~(86)~~ (87) "Supervisor of transportation" means a qualified person employed to direct  
310 school transportation activities properly and safely, and to supervise the maintenance and repair  
311 of vehicles, buses and other mechanical and mobile equipment used by the county school system.  
312 After July 1, 2010, all persons employed for the first time in a position with this classification title  
313 or in a multiclassification position that includes this title shall have five years of experience working  
314 in the transportation department of a county board. Experience working in the transportation  
315 department consists of serving as a bus operator, bus aide, assistant mechanic, mechanic, chief  
316 mechanic or in a clerical position within the transportation department;

317 ~~(87)~~ (88) "Switchboard operator-receptionist" means a person employed to refer incoming  
318 calls, to assume contact with the public, to direct and to give instructions as necessary, to operate  
319 switchboard equipment and to provide clerical assistance;

320 ~~(88)~~ (89) "Truck driver" means a person employed to operate light or heavy duty gasoline  
321 and diesel-powered vehicles;

322 ~~(89)~~ (90) "Warehouse clerk" means a person employed to be responsible for receiving,  
323 storing, packing and shipping goods;

324 ~~(90)~~ (91) "Watchman" means a person employed to protect school property against  
325 damage or theft. Additional assignments may include operation of a small heating plant and  
326 routine cleaning duties;

327 ~~(91)~~ (92) "Welder" means a person employed to provide acetylene or electric welding  
328 services for a school system; and

329 ~~(92)~~ (93) "WVEIS data entry and administrative clerk" means a person employed to work  
330 under the direction of a school principal to assist the school counselor or counselors in the

331 performance of administrative duties, to perform data entry tasks on the West Virginia Education  
332 Information System, and to perform other administrative duties assigned by the principal.

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

338 (k) A service person whose years of employment exceeds the number of years shown and  
339 provided for under the state minimum pay scale set forth in section eight-a of this article may not  
340 be paid less than the amount shown for the maximum years of employment shown and provided  
341 for in the classification in which he or she is employed.

342 (l) Each county board shall review each service person's job classification annually and  
343 shall reclassify all service persons as required by the job classifications. The state superintendent  
344 may withhold state funds appropriated pursuant to this article for salaries for service personnel  
345 who are improperly classified by the county boards. Further, the state superintendent shall order  
346 a county board to correct immediately any improper classification matter and, with the assistance  
347 of the Attorney General, shall take any legal action necessary against any county board to enforce  
348 the order.

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

350 (1) Reclassified by class title; or

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

355 (n) Any county board failing to comply with the provisions of this article may be compelled  
356 to do so by mandamus and is liable to any party prevailing against the board for court costs and

357 the prevailing party's reasonable attorney fee, as determined and established by the court.

358 (o) Notwithstanding any provision of this code to the contrary, a service person who holds  
359 a continuing contract in a specific job classification and who is physically unable to perform the  
360 job's duties as confirmed by a physician chosen by the employee, shall be given priority status  
361 over any employee not holding a continuing contract in filling other service personnel job  
362 vacancies if the service person is qualified as provided in section eight-e of this article.

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

366 (q) Without the written consent of the service person, a county board may not establish  
367 the beginning work station for a bus operator or transportation aide at any site other than a county  
368 board-owned facility with available parking. The workday of the bus operator or transportation  
369 aide commences at the bus at the designated beginning work station and ends when the  
370 employee is able to leave the bus at the designated beginning work station, unless he or she  
371 agrees otherwise in writing. The application or acceptance of a posted position may not be  
372 construed as the written consent referred to in this subsection.

373 (r) Itinerant status means a service person who does not have a fixed work site and may  
374 be involuntarily reassigned to another work site. A service person is considered to hold itinerant  
375 status if he or she has bid upon a position posted as itinerant or has agreed to accept this status.  
376 A county board may establish positions with itinerant status only within the aide and autism mentor  
377 classification categories and only when the job duties involve exceptional students. A service  
378 person with itinerant status may be assigned to a different work site upon written notice ten days  
379 prior to the reassignment without the consent of the employee and without posting the vacancy.  
380 A service person with itinerant status may be involuntarily reassigned no more than twice during  
381 the school year. At the conclusion of each school year, the county board shall post and fill,  
382 pursuant to section eight-b of this article, all positions that have been filled without posting by a



383 service person with itinerant status. A service person who is assigned to a beginning and ending  
384 work site and travels at the expense of the county board to other work sites during the daily  
385 schedule, is not considered to hold itinerant status.

