MINUTES OF THE STATE PERSONNEL BOARD December 21, 2017 Charleston, West Virginia

The State Personnel Board (SPB) met on December 21, 2017, at 1:00 p.m. to conduct business and to consider other administrative matters. Present at the meeting: Chair John Myers; Board members Rick Wallace, Jay Arceneaux and Bernie Deem (in person) and Ross Taylor (participating by telephone); Jill Newman, Drema Smith, Aaron Gillispie, Natasha White, Jonathan Storage, Billy Varney, Chad Robinson, Donn Cyrus, Don Burford and Matthew Bucklew, Department of Highways; Mischelle Williams and Lynn Huddleston, Department of Health and Human Resources; Fred Wooton and Lisa Wensil, Alcohol Beverage Control Administration; and Darrick Cox.

Division of Personnel (DOP) staff members attending were: Sheryl Webb, Director; Joe Thomas, Deputy Director; Wendy Elswick, Teresa Morgan, and Board Secretary, Drema Gibson.

APPROVAL OF MINUTES

The members of the SPB received the minutes from the November 16, 2017, meeting prior to the meeting. Ms. Deem moved to accept the minutes and Mr. Arceneaux seconded the motion. The Board approved the minutes by unanimous consent.

PROPOSALS

2763-A Department of Transportation – Division of Highways

Upon motion of Mr. Arceneaux and seconded by Mr. Wallace, the SPB approved, as amended, the Division of Highways' proposal (SPB #2763-A) to amend the Bridge Safety Inspector Program, which was approved by the SPB on September 28, 2017. Proposal 2763-A was submitted as a result of Senate Bill 2003, which passed during the 2017 Second Extraordinary Session of the West Virginia Legislature and established "§ 17-2A-24. Special employment procedures for Division of Highways personnel". The bill was effective upon passage with an internal effective date of December 1, 2017. The details of this proposal are outlined in a letter of November 30, 2017, from Cabinet Secretary Thomas J. Smith, P.E. and as presented to the Board by Jonathan Storage, General Counsel, Division of Highways. A copy of the letter, with an amended Bridge Inspector Classifications chart that was presented during the meeting, is attached hereto and made a part of these minutes.

2773 Department of Transportation – Division of Highways

Upon motion of Ms. Deem and seconded by Mr. Arceneaux, the SPB approved the Division of Highways' proposal (SPB #2773) to implement a salary adjustment for maintenance classifications. This proposal was approved conditionally in that the Division of Highways is to provide to the SPB within 90 days a comprehensive pay plan/structure for all of its employees.

This proposal was submitted as a result of Senate Bill 2003, which passed during the 2017 Second Extraordinary Session of the West Virginia Legislature and established "§ 17-2A-24. Special employment procedures for Division of Highways personnel". The bill was effective upon passage with an internal

effective date of December 1, 2017. The details of this proposal are outlined in a letter of November 30, 2017, from Cabinet Secretary Thomas J. Smith, P.E. and as presented to the SPB by Jonathan Storage, General Counsel, Division of Highways. A copy of the letter is attached hereto and made a part of these minutes.

2778 Department of Health and Human Resources – Bureau for Children and Families

Upon motion of Mr. Wallace and seconded by Ms. Deem, the SPB approved the Department of Health and Human Resources, Bureau for Children and Families', proposal (SPB #2778) to establish the classification specification Economic Service Worker Trainee (7986) and to add it to the State of West Virginia Classification and Compensation Plan at pay grade 8 (\$21,504 - \$39,792), effective January 6, 2018.

