

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### House Bill 4262

FISCAL  
NOTE

By Delegate Toney and Adkins

[Introduced January 10, 2024; Referred  
to the Committee on Education then Judiciary]

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 three separate job titles for school bus operators; and  
3 establishing pay scales.

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

**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 10 months. A  
3 month is defined as 20 employment days. The county board may contract with all or part of these  
4 service personnel for a longer term.

5 (b) Service personnel employed on a yearly or 12-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 200-day  
9 minimum employment term are paid for additional employment at a daily rate of not less than the  
10 daily rate paid for the 200-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 at  
16 least one-half day of work for each day he or she reports for work. If the service person works more  
17 than three and one-half hours on any Saturday or Sunday, he or she is paid for at least a full day of  
18 work for each day.

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

21 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 §18A-1-1 of this  
24 code.

25 (2) A service person's schedule is considered to be interrupted if he or she does not work a  
26 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 §18A-2-5 of this code, shall state the  
38 appropriate monthly salary the employee is to be paid, based on the class title as provided in this  
39 article and on any county salary schedule in excess of the minimum requirements of this article.

40 (i) The column heads of the state minimum pay scale and class titles, set forth in §18A-4-  
41 8a of this code, are defined as follows:

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

43 (2) "Years of employment" means the number of years which an employee classified as a  
44 service person has been employed by a county board in any position prior to or subsequent to the  
45 effective date of this section and includes service in the armed forces of the United States, if the  
46 employee was employed at the time of his or her induction. For the purpose of §18A-4-8a of this

47 code, years of employment is limited to the number of years shown and allowed under the state  
48 minimum pay scale as set forth in §18A-4-8a of this code;

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

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

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

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

57 (7) "Accounts payable supervisor" means a person employed in the county board office  
58 who has primary responsibility for the accounts payable function and who either has completed 12  
59 college hours of accounting courses from an accredited institution of higher education or has at  
60 least eight years of experience performing progressively difficult accounting tasks.  
61 Responsibilities of this class title may include supervision of other personnel;

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

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

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

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

71 or

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

73 as an aide in special education;

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

76 (A) Has completed 18 hours of State Board-approved college credit at a regionally  
77 accredited institution of higher education, or

78 (B) Has completed 15 hours of State Board-approved college credit at a regionally  
79 accredited institution of higher education; and has successfully completed an in-service training  
80 program determined by the State Board to be the equivalent of three hours of college credit;

81 (12) "Aide V (Special Education Assistant Teacher) – Temporary Authorization" means a  
82 person who does not possess minimum requirements for the Aide V permanent authorization, but  
83 is enrolled in and pursuing requirements as prescribed by the state board of education. No service  
84 person shall be entitled to receive the paygrade associated with this classification unless he or she  
85 has applied for and been selected to fill a posted position which specifically requires the successful  
86 candidate to hold or be enrolled in and pursuing the requirements for the classification. The  
87 determination as to whether a position will be posted requiring this classification is solely at the  
88 discretion of the county;

89 "Aide V (Special Education Assistant Teacher)" means a service person referred to in the  
90 "Aide I" classification who holds a high school diploma or a general educational development  
91 certificate and who has completed the requirements and experience to be prescribed by the state  
92 board of education. No service person shall be entitled to receive the paygrade associated with  
93 this classification unless he or she has applied for and been selected to fill a posted position which  
94 specifically requires the successful candidate to hold or be enrolled in and pursuing the  
95 requirements for the classification. The determination as to whether a position will be posted  
96 requiring this classification is solely at the discretion of the county;

97 (13) "Aide VI (Behavioral Support Assistant Teacher – Temporary Authorization)" means a  
98 person who does not possess minimum requirements for the Aide VI permanent authorization, but

99 is enrolled in and pursuing the requirements as prescribed by the state board of education. No  
100 service person shall be entitled to receive the paygrade associated with this classification unless  
101 he or she has applied for and been selected to fill a posted position which specifically requires the  
102 successful candidate to hold or be enrolled in and pursuing the requirements for the classification.  
103 The determination as to whether a position will be posted requiring this classification is solely at  
104 the discretion of the county;

105 "Aide VI (Behavioral Support Assistant Teacher)" means a person who works with a  
106 student or students who have identified behavior difficulties, holds at least an Aide III classification  
107 and has completed the requirements and experience to be prescribed by the state board of  
108 education. No service person shall be entitled to receive the paygrade associated with this  
109 classification unless he or she has applied for and been selected to fill a posted position which  
110 specifically requires the successful candidate to hold or be enrolled in and pursuing the  
111 requirements for the classification. The determination as to whether a position will be posted  
112 requiring this classification is solely at the discretion of the county;

