



WVSSPA

West Virginia School Service Personnel Association



An Affiliate of the UMWA
WV AFL-CIO

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2023 Legislative Update Week 8 (3/3/2023)

Active Legislation

SB 268-This bill makes extensive changes to PEIA including an increase premiums for employees and employers back to 80/20, removal of spouses from PEIA if they are offered insurance through their employer, codifies that the tiers and additional funds may not be adjusted by the Governor or PEIA. This bill also calls for a study to look at the solvency of PEIA. Amended in House Finance to remove the 70/30 language for those in border counties. **This is another piece of terrible legislation and health care costs will dramatically increase for all service personnel. Passed the Senate and House Finance on 3rd reading with the right to amend tomorrow. (Senator Takubo)**

SB 423- Increasing salary for certain state employees. This was the Governor's pay raise bill giving a 5% increase to all state employees. Specifically service personnel would have received \$130 a month increase. Senate Finance amended this bill to provide a \$2300 across the board yearly pay increase. **We feel this increase was to offset the premium and out of pocket expenses created by the PEIA legislation in SB 268. Passed the Senate and House Finance on 3rd reading with the right to amend tomorrow. (Governor)**

HB 3135- This Legislation originally raised the salary of the Governor by \$50,000 but was reduced to a \$30,000 raise in House Finance. The Attorney General, the Auditor, the Secretary of State, the Commissioner of Agriculture, and the State Treasurer would have received a \$55,000 increase in salary was also reduced to \$20,000 in House Finance. **The Legislature is putting healthcare costs on the backs of public employees but we can give these people a raise. Passed the House of Delegates and sent to the Senate. (Delegate Westfall)**

HB 3547-The purpose of this bill is to increase the number of personal leave days that county board of education employees may use without regard to the cause for the absence from three to four. **Passed House of Delegates and Senate. (Delegate Clark)**

HB 3271-The purpose of this bill is to require audio recording devices be placed in the bathrooms of any self contained special education classrooms in addition to the cameras already placed in each self contained classroom. Parents can opt their students out of being recorded or ask for their student to be taken to another bathroom. Amended to require a sign declaring an audio recording device is in use. **Passed the House and Senate Education, pending Senate Finance. (Delegate Mazzochi)**

SB 237-The purpose of this bill is to provide a one-time bonus payment of \$1500 for retirees in the Public Employees Retirement System and the Teachers Retirement System that are at least 70 years of age with 20 years of service and receive a monthly annuity of less than \$1000. This also raises the monthly annuity to \$1000 for retirees age 70 with 25 years experience. Similar to HB 2893. **This is similar legislation to what the Governor Spoke about in the State of the State. Passed the Senate and on 2nd reading in the House of Delegates. (Senator Nelson)**

HB 2346-Deems Bus Operators as critical need. This will allow retired bus operators to work as substitutes without penalty to their retirement. Similar to SB 56 which passed Senate Education. **If this legislation passes it would go a long way in relieving bus operator shortages. Passed House of Delegates, passed Senate Education and pending in Senate Finance. (Delegate Toney)**

2023 Legislative Update Week 8 (3/3/2023)

Active Legislation-Continued

HB 3035-Similar to HB 2003 and SB 274. Providing early childhood assistant teachers and systems of support to help students achieve grade level literacy and numeracy by end of third grade. The intent of this legislation is to place ECCATs, interventionist, paraprofessionals or a professional in all 1st, 2nd and 3rd grade classrooms by 2026. It increases the school aide formula beginning in 2024. **This is great legislation that would not only create 2900 jobs but truly help our students succeed. Passed the House of Delegates and pending in Senate Education. (Governor)**

Active Legislation- No Movement

HB 3270-Amends the deliberate intent statute to limit noneconomic (punitive) damages to \$500,000. This legislation means a company could not be sued for more than \$500,000 in punitive damages if they purposely and knowingly put workers in harmful situations. **This is a terrible attack on workers' rights. Passed the House of Delegates and ordered to the Senate. (Delegate Hott)**

HB 2443-A service employee who is certified as a Director or Supervisor of Pupil Transportation by the NAPT is eligible for any professional employee position involving supervision of a county transportation department. All new persons employed as a director, assistant director or coordinator of transportation shall have at least five years of experience working in the transportation department of a county board or one year to get the proper certifications. **This bill would allow more service Personnel to bid on and get Professional positions in transportation. Passed the House of Delegates and sent to the Senate. (Delegate Toney)**

SB 461-The purpose of this bill is to extend certain time limits throughout the process, to require a notarized grievance form; outline the grievance motion to dismiss procedure; require disclosure of representatives of employees; require representatives to disclose each employee being represented; charging annual leave for work hours spent preparing for and attending grievances in excess of four hours; not allowing an employee to represent a grievant more than 5 times per year; holds the grievance in abeyance if the grievant is on leave. Amended in Judiciary to include a loser pays clause. This bill was recommended by the Department of Transportation. **Terrible bill intended to make filing a grievance and going through the grievance process as difficult as possible. Passed the Senate and ordered to House Judiciary. (Senator Clements)**

SB 74-The purpose of this bill is to require entities and parties to uphold and apply the Superintendent of Schools' interpretation of school law and State Board of Education rules. This legislation will require the Grievance Board to give "significant deference" to the interpretation given by the State Superintendent when deciding a grievance. This will force many cases to the Intermediate Court of Appeals to overturn the interpretation given by the State Superintendent. **This is terrible legislation aimed at weakening the grievance procedure. Passed the Senate and sent to the House Judiciary Committee. (Senator Weld)**

Completed Legislation

HB 2602- Reestablishing certain specialized school service personnel classifications, Aide V and Aide VI. This previously passed, due to an error in another piece of legislation was not put into code. **These positions were previously in code but removed due to a computer error. Has been signed by the Governor and is law. (Delegate Toney)**

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