

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### House Bill 4734

FISCAL  
NOTE

By Delegate Nestor, Kelly, Hott, Riley, Martin, Brooks,  
and Barnhart

[Introduced January 15, 2024; Referred to  
the Committee on Jails and Prisons then 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 and sign-on bonus to correctional personnel in West Virginia to retain  
 3 current workers and attract new workers to 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, 2024, applicable employees of Division of Corrections, Division of Juvenile  
 19 Services, and the West Virginia Regional Jail and Correctional Facility Authority who have

20 accumulated (3) years or more years of continuous employment shall be given a bonus of \$6,000.

21 (5) On or after July 1, 2024, individuals becoming employed with the Division of  
22 Corrections, Division of Juvenile Services, or the West Virginia Regional Jail and Correctional  
23 Authority shall receive a sign on bonus of \$3,000: *Provided*, That such employee shall only be  
24 given a \$3,000 bonus after accumulating (3) or more years of continuous employment.

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

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

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

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

NOTE: The purpose of this bill is to provide for a pay increase and a sign-on bonus for corrections employees to retain current workers and to 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.