113 (14) "Audiovisual technician" means a person employed to perform minor maintenance on  
114 audiovisual equipment, films, and supplies and who fills requests for equipment;

115 (15) "Auditor" means a person employed to examine and verify accounts of individual  
116 schools and to assist schools and school personnel in maintaining complete and accurate records  
117 of their accounts;

118 (16) "Autism mentor" means a person who works with autistic students and who meets  
119 standards and experience to be determined by the State Board. A person who has held or holds  
120 an aide title and becomes employed as an autism mentor shall hold a multiclassification status that  
121 includes both aide and autism mentor titles, in accordance with §18A-4-8b of this code;

122 (17) "Braille specialist" means a person employed to provide braille assistance to students.  
123 A service person who has held or holds an aide title and becomes employed as a braille specialist  
124 shall hold a multiclassification status that includes both aide and braille specialist title, in

125 accordance with §18A-4-8b of this code;

126 (18) ~~"Bus operator"~~ "Bus Operator I" means a person employed to operate school buses  
127 and other school transportation vehicles as provided by the State Board who has accumulated  
128 less than five years' service operating those vehicles;

129 (19) "Bus operator II" means a person employed to operate school buses and other school  
130 transportation vehicles as provided by the State Board, who has accumulated at least five years'  
131 service operating those vehicles;

132 (20) "Bus operator III" means a person employed to operate school buses and other school  
133 transportation vehicles as provided by the State Board, who has accumulated at least ten years'  
134 service operating those vehicles;

135 ~~(19)~~ (21) "Buyer" means a person employed to review and write specifications, negotiate  
136 purchase bids and recommend purchase agreements for materials and services that meet  
137 predetermined specifications at the lowest available costs;

138 ~~(20)~~ (22) "Cabinetmaker" means a person employed to construct cabinets, tables,  
139 bookcases and other furniture;

140 ~~(21)~~ (23) "Cafeteria manager" means a person referred to in the Cook III classification who  
141 is employed to direct the operation of a food services program in a school, including assigning  
142 duties to employees, approving requisitions for supplies and repairs, keeping inventories,  
143 inspecting areas to maintain high standards of sanitation, monitoring freezers and temperatures  
144 on equipment, communicating with the food service supervisor or food service director, preparing  
145 financial reports, keeping records pertinent to food services of a school and maintaining that an  
146 appropriate time per day will be for ordering/emailing and paper work as needed;

147 ~~(22)~~ (24) "Carpenter I" means a person classified as a carpenter's helper;

148 ~~(23)~~ (25) "Carpenter II" means a person classified as a journeyman carpenter;

149 ~~(24)~~ (26) "Chief mechanic" means a person employed to be responsible for directing  
150 activities which ensure that student transportation or other county board-owned vehicles are

151 properly and safely maintained;

152 ~~(25)~~ (27) "Clerk I" means a person employed to perform clerical tasks;

153 ~~(26)~~ (28) "Clerk II" means a person employed to perform general clerical tasks, prepare  
154 reports and tabulations, and operate office machines;

155 ~~(27)~~ (29) "Computer operator" means a qualified person employed to operate computers;

156 ~~(28)~~ (30) "Cook I" means a person employed as a cook's helper;

157 ~~(29)~~ (31) "Cook II" means a person employed to prepare and serve meals in a food service  
158 program of a school. This definition includes a service person who has been employed as a "Cook  
159 I" for a period of four years;

160 ~~(30)~~ (32) "Cook III" means a person employed to assist the cafeteria manager, interpret  
161 menus and to prepare and serve meals, make reports, prepare requisitions for supplies, order  
162 equipment and repairs for a food service program of a school system, and act as the cafeteria  
163 manager if that employee is absent;

164 ~~(31)~~ (33) "Crew leader" means a person employed to organize the work for a crew of  
165 maintenance employees to carry out assigned projects;

166 ~~(32)~~ (34) "Custodian I" means a person employed to keep buildings clean and free of  
167 refuse;

168 ~~(33)~~ (35) "Custodian II" means a person employed as a watchman or groundsman;

169 ~~(34)~~ (36) "Custodian III" means a person employed to keep buildings clean and free of  
170 refuse, to operate the heating or cooling systems and to make minor repairs;

171 ~~(35)~~ (37) "Custodian IV" means a person employed as a head custodian. In addition to  
172 providing services as defined in "Custodian III" duties may include supervising other custodian  
173 personnel;

174 ~~(36)~~ (38) "Director or coordinator of services" means an employee of a county board who is  
175 assigned to direct a department or division.