2779 Department of Administration - Finance Division

Upon motion of Mr. Wallace and seconded by Mr. Taylor, the SPB approved the Finance Division's proposal (SPB #2779) to implement a recruitment and retention incentive for the Accountant Auditor 1, Administrative Services Manager 3 and Financial Reporting Specialist 1, 2, and 3 classifications, effective January 19, 2018. The following outlines this proposal as approved:

Special Hiring Rates:

Title	Current Pay Grade	Current Pay Grade Minimum	Proposed Special Hiring Rate			
Accountant/Auditor 1	12	\$26,160	\$32,000			
Financial Reporting Specialist 1	15	\$31,164	\$35,000			
Financial Reporting Specialist 2	17	\$35,028	\$42,000			
Financial Reporting Specialist 3	19	\$39,372	\$44,096			

Retention Incentives:

- A 5% increase after one (1) year of continuous service within the Financial Reporting Specialist series to be effective on the next pay period following the service date.
- An additional 5% increase after two (2) years of continuous service within the Financial Reporting Specialist series to be effective on the next pay period following the service date.
- An additional 5% increase after four (4) years of continuous service within the Financial Reporting Specialist series to be effective on the next pay period following the service date.
- A 15% increase for any employee who successfully passes the Certified Public Accountant (CPA) exam while employed at FARS following the effective date of this proposal. By allowing this in a Board Proposal it incentivizes employees to obtain this certification and guarantees a 15% increase. This is more of an increase than would be approved under the discretionary increase provisions of the DOP Pay Plan Policy.

- Whereas the recruitment and retention incentive would create salary compression for the Administrative Services Manager III position responsible for performing many of the same responsibilities in addition to managing the section, FARS also requests a one-time base building pay differential of 15% for this position.
- Current employees who are paid below the special hiring rate will be brought up to the new rate for the respective classification.
- Employees currently in the Financial Reporting Specialist series will receive the retention increase(s) as stated above, based upon their years of service within the series.

2780 Department of Health and Human Resources – Bureau for Children and Families

Upon motion of Ms. Deem, seconded by Mr. Arceneaux, the SPB approved the Department of Health and Human Resources, Bureau for Children and Families', proposal (SPB #2780) to implement a one-time, non-base building pay differential of \$1,500.00 to employees hired during the period of July 1, 2017, to October 13, 2017, in the classifications of Child Protective Services Worker (CPSW) Trainee, CPSW, and Social Service Worker III (Youth Services) who are employed in the following designated crisis counties: Barbour, Berkeley, Boone, Braxton, Cabell, Clay, Fayette, Jefferson, Kanawha, Marion, Monongalia, Morgan, Preston, Raleigh, and Taylor counties. The employees receiving this pay differential will be required to work in their designated classification or the series for a minimum of twelve (12) months or they will be required to pay the incentive back to the DHHR in full.

OTHER BUSINESS

Division of Personnel

Joe Thomas, Deputy Director, advised the SPB of the decision of Grafton-Taylor Health Department to terminate the Service Level Agreement executed with the DOP pursuant to W. VA. CODE § 29-6-17, effective 11:59 p.m., December 31, 2017. Their notice stated that, rather than participating in the State's merit system administered by DOP, the Health Department has established its own merit system as authorized in W. VA. CODE § 16-2-11(b)(2).

Disqualification Appeal

Upon motion of Mr. Wallace and seconded by Mr. Arceneaux, the SPB went into Executive Session to hear an appeal pertaining to disqualification from classified employment by a former employee of the West Virginia Alcohol Beverage Control Administration. After review and discussion, the SPB upon motion of Mr. Wallace and seconded by Mr. Arceneaux returned to Regular Session. After motion of Mr. Wallace to uphold the decision of the DOP, the SPB voted 2-2. As the Chair is a non-voting member of the SPB, Mr. Wallace moved and Ms. Deem seconded, to table this matter until such time that a full-member SPB vote could be taken.

ADJOURN

Upon motion of Mr. Arceneaux and seconded by Ms. Deem, the meeting adjourned at 2:22 p.m.