386 (s) Any service person holding a classification title on June 30, 2013, that is removed from  
387 the classification schedule pursuant to amendment and reenactment of this section in the year  
388 2013, has his or her employment contract revised as follows:

389 (1) Any service person holding the Braille or Sign Language Specialist classification title  
390 has that classification title renamed on his or her employment contract as either Braille Specialist  
391 or Sign Support Specialist. This action does not result in a loss or reduction of salary or  
392 supplement by any employee. Any seniority earned in the Braille or Sign Language Specialist  
393 classification prior to July 1, 2013, continues to be credited as seniority earned in the Braille  
394 Specialist or Sign Support Specialist classification;

395 (2) Any service person holding the Paraprofessional classification title and holding the  
396 Initial Paraprofessional Certificate – Educational Interpreter has the title Educational Sign  
397 Language Interpreter I added to his or her employment contract. This action does not result in a  
398 loss or reduction of salary or supplement by any employee. Any seniority earned in the  
399 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned  
400 in the Educational Sign Language Interpreter I classification; and

401 (3) Any service person holding the Paraprofessional classification title and holding the  
402 Permanent Paraprofessional Certificate – Educational Interpreter has the title Educational Sign  
403 Language Interpreter II added to his or her employment contract. This action does not result in a  
404 loss or reduction of salary or supplement by any employee. Any seniority earned in the  
405 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned  
406 in the Educational Sign Language Interpreter II classification;

407 (t) Any person employed as an aide in a kindergarten program who is eligible for full  
408 retirement benefits before the first day of the instructional term in the 2020-2021 school year, may

409 not be subject to a reduction in force or transferred to create a vacancy for the employment of a  
 410 less senior Early Childhood Classroom Assistant Teacher;

411 (u) A person who has held or holds an aide title and becomes employed as an Early  
 412 Childhood Classroom Assistant Teacher shall hold a multiclassification status that includes aide  
 413 and/or paraprofessional titles in accordance with section eight-b of this article.

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

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

2 (1) Beginning July 1, 2014, and continuing thereafter, the minimum monthly pay for each  
 3 service employee whose employment is for a period of more than three and one-half hours a day  
 4 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

9 Years

10 Exp. Pay Grade

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
0	1,660	1,681	1,723	1,776	1,829	1,892	1,924	1,997
1	1,692	1,714	1,755	1,808	1,862	1,925	1,956	2,030
2	1,725	1,746	1,788	1,841	1,894	1,957	1,989	2,062
3	1,757	1,779	1,821	1,874	1,927	1,990	2,022	2,095
4	1,790	1,812	1,853	1,906	1,959	2,023	2,054	2,129
5	1,823	1,844	1,886	1,939	1,992	2,055	2,087	2,161
6	1,855	1,877	1,920	1,972	2,025	2,088	2,120	2,194
7	1,889	1,909	1,952	2,004	2,057	2,121	2,152	2,227
8	1,922	1,942	1,985	2,037	2,090	2,153	2,185	2,259
9	1,954	1,975	2,018	2,071	2,123	2,186	2,217	2,292
10	1,987	2,008	2,050	2,103	2,155	2,220	2,251	2,325
11	2,020	2,041	2,083	2,136	2,188	2,252	2,284	2,357