176 (A) Nothing in this subdivision prohibits a professional person or a professional educator

177 from holding this class title;

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

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

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

186 (E) A person employed under the class title "director or coordinator of services" may not be  
187 exclusively assigned to perform the duties ascribed to any other class title as defined in this  
188 subsection: *Provided*, That nothing in this paragraph prohibits a person in this position from being  
189 multi-classified;

190 ~~(37)~~ (39) "Draftsman" means a person employed to plan, design and produce detailed  
191 architectural/engineering drawings;

192 ~~(38)~~ (40) "Early childhood classroom assistant teacher I" means a person who does not  
193 possess minimum requirements for the permanent authorization requirements, but is enrolled in  
194 and pursuing requirements;

195 ~~(39)~~ (41) "Early childhood classroom assistant teacher II" means a person who has  
196 completed the minimum requirements for a state-awarded certificate for early childhood  
197 classroom assistant teachers as determined by the State Board;

198 ~~(40)~~ (42) "Early childhood classroom assistant teacher III" means a person who has  
199 completed permanent authorization requirements, as well as additional requirements comparable  
200 to current paraprofessional certificate;

201 ~~(41)~~ (43) "Educational sign language interpreter I" means a person employed to provide  
202 communication access across all educational environments to students who are deaf or hard of

203 hearing, and who holds the Initial Paraprofessional Certificate – Educational Interpreter pursuant  
204 to State Board policy;

205 ~~(42)~~ (44) "Educational sign language interpreter II" means a person employed to provide  
206 communication access across all educational environments to students who are deaf or hard of  
207 hearing, and who holds the Permanent Paraprofessional Certificate – Educational Interpreter  
208 pursuant to State Board policy;

209 ~~(43)~~ (45) "Electrician I" means a person employed as an apprentice electrician helper or  
210 one who holds an electrician helper license issued by the State Fire Marshal;

211 ~~(44)~~ (46) "Electrician II" means a person employed as an electrician journeyman or one  
212 who holds a journeyman electrician license issued by the State Fire Marshal;

213 ~~(45)~~ (47) "Electronic technician I" means a person employed at the apprentice level to  
214 repair and maintain electronic equipment;

215 ~~(46)~~ (48) "Electronic technician II" means a person employed at the journeyman level to  
216 repair and maintain electronic equipment;

217 ~~(47)~~ (49) "Executive secretary" means a person employed as secretary to the county  
218 school superintendent or as a secretary who is assigned to a position characterized by significant  
219 administrative duties;

220 ~~(48)~~ (50) "Food services supervisor" means a qualified person who is not a professional  
221 person or professional educator as defined in §18A-1-1 of this code. The food services supervisor  
222 is employed to manage and supervise a county school system's food service program. The duties  
223 include preparing in-service training programs for cooks and food service employees, instructing  
224 personnel in the areas of quantity cooking with economy and efficiency and keeping aggregate  
225 records and reports;

226 ~~(49)~~ (51) "Foreman" means a skilled person employed to supervise personnel who work in  
227 the areas of repair and maintenance of school property and equipment;

228 ~~(50)~~ (52) "General maintenance" means a person employed as a helper to skilled

229 maintenance employees, and to perform minor repairs to equipment and buildings of a county  
230 school system;

231 ~~(54)~~ (53) "Glazier" means a person employed to replace glass or other materials in  
232 windows and doors and to do minor carpentry tasks;

233 ~~(52)~~ (54) "Graphic artist" means a person employed to prepare graphic illustrations;

234 ~~(53)~~ (55) "Groundsman" means a person employed to perform duties that relate to the  
235 appearance, repair and general care of school grounds in a county school system. Additional  
236 assignments may include the operation of a small heating plant and routine cleaning duties in  
237 buildings;

238 ~~(54)~~ (56) "Handyman" means a person employed to perform routine manual tasks in any  
239 operation of the county school system;

240 ~~(55)~~ (57) "Heating and air conditioning mechanic I" means a person employed at the  
241 apprentice level to install, repair and maintain heating and air conditioning plants and related  
242 electrical equipment;

243 ~~(56)~~ (58) "Heating and air conditioning mechanic II" means a person employed at the  
244 journeyman level to install, repair and maintain heating and air conditioning plants and related  
245 electrical equipment;

