

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3367

By Delegates Butler, Brooks, Dillon, Ward,
Longanacre, Burkhammer, Ridenour, Chiarelli, Ross,
Hillenbrand, and Nestor

[Introduced February 10, 2023; Referred
to the Committee on Finance]

1 A BILL amend and reenact §5-5-4b of the Code of West Virginia, 1931, as amended, relating to
 2 providing a pay raise to administrative employees, staff, and personnel of the Division of
 3 Corrections, Division of Juvenile Services, and the West Virginia Regional Jail and
 4 Correctional Facility Authority in order to retain current workers and attract new workers to
 5 this field.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.

**§5-5-4b. Division of Corrections, Division of Juvenile Services, and Regional Jail Authority
pay equity salary adjustment.**

1 (a) The Legislature hereby finds that the Division of Corrections, Division of Juvenile
 2 Services and the West Virginia Regional Jail and Correctional Facility Authority have extreme
 3 difficulty with recruiting and retaining employees of all types.

4 (b) The Legislature hereby directs that a pay equity salary adjustment and increase be
 5 provided to all employees of the Division of Corrections, Division of Juvenile Services, and the
 6 West Virginia Regional Jail and Correctional Facility Authority, regardless of where the employee
 7 reports to work. This salary adjustment shall be for a total of \$6,000 apportioned over a three-year
 8 period as follows:

9 (1) On July 1, 2018, applicable employees of the Division of Corrections, Division of
 10 Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority shall be
 11 given an increase in annual pay of \$2,000;

12 (2) On July 1, 2019, applicable employees of the Division of Corrections, Division of
 13 Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority shall be
 14 given an increase in annual pay of \$2,000; and

15 (3) On July 1, 2020, applicable employees of the Division of Corrections, Division of
 16 Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority shall be
 17 given an increase in annual pay of \$2,000.

18 (4) On July 1, 2023, administrative employees, staff, and personnel of the Division of
19 Corrections, Division of Juvenile Services, and the West Virginia Regional Jail and Correctional
20 Facility Authority shall be given an increase in annual pay of \$2,000.

21 (5) On July 1, 2024, administrative employees, staff, and personnel of the Division of
22 Corrections, Division of Juvenile Services, and the West Virginia Regional Jail and Correctional
23 Facility Authority shall be given an increase in annual pay of \$2,000.

24 (6) On July 1, 2025, administrative employees, staff, and personnel of the Division of
25 Corrections, Division of Juvenile Services, and the West Virginia Regional Jail and Correctional
26 Facility Authority shall be given an increase in annual pay of \$2,000.

27 (c) Funding for the pay rates for employees of the Division of Corrections and Division of
28 Juvenile Services shall be provided from the general revenue appropriations to the Division of
29 Corrections and Division of Juvenile Services, respectively.

30 (d) The salary adjustment for employees of the West Virginia Regional Jail Authority shall
31 be funded from the special revenue fund established in §31-20-10 of this code, and shall not
32 require additional general revenue appropriations from the Legislature.

33 (e) In the event any provision of this section conflicts with any rule, policy, or provision of
34 this code, this section shall control. Due to the limits of funding, the implementation of the pay rates
35 and employment requirements shall not be subject to the provisions of §6C-2-1 *et seq.* of this
36 code. The provisions of this section are rehabilitative in nature and it is the specific intent of the
37 Legislature that no private cause of action, either express or implied, shall arise pursuant to the
38 provisions or implementation of this section.

39 (f) If, following this pay raise, the employee will make more than the maximum allowable
40 by the Division of Personnel for the pay grade, this salary increase shall still take effect, and that
41 employee shall make more than the pay grade maximum.

NOTE: The purpose of this bill is to provide a pay raise to administrative employees, staff,

and personnel of the Division of Corrections, Division of Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority in order to retain current workers and attract new workers to this field.

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