

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5568

By Delegate Young

[Introduced February 12, 2024; Referred to the
Committee on Jails and Prisons then Finance]

1 A BILL to amend and reenact §5-5-4b of the Code of West Virginia, 1931, as amended, relating to
 2 salary increases for employees of the Division of Corrections, Division of Juvenile Services
 3 and the West Virginia Regional Jail and Correctional Facility Authority.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.

1 **§5-5-4b. Division of Corrections, Division of Juvenile Services, and Regional Jail Authority**
 2 **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 (c)(1) On July 1, 2024, the Legislature hereby directs that a pay equity salary adjustment
 19 and increase be provided to full-time equivalent employees of the Division of Corrections and

20 Rehabilitation that are employed as non-uniform administrative staff. This salary adjustment shall
21 be for a total of 10 percent of each such employee's salary as of the effective date of this
22 subdivision for those employees who have accumulated one years or more of continuous
23 employment.

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

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

30 (f) For purposes of the reenactment of this section during the regular session of the
31 Legislature in 2024, the salary adjustments set forth in subsection (c) of this section for the
32 applicable full-time equivalent employees of the Division of Corrections and Rehabilitation that are
33 employed as non-uniform administrative staff shall be paid from the general revenue
34 appropriations to the Division of Corrections and Rehabilitation: *Provided*, That the salary
35 adjustment for the applicable full-time equivalent employees of the Division of Corrections and
36 Rehabilitation that are employed as non-uniform administrative staff employed at a regional jail
37 shall be funded from the special revenue fund established in §15A-3-16 of this code.

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

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

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NOTE: The purpose of this bill is to provide salary increases for employees of the Division of Corrections, Division of Juvenile Services and the West Virginia Regional Jail and Correctional Facility Authority.

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