246 ~~(57)~~ (59) "Heavy equipment operator" means a person employed to operate heavy  
247 equipment;

248 ~~(58)~~ (60) "Inventory supervisor" means a person employed to supervise or maintain  
249 operations in the receipt, storage, inventory and issuance of materials and supplies;

250 ~~(59)~~ (61) "Key punch operator" means a qualified person employed to operate key punch  
251 machines or verifying machines;

252 ~~(60)~~ (62) "Licensed practical nurse" means a nurse, licensed by the West Virginia Board of  
253 Examiners for Licensed Practical Nurses, employed to work in a public school under the  
254 supervision of a school nurse;

255           ~~(61)~~ (63) "Locksmith" means a person employed to repair and maintain locks and safes;

256           ~~(62)~~ (64) "Lubrication man" means a person employed to lubricate and service gasoline or  
257 diesel-powered equipment of a county school system;

258           ~~(63)~~ (65) "Machinist" means a person employed to perform machinist tasks which include  
259 the ability to operate a lathe, planer, shaper, threading machine and wheel press. A person holding  
260 this class title also should have the ability to work from blueprints and drawings;

261           ~~(64)~~ (66) "Mail clerk" means a person employed to receive, sort, dispatch, deliver or  
262 otherwise handle letters, parcels and other mail;

263           ~~(65)~~ (67) "Maintenance clerk" means a person employed to maintain and control a stocking  
264 facility to keep adequate tools and supplies on hand for daily withdrawal for all school maintenance  
265 crafts;

266           ~~(66)~~ (68) "Mason" means a person employed to perform tasks connected with brick and  
267 block laying and carpentry tasks related to these activities;

268           ~~(67)~~ (69) "Mechanic" means a person employed to perform skilled duties independently in  
269 the maintenance and repair of automobiles, school buses and other mechanical and mobile  
270 equipment to use in a county school system;

271           ~~(68)~~ (70) "Mechanic assistant" means a person employed as a mechanic apprentice and  
272 helper;

273           ~~(69)~~ (71) "Multiclassification" means a person employed to perform tasks that involve the  
274 combination of two or more class titles in this section. In these instances the minimum salary scale  
275 is the higher pay grade of the class titles involved;

276           ~~(70)~~ (72) "Office equipment repairman I" means a person employed as an office equipment  
277 repairman apprentice or helper;

278           ~~(71)~~ (73) "Office equipment repairman II" means a person responsible for servicing and  
279 repairing all office machines and equipment. A person holding this class title is responsible for the  
280 purchase of parts necessary for the proper operation of a program of continuous maintenance and

281 repair;

282 ~~(72)~~ (74) "Painter" means a person employed to perform duties painting, finishing and  
283 decorating wood, metal and concrete surfaces of buildings, other structures, equipment,  
284 machinery and furnishings of a county school system;

285 ~~(73)~~ (75) "Paraprofessional" means a person certified pursuant to §18A-3-2a of this code  
286 to perform duties in a support capacity including, but not limited to, facilitating in the instruction and  
287 direct or indirect supervision of students under the direction of a principal, a teacher or another  
288 designated professional educator.

289 (A) A person employed on the effective date of this section in the position of an aide may  
290 not be subject to a reduction in force or transferred to create a vacancy for the employment of a  
291 paraprofessional;

292 (B) A person who has held or holds an aide title and becomes employed as a  
293 paraprofessional shall hold a multiclassification status that includes both aide and  
294 paraprofessional titles in accordance with §18A-4-8b of this code; and

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

298 ~~(74)~~ (76) "Payroll supervisor" means a person employed in the county board office who has  
299 primary responsibility for the payroll function and who either has completed 12 college hours of  
300 accounting from an accredited institution of higher education or has at least eight years of  
301 experience performing progressively difficult accounting tasks. Responsibilities of this class title  
302 may include supervision of other personnel;

303 ~~(75)~~ (77) "Plumber I" means a person employed as an apprentice plumber and helper;

304 ~~(76)~~ (78) "Plumber II" means a person employed as a journeyman plumber;

305 ~~(77)~~ (79) "Printing operator" means a person employed to operate duplication equipment,  
306 and to cut, collate, staple, bind and shelve materials as required;

307           ~~(78)~~ (80) "Printing supervisor" means a person employed to supervise the operation of a  
308 print shop;

309           ~~(79)~~ (81) "Programmer" means a person employed to design and prepare programs for  
310 computer operation;

311           ~~(80)~~ (82) "Roofing/sheet metal mechanic" means a person employed to install, repair,  
312 fabricate and maintain roofs, gutters, flashing and duct work for heating and ventilation;