12	2,052	2,074	2,115	2,169	2,222	2,285	2,316	2,390
13	2,085	2,106	2,148	2,201	2,254	2,317	2,349	2,423
14	2,118	2,139	2,181	2,234	2,287	2,350	2,382	2,455
15	2,150	2,172	2,213	2,266	2,319	2,383	2,414	2,488
16	2,183	2,204	2,246	2,299	2,352	2,415	2,447	2,521
17	2,215	2,237	2,280	2,332	2,385	2,448	2,480	2,554
18	2,248	2,270	2,312	2,364	2,417	2,481	2,512	2,587
19	2,282	2,302	2,345	2,397	2,450	2,513	2,545	2,619
20	2,314	2,335	2,378	2,431	2,483	2,546	2,578	2,653
21	2,347	2,367	2,410	2,463	2,515	2,579	2,610	2,687
22	2,380	2,401	2,443	2,496	2,548	2,612	2,644	2,719
23	2,412	2,434	2,476	2,529	2,582	2,646	2,678	2,753
24	2,445	2,466	2,508	2,561	2,614	2,680	2,711	2,787
25	2,478	2,499	2,541	2,594	2,648	2,712	2,745	2,819
26	2,510	2,532	2,573	2,628	2,682	2,746	2,777	2,853
27	2,543	2,564	2,606	2,660	2,714	2,778	2,811	2,886
28	2,576	2,597	2,640	2,694	2,748	2,812	2,845	2,920
29	2,608	2,631	2,673	2,726	2,781	2,846	2,877	2,954
30	2,642	2,663	2,707	2,760	2,814	2,878	2,911	2,987
31	2,675	2,697	2,741	2,794	2,848	2,912	2,945	3,020
32	2,709	2,730	2,773	2,827	2,880	2,946	2,977	3,054
33	2,743	2,763	2,807	2,861	2,914	2,978	3,011	3,087
34	2,775	2,797	2,841	2,895	2,948	3,012	3,045	3,120
35	2,809	2,831	2,873	2,927	2,980	3,046	3,078	3,154
36	2,843	2,864	2,907	2,961	3,015	3,079	3,112	3,186
37	2,875	2,898	2,941	2,995	3,049	3,113	3,145	3,220
38	2,909	2,930	2,973	3,027	3,081	3,146	3,178	3,254
39	2,943	2,964	3,007	3,061	3,115	3,179	3,212	3,286
40	2,975	2,998	3,040	3,094	3,149	3,213	3,245	3,320

11

12 (2) Each service employee shall receive the amount prescribed in the Minimum Pay Scale

13 in accordance with the provisions of this subsection according to their class title and pay grade

14 as set forth in this subdivision:

15 CLASS TITLE PAY GRADE

16	Accountant I .....	D
17	Accountant II .....	E
18	Accountant III .....	F
19	Accounts Payable Supervisor .....	G
20	Aide I .....	A
21	Aide II .....	B
22	Aide III .....	C
23	Aide IV .....	D
24	<u>Aide V .....</u>	<u>E</u>
25	Audiovisual Technician .....	C
26	Auditor .....	G
27	Autism Mentor .....	F
28	Braille Specialist .....	E
29	Bus Operator .....	D
30	Buyer .....	F
31	Cabinetmaker .....	G
32	Cafeteria Manager .....	D
33	Carpenter I .....	E
34	Carpenter II .....	F
35	Chief Mechanic .....	G
36	Clerk I .....	B
37	Clerk II .....	C
38	Computer Operator .....	E
39	Cook I .....	A
40	Cook II .....	B
41	Cook III .....	C

42	Crew Leader .....	F
43	Custodian I .....	A
44	Custodian II .....	B
45	Custodian III .....	C
46	Custodian IV .....	D
47	Director or Coordinator of Services .....	H
48	Draftsman .....	D
49	Early Childhood Classroom Assistant Teacher I .....	E
50	Early Childhood Classroom Assistant Teacher II .....	E
51	Early Childhood Classroom Assistant Teacher III .....	F
52	Educational Sign Language Interpreter I .....	F
53	Educational Sign Language Interpreter II .....	G
54	Electrician I .....	F
55	Electrician II .....	G
56	Electronic Technician I .....	F
57	Electronic Technician II .....	G
58	Executive Secretary .....	G
59	Food Services Supervisor .....	G
60	Foreman .....	G
61	General Maintenance .....	C
62	Glazier .....	D
63	Graphic Artist .....	D
64	Groundsman .....	B
65	Handyman .....	B
66	Heating and Air Conditioning Mechanic I .....	E
67	Heating and Air Conditioning Mechanic II .....	G

68	Heavy Equipment Operator .....	E
69	Inventory Supervisor .....	D
70	Key Punch Operator .....	B
71	Licensed Practical Nurse .....	F
72	Locksmith .....	G
73	Lubrication Man .....	C
74	Machinist .....	F
75	Mail Clerk .....	D
76	Maintenance Clerk .....	C
77	Mason .....	G
78	Mechanic .....	F
79	Mechanic Assistant .....	E
80	Office Equipment Repairman I .....	F
81	Office Equipment Repairman II .....	G
82	Painter .....	E
83	Paraprofessional .....	F
84	Payroll Supervisor .....	G
85	Plumber I .....	E
86	Plumber II .....	G
87	Printing Operator .....	B
88	Printing Supervisor .....	D
89	Programmer .....	H
90	Roofing/Sheet Metal Mechanic .....	F
91	Sanitation Plant Operator .....	G
92	School Bus Supervisor .....	E
93	Secretary I .....	D