Jim Justice, Governor

John A. Myers, Cabinet Secretary

January 2, 2018

Thomas J. Smith, P.E. Secretary of Transportation/ Commissioner of Highways Building 5, Room 109 1900 Kanawha Boulevard, East Charleston, WV 25305-0440

Dear Secretary Smith:

The State Personnel Board (SPB) at its meeting held on December 21, 2017, approved the Division of Highways' (DOH) proposal (SPB #2763-A) to amend the Bridge Safety Inspector Program, which was approved by the SPB on September 28, 2017. This proposal (SPB #2763-A) was submitted as a result of Senate Bill 2003, which passed during the 2017 Second Extraordinary Session of the West Virginia Legislature and provides "§ 17-2A-24. Special employment procedures for Division of Highways personnel". The bill was effective upon passage with an internal effective date of December 1, 2017. The details of this proposal are outlined in your letter of November 30, 2017, (copy attached) and as presented to the Board by Jonathan Storage, General Counsel, Division of Highways.

If you should have any questions regarding the SPB's action, please do not hesitate to contact me.

Sincerely,

Sheryl R. Webb

Director

SRW/dg

Enclosure

c: Drema Smith, Acting Director, Human Resources Division



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Jim Justice Governor

1900 Kanawha Boulevard East • Building Five • Room 109 Charleston, West Virginia 25305-0440 • (304) 558-0444

Thomas J. Smith, P. E. **Cabinet Secretary**

November 30, 2017

SPB# 2763-A

Mr. John Myers, Cabinet Secretary Department of Administration 1900 Kanawha Blvd. E **Building 1, Room E119** Charleston, West Virginia 25305

Dear Mr. Myers:

It is my desire that the Amendments to the Bridge Safety Inspector Proposal be included in the December meeting for vote by the State Personnel Board.

I appreciate your continued cooperation and support as we move this proposal forward. Should you have any further questions, please feel free to contact me.

Sincerely,

Thomas J. Smith, P. E.

Secretary of Transportation/ Commissioner of Highways

TJS:Dw

Executive Summary

Amendments to the Bridge Safety Inspector Program

Mission Statement

The implementation of this proposed salary adjustment, based upon the West Virginia Division of Highways (DOH) Bridge Safety Inspector (BRSFIN) Program, will establish a mechanism for addressing the salary compression and imminent salary inversion that will occur in several BRSFIN Classifications. By increasing the salaries, current employees will, thus, be afforded the opportunity to be compensated at a similar rate of pay their colleagues who have been hired and progressed through the BRSFIN Program are earning or will earn.

Expected Outcome

If the Agency were permitted to implement this salary adjustment, for all current employees in the classification, it would give our more experienced employees the needed incentive to remain in their current classification and with the DOH. The new entry level salaries, while having a positive effect with recruiting and retaining new employees to our BRSFIN classifications, the program has also caused a salary conversion and imminent salary inversion issue among our more experienced employees, recently hired employees, and employees hired after the BRSFIN Program. This would greatly enhance the Agency's ability to retain the highly-qualified employees required to perform the essential functions of our National Bridge Inspection Program.

Solution

The current lack of means to address the pay inequity in our BRSFIN classification in a timely manner, has prompted DOH to ask for an amendment to the recently approved BRSFIN Program. Although this salary inversion could possibly rectify itself through attrition the DOH requests the opportunity to correct the pay for current affected employees immediately to prevent creating a demotivated work force. Additionally, these amendments will eliminate salary inequity while retaining the skilled employees in these crucial positions. The effected positions are the backbone of the National Bridge Inspection Program and serve to provide the necessary field training to the subordinate BRSFIN's.

Action

It is our hope that this proposal can be presented to the West Virginia Division of Personnel and the State Personnel Board in December 2017.

Proposal to the West Virginia State Personnel Board Amendments to the Bridge Safety Inspector Program

In troduction

In September 2017 the West Virginia State Personnel Board unanimously approved proposal 2728 submitted by the Division of Highway (DOH) entitled, Bridge Safety Inspector Program. That proposal provided a necessary change to the entry salary for Bridge Safety Inspector 1 (BRSFIN1) but did very little to address the inconsistent salary structure of the current BRSFIN Classifications. The program effective date was October 28, 2017.

The DOH has diligently been working on determining salary adjustments for the current BRSFIN's that will align with the approved program. During the process of determining the adjusted salaries the DOH discovered that the proposal would cause several issues with our current BRSFIN2-4 classifications. Initially, the program has forced salary compression in which the less experienced workers would in some cases be making almost as much as the more experienced workers. Within a few short years, as the BRSFIN1's progress through the program DOH will see a salary inversion issue in which the less experienced workers will be compensated at a higher rate than the more experienced workers.