313           ~~(84)~~ (83) "Sanitation plant operator" means a person employed to operate and maintain a  
314 water or sewage treatment plant to ensure the safety of the plant's effluent for human consumption  
315 or environmental protection;

316           ~~(82)~~ (84) "School bus supervisor" means a qualified person:

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

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

322           ~~(83)~~ (85) "Secretary I" means a person employed to transcribe from notes or mechanical  
323 equipment, receive callers, perform clerical tasks, prepare reports and operate office machines;

324           ~~(84)~~ (86) "Secretary II" means a person employed in any elementary, secondary,  
325 kindergarten, nursery, special education, vocational, or any other school as a secretary. The duties  
326 may include performing general clerical tasks; transcribing from notes; stenotype, mechanical  
327 equipment or a sound-producing machine; preparing reports; receiving callers and referring them  
328 to proper persons; operating office machines; keeping records and handling routine  
329 correspondence. Nothing in this subdivision prevents a service person from holding or being  
330 elevated to a higher classification;

331           ~~(85)~~ (87) "Secretary III" means a person assigned to the county board office administrators  
332 in charge of various instructional, maintenance, transportation, food services, operations and

333 health departments, federal programs or departments with particular responsibilities in purchasing  
334 and financial control or any person who has served for eight years in a position which meets the  
335 definition of "Secretary II" or "Secretary III";

336 ~~(86)~~ (88) "Sign support specialist" means a person employed to provide sign supported  
337 speech assistance to students who are able to access environments through audition. A person  
338 who has held or holds an aide title and becomes employed as a sign support specialist shall hold a  
339 multiclassification status that includes both aide and sign support specialist titles, in accordance  
340 with §18A-4-8b of this code.

341 ~~(87)~~ (89) "Supervisor of maintenance" means a skilled person who is not a professional  
342 person or professional educator as defined in §18A-1-1 of this code. The responsibilities include  
343 directing the upkeep of buildings and shops, and issuing instructions to subordinates relating to  
344 cleaning, repairs and maintenance of all structures and mechanical and electrical equipment of a  
345 county board;

346 ~~(88)~~ (90) "Supervisor of transportation" means a qualified person employed to direct school  
347 transportation activities properly and safely, and to supervise the maintenance and repair of  
348 vehicles, buses and other mechanical and mobile equipment used by the county school system.  
349 After July 1, 2010, all persons employed for the first time in a position with this classification title or  
350 in a multiclassification position that includes this title shall have five years of experience working in  
351 the transportation department of a county board. Experience working in the transportation  
352 department consists of serving as a bus operator, bus aide, assistant mechanic, mechanic, chief  
353 mechanic or in a clerical position within the transportation department;

354 ~~(89)~~ (91) "Switchboard operator-receptionist" means a person employed to refer incoming  
355 calls, to assume contact with the public, to direct and to give instructions as necessary, to operate  
356 switchboard equipment and to provide clerical assistance;

357 ~~(90)~~ (92) "Truck driver" means a person employed to operate light or heavy duty gasoline  
358 and diesel-powered vehicles;

359           ~~(91)~~ (93) "Warehouse clerk" means a person employed to be responsible for receiving,  
360 storing, packing and shipping goods;

361           ~~(92)~~ (94) "Watchman" means a person employed to protect school property against  
362 damage or theft. Additional assignments may include operation of a small heating plant and  
363 routine cleaning duties;

364           ~~(93)~~ (95) "Welder" means a person employed to provide acetylene or electric welding  
365 services for a school system; and

366           ~~(94)~~ (96) "WVEIS data entry and administrative clerk" means a person employed to work  
367 under the direction of a school principal to assist the school counselor or counselors in the  
368 performance of administrative duties, to perform data entry tasks on the West Virginia Education  
369 Information System, and to perform other administrative duties assigned by the principal.

370           (j) Notwithstanding any provision in this code to the contrary, and in addition to the  
371 compensation provided for service personnel in §18A-4-8a of this code, each service person is  
372 entitled to all service personnel employee rights, privileges and benefits provided under this or any  
373 other chapter of this code without regard to the employee's hours of employment or the methods  
374 or sources of compensation.

375           (k) A service person whose years of employment exceeds the number of years shown and  
376 provided for under the state minimum pay scale set forth in §18A-4-8a of this code may not be paid  
377 less than the amount shown for the maximum years of employment shown and provided for in the  
378 classification in which he or she is employed.

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

385 board to enforce the order.

