

MINUTES OF THE STATE PERSONNEL BOARD

September 26, 2019
Charleston, West Virginia

The State Personnel Board (SPB) met on September 26, 2019, at 1:00 p.m. to conduct business and to consider other administrative matters. Present at the meeting: Bob Paulson, General Counsel, Department of Administration on behalf of Chair Allen McVey; SPB members Jay Arceneaux, Jim Dissen, Kym Gillespie, Forrest Roles and Rick Wallace; Lynn Huddleston, Aryn Collins, Andrea Hicks, Mischelle Williams and Angie Ferris, Department of Health and Human Resources; Karen Thornton, Assistant Attorney General; Bob Blankenship, Jessica Lane, Charlotte Lane and David Acord, Public Service Commission; Andrea Fout Tinsley and Scott Kline, Division of Natural Resources; Jenelle Jones, Cindy Smith and Josh Spence, Office of Technology; Julie Miller, Boone County Health Department; Tammy Scruggs, State Budget Office; and, Sam Calvert and Randall Reid Smith, Department of Arts, Culture and History.

Division of Personnel (DOP) staff members attending were: Sheryl Webb, Director; Joe Thomas, Deputy Director; Wendy Elswick, Teresa Morgan, Elisabeth Arthur, Janie Perdue, Carrie Sizemore, Mark Isabella, Bobbie Seyedmonir, Kelly Turner, Mary Jane Ayoob, and Board Secretary, Drema Gibson.

APPROVAL OF MINUTES

The members of the SPB received the minutes from the August 22, 2019, meeting of the SPB prior to the meeting. Mr. Arceneaux moved to accept the minutes and Mr. Dissen seconded the motion. The Board approved the minutes by unanimous consent.

PROPOSALS

2865 Boone County Health Department

Upon motion of Mr. Arceneaux, seconded by Mr. Roles, the SPB rejected the Boone County Health Department's proposal (SPB 2865) to designate it as the organizational unit for a reduction in force due to lack of funds to be effective July 1, 2019. The SPB directed that the Boone County Health Department work with the Division of Personnel to bring the Health Department into compliance with the existing Service Level Agreement.

2866 Department of Administration – DOP

Upon motion of Mr. Roles, seconded by Mr. Arceneaux, the SPB approved (Mr. Wallace voting against), as modified, the DOP's proposal (SPB 2866) to create five (5) new class specifications to be added to the State of West Virginia's Classification and Compensation Plan. The new class specifications and their corresponding pay grades, effective November 23, 2019, are as follows:

New Class Specification	Pay Grade (effective 11-23-19)
Inventory Control Associate (7200)	Pay Grade 7 (\$21,700 - \$40,145)
Procurement Associate (7201)	Pay Grade 9 (\$23,939 - \$44,287)
Procurement Specialist (7202)	Pay Grade 13 (\$29,396 - \$54,382)
Procurement Specialist, Senior (7203)	Pay Grade 15 (\$32,722 - \$60,535)
Procurement Supervisor (7204)	Pay Grade 17 (\$36,779 - \$68,041)

This work has been performed by a variety of classifications including Storekeeper 1, 2, and 3, Purchasing Assistant, Procurement Officer, and Administrative Services Assistant 1, 2, and 3. Once the new class specifications are effective, these existing class specifications, with the exception of the Administrative Services Assistant 1, 2, and 3, will only be used by the Division of Highways (DOH). The Purchasing Assistant will also only be used by DOH and the WV Purchasing Division. Additionally, the existing class specifications of Buyer, Buyer Senior, and Buyer, Supervisor, will only be used by the WV Purchasing Division.

2867 Clay County Health Department

Upon motion of Mr. Dissen, seconded by Mr. Wallace, the SPB approved the Clay County Health Department's proposal (SPB 2867) to implement a 5% across-the-board base building salary adjustment for classified employees of the Clay County Health Department to be effective October 1, 2019. This approval was based on the minutes of the August 5, 2019 meeting of the Clay County Board of Health.