The DOH needs to rectify the salaries of our employees to retain crucial employees in key positions and to prevent demotivating our BRSFIN workforce. As mentioned above, the DOH has identified a couple of areas in need of adjustment to better ensure the program's overall success. These program amendments, or enhancements, are detailed below in the proposal.

Proposal

Amendment 1 - Bringing currently classified Bridge Safety Inspectors to their respective minimum salary based on experience and certifications. The minimum salary levels presented in the table below will be used for the initial adjustments. Once implemented the BRSFIN salaries will progress through each level based on the percentage presented in the table below:

Classification Level	Minimum Salary	% increase	Experience (yr)	C
1	\$27,000		O O	Comments
	\$28,350	5.00%	U	Entry Salary
2	\$32,886			NHI National Exam
		16.00%	2	Reclassification
	\$34,530	5.00%		State Certification Exam
3	\$40,055	16.00%	5	Reclassification
	\$44,061	10.00%	6	Retention Incentive
4	\$51,110	16.00%	8	
5	\$57.244		12	Reclassification
ote: No BRSFIN w	\$57,244	12.00%	12	D 1 10

Note: No BRSFIN will be classified higher than their current classification.

No BRSFIN will be classified initially as a Level 5.

Amendment 2 - BRSFIN4 will receive a 10% retention incentive after 12 months in the position.

Implementation

Upon implementation of these changes, incumbents who earn below the minimum salary for their respective classification and certifications shall receive a salary adjustment to the minimum value. For those employees in the BRSFIN1, BRSFIN2, and BRSFIN3 classification, whose salary is currently greater than the minimum salary, no additional change will be made to their salary. For those employees who have been in the BRSFIN4 classification for more than 12 months, will receive a one-time 10% retention incentive. Those who are employed as a BRSFIN1 after the effective date of this proposal will be compensated using the minimum salary of \$27,000, compensation for movement to all other classifications will be calculated as provided in the Pay on Promotion or Demotion provisions of the WV Division of Personnel's Pay Plan Policy DOP PPP III C 1 which became effective December 1, 2017.

We request that these pay structure changes go into effect the first day of the month following the State Personnel Board's approval of this proposal. While this date will represent the effective date for these approved action, actual salary changes will be processed using a future date corresponding with the beginning date of a new pay period. This will allow for the necessary time needed to process such employment transactions.

Presented during
12.21-17 SPB
meeting by Dott.

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Sheryl R. Webb, Director

Jim Justice, Governor

John A. Myers, Cabinet Secretary

January 2, 2018

Thomas J. Smith, P.E.
Secretary of Transportation/
Commissioner of Highways
Building 5, Room 109
1900 Kanawha Boulevard, East
Charleston, WV 25305-0440

Dear Secretary Smith:

The State Personnel Board (SPB) at its meeting held on December 21, 2017, approved the Division of Highways' (DOH) proposal (SPB #2773) to implement a salary adjustment for maintenance classifications. This proposal was submitted as a result of Senate Bill 2003, which passed during the 2017 Second Extraordinary Session of the West Virginia Legislature and provides "§ 17-2A-24. Special employment procedures for Division of Highways personnel". The bill was effective upon passage with an internal effective date of December 1, 2017. The details of this proposal are outlined in your letter of November 30, 2017, (copy attached) and as presented to the Board by Jonathan Storage, General Counsel, Division of Highways.

This proposal was approved conditionally in that the Division of Highways is to provide to the SPB within 90 days a comprehensive pay plan/structure for all of its employees.

If you should have any questions regarding the SPB's action, please do not hesitate to contact me.