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

387 (1) Reclassified by class title; or

388 (2) Relegated to any condition of employment which would result in a reduction of his or

389 her salary, rate of pay, compensation or benefits earned during the current fiscal year; or for which

390 he or she would qualify by continuing in the same job position and classification held during that

391 fiscal year and subsequent years.

392 (n) Any county board failing to comply with the provisions of this article may be compelled

393 to do so by mandamus and is liable to any party prevailing against the board for court costs and the

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

395 (o) Notwithstanding any provision of this code to the contrary, a service person who holds a

396 continuing contract in a specific job classification and who is physically unable to perform the job's

397 duties as confirmed by a physician chosen by the employee, shall be given priority status over any

398 employee not holding a continuing contract in filling other service personnel job vacancies if the

399 service person is qualified as provided in §18A-4-8e of this code.

400 (p) Any person employed in an aide position on the effective date of this section may not be

401 transferred or subject to a reduction in force for the purpose of creating a vacancy for the

402 employment of a licensed practical nurse.

403 (q) Without the written consent of the service person, a county board may not establish the

404 beginning work station for a bus operator or transportation aide at any site other than a county

405 board-owned facility with available parking. The workday of the bus operator or transportation aide

406 commences at the bus at the designated beginning work station and ends when the employee is

407 able to leave the bus at the designated beginning work station, unless he or she agrees otherwise

408 in writing. The application or acceptance of a posted position may not be construed as the written

409 consent referred to in this subsection.

410 (r) Itinerant status means a service person who does not have a fixed work site and may be

411 involuntarily reassigned to another work site. A service person is considered to hold itinerant  
412 status if he or she has bid upon a position posted as itinerant or has agreed to accept this status. A  
413 county board may establish positions with itinerant status only within the aide and autism mentor  
414 classification categories and only when the job duties involve exceptional students. A service  
415 person with itinerant status may be assigned to a different work site upon written notice 10 days  
416 prior to the reassignment without the consent of the employee and without posting the vacancy. A  
417 service person with itinerant status may be involuntarily reassigned no more than twice during the  
418 school year. At the conclusion of each school year, the county board shall post and fill, pursuant to  
419 §18A-4-8b of this code, all positions that have been filled without posting by a service person with  
420 itinerant status. A service person who is assigned to a beginning and ending work site and travels  
421 at the expense of the county board to other work sites during the daily schedule, is not considered  
422 to hold itinerant status.

423 (s) Any service person holding a classification title on June 30, 2013, that is removed from  
424 the classification schedule pursuant to amendment and reenactment of this section in the year  
425 2013, has his or her employment contract revised as follows:

426 (1) Any service person holding the braille or sign language specialist classification title has  
427 that classification title renamed on his or her employment contract as either braille specialist or  
428 sign support specialist. This action does not result in a loss or reduction of salary or supplement by  
429 any employee. Any seniority earned in the braille or sign language specialist classification prior to  
430 July 1, 2013, continues to be credited as seniority earned in the braille specialist or sign support  
431 specialist classification;

432 (2) Any service person holding the paraprofessional classification title and holding the  
433 initial paraprofessional certificate – educational interpreter has the title educational sign language  
434 interpreter I added to his or her employment contract. This action does not result in a loss or  
435 reduction of salary or supplement by any employee. Any seniority earned in the paraprofessional  
436 classification prior to July 1, 2013, continues to be credited as seniority earned in the educational

437 sign language interpreter I classification; and

438 (3) Any service person holding the paraprofessional classification title and holding the  
439 permanent paraprofessional certificate – educational interpreter has the title educational sign  
440 language interpreter II added to his or her employment contract. This action does not result in a  
441 loss or reduction of salary or supplement by any employee. Any seniority earned in the  
442 paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned in  
443 the educational sign language interpreter II classification;

444 (t) Any person employed as an aide in a kindergarten program who is eligible for full  
445 retirement benefits before the first day of the instructional term in the 2020-2021 school year, may  
446 not be subject to a reduction in force or transferred to create a vacancy for the employment of a  
447 less senior early childhood classroom assistant teacher;

448 (u) A person who has held or holds an aide title and becomes employed as an early  
449 childhood classroom assistant teacher shall hold a multiclassification status that includes aide  
450 and/or paraprofessional titles in accordance with §18A-4-8b of this code.