2868 Berkeley-Morgan County Board of Health

Upon motion of Mr. Arceneaux, seconded by Mr. Roles, the SPB approved the Berkeley-Morgan County Board of Health's proposal (SPB 2868) to implement a \$2,500.00 across-the-board base building salary adjustment for classified employees of the Berkeley-Morgan County Health Department to be effective October 1, 2019. This approval was based on the minutes of the May 20, 2019 meeting of the Berkeley-Morgan County Board of Health.

2869 Department of Arts, Culture and History – WV Library Commission

Upon motion of Mr. Wallace, seconded by Mr. Dissen, the SPB approved the West Virginia Library Commission as the organizational unit for an interdepartmental transfer of employees due to the elimination of positions with the subsequent consolidation of those eliminated positions into the Department of Administration, Office of Technology, no sooner than October 12, 2019.

2870 Braxton County Health Department

Upon motion of Mr. Arceneaux, seconded by Mr. Roles, the SPB approved the Braxton County Health Department's proposal (SPB 2870) to implement a 3% across-the-board base building salary adjustment for full-time, classified employees of the Braxton County Health Department to be effective October 1, 2019. This approval was based on the minutes of the August 29, 2019 meeting of the Braxton County Board of Health.

2871 Department of Administration – DOP

Upon motion of Mr. Dissen, seconded by Mr. Wallace, the SPB approved the DOP's proposal (SPB #2871) to create new class specifications related to commercial vehicle weight enforcement specifically for the Public Service Commission (PSC), effective October 26, 2019. These classifications are exempt from the DOP salary schedule by way of PSC's General Order 195 series.

New Class Specification	Pay Grade
Commercial Vehicle Enforcement Officer 1 (7500)	Pay Grade 8
Commercial Vehicle Enforcement Officer 2 (7501)	Pay Grade 10
Commercial Vehicle Enforcement Officer 3 (7502)	Pay Grade 12
Commercial Vehicle Enforcement Supervisor (7503)	Pay Grade 14

The positions currently performing these duties are classified as Weight Enforcement Officer (8351) pay grade 10, Weight Enforcement Supervisor (8352) pay grade 12, Weight Enforcement Regional Supervisor (8353) pay grade 14, Transportation Services Supervisor (8377) pay grade 13, Utilities Inspector 1 (8717) pay grade 8, Utilities Inspector 2 (8718) pay grade 10, Utilities Inspector 3 (8719) pay grade 12, and Utilities Inspector Supervisor (8720) pay grade 14. With the exception of the Utilities Inspector 1, 2, 3, and Supervisor and the Transportation Services Supervisor, these classifications will be abolished upon reallocation of the positions.

2872 Department of Health and Human Resources (DHHR)

Upon motion of Mr. Arceneaux, seconded by Mr. Wallace, the SPB approved, as modified, the DHHR's proposal (SPB 2872) to implement a special hiring rate for the Child Protective Service Worker Trainee, Child Protective Service Worker and Social Service Worker 3 (Youth Service Worker) classifications in Berkeley, Jefferson, and Morgan counties and to provide a pay differential to current incumbents in these counties.

Classification	Pay Grade/Range	Current DOP Market Rate	Special Hiring Rate (Effective 10-26-19)
CPS Worker Trainee (9684)	PG: 13 \$29,396 - \$54,382	\$47,915	\$35,257.20
CPS Worker (9685)	PG: 15 \$32,722 - \$60,535 *Current special hiring rate is \$32,722.56	\$53,336	\$39,267.07
Social Service Worker 3 (9588)	PG: 12 \$27,729 - \$51,298	\$45,198	\$33,274.80

Additionally, the SPB approved DHHR's request to apply the special hiring rates, plus a one-time additional 5% increase to current incumbents in the CPS Worker Supervisor, Social Service Supervisor (Youth Services only) and Social Service Coordinator classifications as well as a one-time additional 5% increase to current incumbents in the CPS Worker Trainee, CPS Worker and Social Service Worker 3 (Youth Services only) classifications who have two (2) or more years of service in their position as of October 1, 2019. The special hiring rates, and the special plan of implementation, are effective October 26, 2019.