Sincerely,

Sheryl R. Webb

Director

SRW/dg

Enclosure

c: Drema Smith, Acting Director, Human Resources Division



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DEPARTMENT OF TRANSPORTATION

Jim Justice Charleston, West Virginia 25305-0440 • (304) 558-0444

Thomas J. Smith, P. E. Cabinet Secretary

November 30, 2017

SPB# 2773

Mr. John Myers, Cabinet Secretary Department of Administration 1900 Kanawha Blvd. E Building 1, Room E119 Charleston, West Virginia 25305

Dear Mr. Myers:

It is my desire that the Salary Adjustment for Maintenance Classifications Proposal be included in the December meeting for vote by the State Personnel Board.

I appreciate your continued cooperation and support as we move this proposal forward. Should you have any further questions, please feel free to contact me.

Sincerely,

Thomas J. Smith, P. E.

Secretary of Transportation/ Commissioner of Highways

TJS:Dw

Executive Summary

Salary Adjustment for Maintenance Classifications

Mission Statement

The implementation of this proposed salary adjustment, based upon the West Virginia Division of Highways (DOH) Transportation Worker (TW) Apprenticeship Program, will establish a mechanism for addressing the salary inversion currently being experienced in several Maintenance Classifications. By increasing the salaries, current employees will, thus, be afforded the opportunity to be compensated at the same rate of pay their colleagues who have been promoted or reallocated from the TW Apprenticeship Program are earning.

Expected Outcome

If the Agency were permitted to implement this one-time salary adjustment, for all current employees in the classification for which the TW series have been identified as a feeder class, it would give employees the needed incentive to remain in their current classification. While the TW Apprenticeship Program has met its desired effect of recruiting and retaining employees in the TW classification, it has also had a positive ripple effect on the salaries of other Maintenance Classifications. The new salaries, while having a positive effect with recruiting and retaining new employees to our Maintenance Organization, the program has also caused a salary inversion among employees hired prior to the TW Apprentice Program. This one-time salary adjustment in turn would eliminate the need for employees to apply for jobs below their skill set within the TW series just to receive a pay increase. This would greatly enhance the Agency's ability to retain the highly-qualified employees required to perform the essential functions of our Maintenance Organization.

Solution

The current lack of means to address the pay equity in our Maintenance Organization in a timely manner, has prompted DOH to ask for a one-time salary adjustment for the affected classifications. Although this salary inversion will rectify itself through attrition the DOH request the opportunity to correct the pay for current affected employees immediately. Thus, eliminating salary equity while retaining the skilled employees in these crucial positions.

Action

It is our hope that this proposal can be presented to the West Virginia Division of Personnel and the State Personnel Board in December 2017.

Proposal to the West Virginia State Personnel Board Salary Adjustment for Maintenance Classifications

Introduction

In November 2014, the West Virginia State Personnel Board unanimously approved Board Proposal #2664 entitled "Transportation Worker Apprenticeship Program" submitted by the Division of Highways (DOH). This program was initiated to ameliorate the recruitment and retention issues the DOH was experiencing specific to the Transportation Worker (TW) classification series. The implementation of the program allowed the DOH to develop a structured tier system for TW classifications resulting in an assigned hourly rate of pay.

In September 2015, it became necessary for the DOH to modify the original conditions of the Transportation Worker Apprenticeship Program established by the aforementioned original proposal. One such amendment, which was subsequently approved by the West Virginia State Personnel Board, was to reclassify Transportation Crew Supervisor 1s to Transportation Worker 3 Crew Chiefs (TW3-CRCH)*. (*The Crew Chief sub-classification is recognized by the DOH similar to other sub-classifications currently utilized which distinguish employees working in particular areas of assignment, such as equipment operator, mechanic, craft worker, etc. It is not part of the official classification specifications.)