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

1 (a) Effective July 1, 2024, the minimum monthly pay for each service employee shall be as  
2 follows:

3 (1) For school year ~~2023-2024~~ 2024-2025 and continuing thereafter, the minimum monthly  
4 pay for each service employee whose employment is for a period of more than three and one-half  
5 hours a day ~~shall be~~ is at least the amounts indicated in the State Minimum Pay Scale Pay Grade  
6 and the minimum monthly pay for each service employee whose employment is for a period of  
7 three and one-half hours or less a day ~~shall be~~ is at least one-half the amount indicated in the State  
8 Minimum Pay Scale Pay Grade set forth in this subdivision.

**STATE MINIMUM PAY SCALE PAY GRADE SCHEDULE**

Years Exp.	PAY GRADE							
	A	B	C	D	E	F	G	H
0	2,237	2,258	2,300	2,353	2,406	2,469	2,501	2,574
1	2,269	2,291	2,332	2,385	2,439	2,502	2,533	2,607
2	2,302	2,323	2,365	2,418	2,471	2,534	2,566	2,639
3	2,334	2,356	2,398	2,451	2,504	2,567	2,599	2,672
4	2,367	2,389	2,430	2,483	2,536	2,600	2,631	2,706
5	2,400	2,421	2,463	2,516	2,569	2,632	2,664	2,738
6	2,432	2,454	2,497	2,549	2,602	2,665	2,697	2,771
7	2,466	2,486	2,529	2,581	2,634	2,698	2,729	2,804
8	2,499	2,519	2,562	2,614	2,667	2,730	2,762	2,836
9	2,531	2,552	2,595	2,648	2,700	2,763	2,794	2,869
10	2,564	2,585	2,627	2,680	2,732	2,797	2,828	2,902
11	2,597	2,618	2,660	2,713	2,765	2,829	2,861	2,934
12	2,629	2,651	2,692	2,746	2,799	2,862	2,893	2,967
13	2,662	2,683	2,725	2,778	2,831	2,894	2,926	3,000
14	2,695	2,716	2,758	2,811	2,864	2,927	2,959	3,032
15	2,727	2,749	2,790	2,843	2,896	2,960	2,991	3,065
16	2,760	2,781	2,823	2,876	2,929	2,992	3,024	3,098
17	2,792	2,814	2,857	2,909	2,962	3,025	3,057	3,131
18	2,825	2,847	2,889	2,941	2,994	3,058	3,089	3,164
19	2,859	2,879	2,922	2,974	3,027	3,090	3,122	3,196
20	2,891	2,912	2,955	3,008	3,060	3,123	3,155	3,230

21	2,924	2,944	2,987	3,040	3,092	3,156	3,187	3,264
22	2,957	2,978	3,020	3,073	3,125	3,189	3,221	3,296
23	2,989	3,011	3,053	3,106	3,159	3,223	3,255	3,330
24	2,237	2,258	2,300	2,353	2,406	2,469	2,501	2,574
25	2,269	2,291	2,332	2,385	2,439	2,502	2,533	2,607
26	2,302	2,323	2,365	2,418	2,471	2,534	2,566	2,639
27	2,334	2,356	2,398	2,451	2,504	2,567	2,599	2,672
28	2,367	2,389	2,430	2,483	2,536	2,600	2,631	2,706
29	2,400	2,421	2,463	2,516	2,569	2,632	2,664	2,738
30	2,432	2,454	2,497	2,549	2,602	2,665	2,697	2,771
31	2,466	2,486	2,529	2,581	2,634	2,698	2,729	2,804
32	2,499	2,519	2,562	2,614	2,667	2,730	2,762	2,836
33	2,531	2,552	2,595	2,648	2,700	2,763	2,794	2,869
34	2,564	2,585	2,627	2,680	2,732	2,797	2,828	2,902
35	2,597	2,618	2,660	2,713	2,765	2,829	2,861	2,934
36	2,629	2,651	2,692	2,746	2,799	2,862	2,893	2,967
37	2,662	2,683	2,725	2,778	2,831	2,894	2,926	3,000
38	2,695	2,716	2,758	2,811	2,864	2,927	2,959	3,032
39	2,727	2,749	2,790	2,843	2,896	2,960	2,991	3,065
40	2,760	2,781	2,823	2,876	2,929	2,992	3,024	3,098

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
20	Aide IV .....	D
21	Aide V – Temporary Authorization .....	E
22	Aide V .....	F
23	Aide VI – Temporary Authorization .....	E
24	Aide VI .....	F
25	Audiovisual Technician .....	C
26	Auditor .....	G
27	Autism Mentor .....	F
28	Braille Specialist .....	E
29	Bus Operator I.....	D
30	<u>Bus Operator II.....</u>	<u>E</u>
31	<u>Bus Operator III.....</u>	<u>F</u>
32	Buyer .....	F
33	Cabinetmaker .....	G
34	Cafeteria Manager .....	D
35	Carpenter I .....	E
36	Carpenter II .....	F
37	Chief Mechanic .....	G
38	Clerk I .....	B