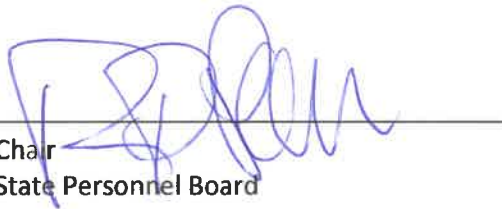
OTHER BUSINESS

Public Service Commission

Upon motion of Mr. Arceneaux, seconded by Mr. Dissen, the SPB acknowledged receipt of the Public Service Commission's "Commission Updated Exempt Classifications Addressing Recruitment, Retention and Disparate Pay" - Attachment A to its letter of August 30, 2019 (copy attached hereto as a part of these minutes).

NEXT BOARD MEETING

The next regular meeting of the SPB is scheduled for Thursday, October 24, 2019, at 1:00 p.m. in Building 3, Suite 500, State Capitol Complex, Charleston, West Virginia.



Chair
State Personnel Board



Drema Gibson, Secretary
State Personnel Board



Public Service Commission

Jessica M. Lane, General Counsel

201 Brooks Street, P.O. Box 812
Charleston, West Virginia 25323

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E-mail: jlane@psc.state.wv.us

August 30, 2019

RECEIVED
DIRECTORS OFFICE

AUG 30 2019

WEST VIRGINIA
DIVISION OF PERSONNEL

-Hand Delivery-
Sheryl R. Webb, Director
West Virginia Division of Personnel
1900 Kanawha Boulevard, East
Building 3, Suite 500
Charleston, WV 25305

Re: Materials for September 26, 2019, 1:00 p.m.
State Personnel Board Meeting

Dear Ms. Webb:

Please find enclosed a schedule of updated Commission exempt classifications and salary ranges to address workforce challenges that were described in the June 18, 2019 West Virginia Legislative Auditor Post Audit Division report titled "Public Service Commission Workforce Management." The Commission is considering adoption of this schedule by General Order at an appropriate future time and requests the acknowledgement of the State Personnel Board.

By way of background, in 1979, by House Bill 1280, codified in part at W.Va. Code §24-1-1(f), the Legislature authorized the Commission to designate classifications that are exempt from the pay schedules or pay plan of the Civil Service Commission, now the DOP, and authorized the Commission to establish salary ranges for those job classifications. A major reason for the exemption was the requirement of W.Va. Code §24-1-1(f) that the Commission focus on strengthening and upgrading its staff to provide expanded:

[K]nowledge and independent capacity to analyze key conditions and trends in the industries it regulates extending from general industry analysis and supply-demand forecasting to continuing and more thorough scrutiny of the capacity planning, construction management, operating performance and financial condition of the major companies within these industries.

Consistent with that mandate, the Commission, on January 4, 1980, entered General Order No. 195 -- the first order in its General Order 195 series -- and adopted a

Commission "Rule for Reorganization." The Commission submitted the Rule for Reorganization plan to the Legislature, as required.

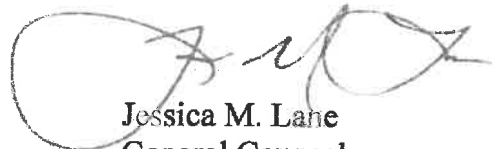
On March 8, 1980, the Legislature, by House Concurrent Resolution No. 53 and House Bill No. 1505, approved in part, and disapproved in part, the Rule for Reorganization established in General Order No. 195. The Legislature directed the Commission to submit a supplemental Rule for Reorganization to supplement General Order No. 195.