The Transportation Worker Apprenticeship Program was just one part of our planned Maintenance Organization re-structuring process. We eliminated the Transportation Crew Supervisor 2s in our County Organizations, through attrition, to better streamline our management in this area. With the reclassification of the Transportation Crew Supervisor 1s and the elimination of the Transportation Crew Supervisor 2s in our County Organizations, this has resulted in the Transportation Worker 3's (TW3) becoming the largest "feeder classification" to several of our other Maintenance Organization positions. Among them are Highway Administrators (HWYADM) 1 & 2, Transportation Crew Supervisors 2 (non-county organizations), Construction Superintendents, Highway Equipment Specialists, and Highway Equipment Supervisors 1 & 2. The salaries set forth by the inception of the Transportation Apprenticeship Program has caused a positive ripple effect across our Maintenance Organization by increasing salaries to a range necessary to recruit and retain our most experienced employees. This same positive effect has also resulted in salary inversion for our employees who were promoted into the classifications before the Transportation Apprenticeship Program was fully implement on November 14, 2015. This implementation has not only left the majority of our experienced employees' making less than their recently promoted colleagues but has also resulted in salaries near or below that of their employees. As attrition occurs the salary inversion will be eliminated gradually by upward movement from the TW Classifications. DOH is proposing to rectify the salaries of our employees promoted before the Transportation Apprentice Program took effect to retain crucial employees in key positons. In addition, DOH wants to keep employees from applying downward for positions they are overly qualified for, just to receive a pay increase.

Proposal

The DOH proposes a one-time salary adjustment to all employees currently in the addressed classifications comparable to the rate they would have received on promotion under the current hourly pay schedule. The exception to this rule would be for the HWYADM2 classification. The DOH is asking for a 3% increase over the required 25% from TW3-CRCH to HWYADM2. Under the DOP's Pay Plan Policy DOP PPP III B 1 effective December 2017, when an employee is promoted or reallocated their salary shall be increased 7% the first pay increment, 5% the second pay increment, 4% the third pay increment and 3% for each subsequent pay increment to a maximum of 25%. Under this policy, the compensation for HWYADM1 and 2 results in the same level of compensation. DOH is asking for an additional 3% to compensate for the additional pay grade separating the two classifications. Under the DOP's Pay Plan Policy DOP PPP III B 2 effective December 1, 2017, there is a mechanism to allow additional increments for qualifications exceeding the minimum requirement for the classification. Our current HWYADM2 have an average of over 19 years of highway experience, well exceeding the requirements for the additional 3%. The proposed one-time salary adjustment would be as follows.

Classification	Pay Grade	Current Salary Range	Proposed Salary Adjustment Rate			
Highway Administrator 4	19	\$39,372 - \$72,840	\$61,657.86			
Highway Administrator 3	18	\$37,140 - \$68,712	\$57,624.53			
Highway Administrator 2	17	\$35,036 - \$64,812	\$53,854.53			
Highway Administrator 1	16	\$33,036 - \$61,128	\$52,286.00			
Highway Equipment Supervisor 2	15	\$31,164 - \$57,660	\$54,093.94			
Transportation Crew Supervisor 2 (Non-County Organizations)	13	\$27,732 - \$51,312	\$51,031.14			
Construction Superintendent	13	\$27,732 - \$51,312	\$51,031.14			
Highway Equipment Supervisor 1	12	\$26,160 - \$48,396	\$46,632.77			
Highway Equipment Specialist	10	\$23,724 - \$43,896	\$43,889.66			

Implementation

Upon the implementation of these changes, incumbents who earn below the proposed rate shall receive a salary adjustment to the newly established amount. For those employees, whose salary is currently greater than this amount, no change will be made to their hourly rates. Those who are employed in the above referenced classification after the effective date of this proposal will be calculated as provided in the Pay on Promotion or Demotion provisions of the DOP's Pay Plan Policy DOP PPP III C 1 which became effective December 1, 2017.

We request that these pay structure changes go into effect the first day of the month following the State Personnel Board's approval of this proposal. While this date will represent the

effective date for these approved actions, actual salary changes will be processed using a future date corresponding with the beginning date of a new pay period, in order to allow for the necessary time needed to process such employment transactions.

NEXT BOARD MEETING

The next regular meeting of the SPB is scheduled for Thursday, January 18, 2018, at 1:00 p.m. in Building 3, Suite 500, State Capitol Complex, Charleston, West Virginia.

John A. Myers, Chair

State Personnel Board

Drema Gibson, Secretary

State Personnel Board