39	Clerk II .....	C
40	Computer Operator .....	E
41	Cook I .....	A
42	Cook II .....	B
43	Cook III .....	C
44	Crew Leader .....	F
45	Custodian I .....	A
46	Custodian II .....	B
47	Custodian III .....	C
48	Custodian IV .....	D
49	Director or Coordinator of Services .....	H
50	Draftsman .....	D
51	Early Childhood Classroom Assistant Teacher I .....	E
52	Early Childhood Classroom Assistant Teacher II .....	E
53	Early Childhood Classroom Assistant Teacher III .....	F
54	Educational Sign Language Interpreter I .....	F
55	Educational Sign Language Interpreter II .....	G
56	Electrician I .....	F
57	Electrician II .....	G
58	Electronic Technician I .....	F
59	Electronic Technician II .....	G
60	Executive Secretary .....	G
61	Food Services Supervisor .....	G
62	Foreman .....	G
63	General Maintenance .....	C
64	Glazier .....	D

65	Graphic Artist .....	D
66	Groundsman .....	B
67	Handyman .....	B
68	Heating and Air Conditioning Mechanic I .....	E
69	Heating and Air Conditioning Mechanic II .....	G
70	Heavy Equipment Operator .....	E
71	Inventory Supervisor .....	D
72	Key Punch Operator .....	B
73	Licensed Practical Nurse .....	F
74	Locksmith .....	G
75	Lubrication Man .....	C
76	Machinist .....	F
77	Mail Clerk .....	D
78	Maintenance Clerk .....	C
79	Mason .....	G
80	Mechanic .....	F
81	Mechanic Assistant .....	E
82	Office Equipment Repairman I .....	F
83	Office Equipment Repairman II .....	G
84	Painter .....	E
85	Paraprofessional .....	F
86	Payroll Supervisor .....	G
87	Plumber I .....	E
88	Plumber II .....	G
89	Printing Operator .....	B
90	Printing Supervisor .....	D

91	Programmer .....	H
92	Roofing/Sheet Metal Mechanic .....	F
93	Sanitation Plant Operator .....	G
94	School Bus Supervisor .....	E
95	Secretary I .....	D
96	Secretary II .....	E
97	Secretary III .....	F
98	Sign Support Specialist .....	E
99	Supervisor of Maintenance .....	H
100	Supervisor of Transportation .....	H
101	Switchboard Operator-Receptionist .....	D
102	Truck Driver .....	D
103	Warehouse Clerk .....	C
104	Watchman .....	B
105	Welder .....	F
106	WVEIS Data Entry and Administrative Clerk .....	B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

164 (k) The minimum hourly rate of pay for extra duty assignments as defined in §18A-4-8b of  
165 this code is no less than one seventh of the person's daily total salary for each hour the person is  
166 involved in performing the assignment and paid entirely from local funds: *Provided*, That an  
167 alternative minimum hourly rate of pay for performing extra duty assignments within a particular  
168 category of employment may be used if the alternate hourly rate of pay is approved both by the

169 county board and by the affirmative vote of a two-thirds majority of the regular full-time persons  
170 within that classification category of employment within that county: *Provided, however,* That the  
171 vote is by secret ballot if requested by a service person within that classification category within  
172 that county. The salary for any fraction of an hour the employee is involved in performing the  
173 assignment is prorated accordingly. When performing extra duty assignments, persons who are  
174 regularly employed on a one-half day salary basis shall receive the same hourly extra duty  
175 assignment pay computed as though the person were employed on a full-day salary basis.

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

192 (m) For the purpose of qualifying for additional pay as provided in §18A-5-8 of this code, an  
193 aide is considered to be exercising the authority of a supervisory aide and control over pupils if the  
194 aide is required to supervise, control, direct, monitor, escort, or render service to a child or children

195 when not under the direct supervision of a certified professional person within the classroom,  
196 library, hallway, lunchroom, gymnasium, school building, school grounds, or wherever supervision  
197 is required. For purposes of this section, "under the direct supervision of a certified professional  
198 person" means that certified professional person is present, with and accompanying the aide.

NOTE: The purpose of this bill is to create three separate job titles for school bus operators based on years of service. The bill establishes pay scales.

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