On August 18, 1980, the Commission adopted General Order No. 195.1 that designated professional staff as exempt from the salary schedules or pay plan adopted by the Civil Service Commission, established salary ranges for exempt employees, and provided that the Commission salary ranges would be reviewed annually by the Commission and changed by the Commission as it deemed appropriate. Over the years, the Commission issued further orders in General Order Series No. 195 relating to the internal organizational structure of the Commission, the function of various Commission divisions, job titles, staffing assignments and employee classifications and pay ranges. The changes over time have been prompted by statutory changes and evolving utility, motor carrier, transportation and gas pipeline safety industry regulations and conditions.

The Commission is funded by special license fee assessments pursuant to W.Va. Code §§24-3-6 and 24B-5-3 and federal grants. As a special revenue agency, the Commission does not receive funds from the West Virginia Legislature. The current special revenues of the Commission and Legislative spending authorization are sufficient to update its salary ranges.

Thank you and please give me a call if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "J. Lane", is written over a circular stamp or seal.

Jessica M. Lane
General Counsel

cc: Charlotte R. Lane, Chairman
Brooks F. McCabe, Jr., Commissioner
Renee A. Larrick, Commissioner

**COMMISSION UPDATED EXEMPT CLASSIFICATIONS ADDRESSING
RECRUITMENT, RETENTION AND DISPARATE PAY**

<u>POSITION</u>	<u>ANNUAL SALARY RANGE</u>
Administrative Law Judge 1	\$70,447.00 – \$114,829.00
Administrative Law Judge 2	\$77,537.00 – \$117,182.00
Administrative Services Assistant 1	\$37,502.00 – \$61,128.00
Administrative Services Assistant 2	\$40,979.00 – \$66,796.00
Administrative Services Assistant 3	\$50,783.00 – \$82,776.00
Administrative Services Manager 1	\$53,659.00 – \$87,464.00
Administrative Services Manager 2	\$58,988.00 – \$96,149.00
Administrative Services Manager 3	\$70,447.00 – \$114,829.00
Administrative Services Manager 4	\$77,537.00 – \$117,182.00
Attorney 1	\$61,544.00 – \$100,316.00
Attorney 2	\$70,447.00 – \$114,829.00
Attorney 3	\$77,537.00 – \$117,182.00
Attorney Supervisor	\$88,296.00 – \$117,182.00
Chief Administrative Law Judge	\$97,345.00 – \$117,182.00
Consumer Affairs Technician	\$40,979.00 – \$66,796.00
Deputy Chief Administrative Law Judge	\$88,296.00 – \$117,182.00
Director, Communications	\$88,296.00 – \$117,182.00
Director, Legal Division	\$97,345.00 – \$117,182.00
Electronics Technician 1	\$37,502.00 – \$61,128.00
Electronics Technician 2	\$40,979.00 – \$66,796.00
Electronics Technician 3	\$50,783.00 – \$82,776.00
Engineer	\$74,013.00 – \$117,182.00
Engineer Associate	\$70,447.00 – \$114,829.00
Engineer Chief	\$97,345.00 – \$117,182.00
Engineer Senior	\$88,296.00 – \$117,182.00
Engineering Technician	\$40,979.00 – \$66,796.00
Engineer Trainee	\$58,988.00 – \$96,149.00
General Counsel	\$105,981.00 – \$117,182.00
Hearing Examiner	\$53,659.00 – \$87,464.00
Information Systems Manager 1	\$61,544.00 – \$100,316.00
Information Systems Manager 2	\$74,013.00 – \$117,182.00
Information Systems Manager 3	\$77,537.00 – \$117,182.00
Information Systems Manager 4	\$88,296.00 – \$117,182.00
Paralegal 1	\$35,048.00 – \$57,129.00
Paralegal 2	\$37,502.00 – \$61,128.00
Paralegal, Lead	\$40,979.00 – \$66,796.00
Programmer Analyst 1	\$53,659.00 – \$87,464.00