94 Secretary II .....E  
 95 Secretary III ..... F  
 96 Sign Support Specialist .....E  
 97 Supervisor of Maintenance .....H  
 98 Supervisor of Transportation .....H  
 99 Switchboard Operator-Receptionist .....D  
 100 Truck Driver .....D  
 101 Warehouse Clerk .....C  
 102 Watchman .....B  
 103 Welder ..... F  
 104 WVEIS Data Entry and Administrative Clerk .....B

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

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

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

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

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

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

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

119 (6) A service person who holds seventy-two college hours or comparable credit obtained

120 in a trade or vocational school as approved by the state board;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

142 (f) To meet the objective of salary equity among the counties, each service person is paid  
143 an equity supplement, as set forth in section five of this article, of \$164 per month, subject to the  
144 provisions of that section. These payments: (i) Are in addition to any amounts prescribed in the  
145 applicable State Minimum Pay Scale Pay Grade, any specific additional amounts prescribed in



146 this section and article and any county supplement in effect in a county pursuant to section five-  
147 b of this article; (ii) are paid in equal monthly installments; and (iii) are considered a part of the  
148 state minimum salaries for service personnel.

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

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

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

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

162 (k) The minimum hourly rate of pay for extra duty assignments as defined in section eight-  
163 b of this article is no less than one seventh of the person's daily total salary for each hour the  
164 person is involved in performing the assignment and paid entirely from local funds: *Provided*, That  
165 an alternative minimum hourly rate of pay for performing extra duty assignments within a particular  
166 category of employment may be used if the alternate hourly rate of pay is approved both by the  
167 county board and by the affirmative vote of a two-thirds majority of the regular full-time persons  
168 within that classification category of employment within that county: *Provided, however*, That the  
169 vote is by secret ballot if requested by a service person within that classification category within  
170 that county. The salary for any fraction of an hour the employee is involved in performing the  
171 assignment is prorated accordingly. When performing extra duty assignments, persons who are

172 regularly employed on a one-half day salary basis shall receive the same hourly extra duty  
173 assignment pay computed as though the person were employed on a full-day salary basis.

174 (l) The minimum pay for any service personnel engaged in the removal of asbestos  
175 material or related duties required for asbestos removal is their regular total daily rate of pay and  
176 no less than an additional \$3 per hour or no less than \$5 per hour for service personnel  
177 supervising asbestos removal responsibilities for each hour these employees are involved in  
178 asbestos-related duties. Related duties required for asbestos removal include, but are not limited  
179 to, travel, preparation of the work site, removal of asbestos, decontamination of the work site,  
180 placing and removal of equipment and removal of structures from the site. If any member of an  
181 asbestos crew is engaged in asbestos-related duties outside of the employee's regular  
182 employment county, the daily rate of pay is no less than the minimum amount as established in  
183 the employee's regular employment county for asbestos removal and an additional \$30 per each  
184 day the employee is engaged in asbestos removal and related duties. The additional pay for  
185 asbestos removal and related duties shall be payable entirely from county funds. Before service  
186 personnel may be used in the removal of asbestos material or related duties, they shall have  
187 completed a federal Environmental Protection Act-approved training program and be licensed.  
188 The employer shall provide all necessary protective equipment and maintain all records required  
189 by the Environmental Protection Act.

190 (m) For the purpose of qualifying for additional pay as provided in section eight, article five  
191 of this chapter, an aide is considered to be exercising the authority of a supervisory aide and  
192 control over pupils if the aide is required to supervise, control, direct, monitor, escort or render  
193 service to a child or children when not under the direct supervision of a certified professional  
194 person within the classroom, library, hallway, lunchroom, gymnasium, school building, school  
195 grounds or wherever supervision is required. For purposes of this section, "under the direct  
196 supervision of a certified professional person" means that certified professional person is present,  
197 with and accompanying the aide.

NOTE: The purpose of this bill is to create an additional class of special education classroom aide and to specify the pay grade for this class of school service personnel.

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