**COMMISSION UPDATED EXEMPT CLASSIFICATIONS ADDRESSING
RECRUITMENT, RETENTION AND DISPARATE PAY (Cont.)**

<u>POSITION</u>	<u>ANNUAL SALARY RANGE</u>
Programmer Analyst 2	\$58,988.00 – \$96,149.00
Programmer Analyst 3	\$61,544.00 – \$100,316.00
Programmer Analyst 4	\$74,013.00 – \$117,182.00
Public Information Specialist 1	\$53,659.00 – \$87,464.00
Public Information Specialist 2	\$58,988.00 – \$96,149.00
Public Information Specialist 3	\$70,447.00 – \$114,829.00
Public Utilities Deputy Director	\$88,296.00 – \$117,182.00
Public Utilities Director	\$97,345.00 – \$117,182.00
Safety/Loss Control Specialist 1	\$53,659.00 – \$87,464.00
Safety/Loss Control Specialist 2	\$58,988.00 – \$96,149.00
Safety/Loss Control Specialist 3	\$61,544.00 – \$100,316.00
Safety/Loss Control Supervisor	\$70,447.00 – \$114,829.00
Safety and Loss Control Manager	\$74,013.00 – \$117,182.00
Staff Development Specialist	\$40,979.00 – \$66,796.00
Staff Development Specialist, Senior	\$50,783.00 – \$82,776.00
Supervisor 1	\$40,979.00 – \$66,796.00
Supervisor 2	\$50,783.00 – \$82,776.00
Supervisor 3	\$53,659.00 – \$87,464.00
Technical Analyst	\$70,447.00 – \$114,829.00
Technical Analyst Associate	\$65,839.00 – \$107,317.00
Technical Analyst Senior	\$81,155.00 – \$117,182.00
Technical Analyst Trainee	\$55,129.00 – \$89,860.00
Transportation Services Manager 1	\$58,988.00 – \$96,149.00
Transportation Services Manager 2	\$61,544.00 – \$100,316.00
Transportation Services Manager 3	\$70,447.00 – \$114,829.00
Transportation Services Supervisor	\$53,659.00 – \$87,464.00
Utilities Analyst 1	\$50,783.00 – \$82,776.00
Utilities Analyst 2	\$53,659.00 – \$87,464.00
Utilities Analyst 3	\$58,988.00 – \$96,149.00
Utilities Analyst 4	\$74,013.00 – \$117,182.00
Utilities Analyst 5	\$77,537.00 – \$117,182.00
Utilities Inspector 1	\$37,502.00 – \$61,128.00
Utilities Inspector 2	\$40,979.00 – \$66,796.00
Utilities Inspector 3	\$50,783.00 – \$82,776.00
Utilities Inspector Supervisor	\$53,659.00 – \$87,464.00
Weight Enforcement Worker [or Commercial Vehicle Enforcement Officer 1]*	\$37,502.00 – \$61,128.00
Weight Enforcement Officer [or Commercial Vehicle Enforcement Officer 2]*	\$40,979.00 – \$66,796.00
Weight Enforcement Supervisor [or Commercial	

Vehicle Enforcement Officer 3]*	\$50,783.00 – \$82,776.00
Weight Enforcement Regional Supervisor [or Commercial Vehicle Enforcement Officer Supervisor]*	\$53,659.00 – \$87,464.00

*Pending before the State Personnel Board is a classification change for some Commission in the Transportation Division. If approved by the Board, some employees formerly classified as Utilities Inspectors will be reclassified into the Commercial Vehicle Enforcement Officer series. In addition, all employees with a current classification in the Weight Enforcement Officer series will be reclassified into the Commercial Vehicle Enforcement Officer series. The Commission will continue to have employees in divisions outside of the Transportation Division and in non-enforcement sections of the Transportation Division that will remain in the Utilities Inspector series.