



AFT-West Virginia 2017 Legislative Update

Please
Post

Friday, March 24, 2017

EMPLOYEES UNDER ATTACK

In meetings that ran as late as midnight on Wednesday and Thursday, the Senate Education Committee took action on several bills that are devastating to education and public employees and our school districts. For several bills, committee leadership bypassed the amendment stage of the process and proceeded straight to a vote, despite the objections of the minority party. Several issues previously thought to be dead for the session, like school vouchers, were passed after late night subcommittee meetings.

Want to get a play by play of education committee action? Check out @aftwv on Twitter. You don't need to monitor our tweets all day, simply check out the threads from each committee meeting at your convenience.



Attack on Seniority

Despite thousands of calls and emails from education employees, SB 401 was resurrected by the Senate Education Committee and the bill was brought before the committee on Wednesday night. [SB 401](#) permits county boards of education to disregard seniority in RIF/transfer decisions. Chairman Kenny Mann recused himself of the chairman role, deferring to Vice-Chairman Robert Karnes. During discussion, lawyers from the WVDE said the bill would cause “complete chaos” with the RIF and transfer process. Despite objections from many committee members, Senator Karnes skipped the amendment stage in the process and proceeded straight to the

vote. SB 401 narrowly passed on a 7-6 vote, with Chairman Mann voting against the bill. The bill is on 2nd reading in the Senate.

Attack on Constitutional Authority of the WV BOE

The original version of [SB 18](#) called for a new comprehensive statewide student assessment and was first amended to no longer specify a testing vendor. While on 2nd reading in the Senate, Senator Rucker proposed an amendment that grants the legislature full control of determining academic standards for WV schools. After extensive debate about the constitutionality of the amendment, the amendment passed and SB 18 passed the Senate on Friday. The bill now moves to the House.

Attack on PEIA

[HB 2871](#) The original version of this bill eliminated the mandated employer versus employee cost share (80/20 split) for PEIA coverage and set a maximum cost sharing threshold of 60/40. At press time, this bill was scheduled for 2nd reading in the House, with the expectation of amendments from our friends in the House to attempt to change the cost sharing to 70/30. **AFT-WV opposes increasing health care costs for employees, and calls on legislative leaders to put forth a budget that fully funds PEIA.**

Attack on Public Employee Rights

[SB 408](#) eliminates civil service protections for public employees, making them at-will employees. AFT-WV opposes this bill, which opens the door to the nepotism and retribution of decades past. This bill was swiftly pushed through the committee process and is on 2nd reading in the Senate, but with a reference to the Judiciary Committee.

Attack on Public Education

Committee Substitute for [SB 273](#) passed on Thursday night at 8pm without being placed on agenda. A motion to recommit to Senate Education was rejected and the bill is now pending House Finance. This bill opens the door to school vouchers in WV, and the defunding of public education.



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Education Standards

[SB 524](#) prohibits using Common Core standards and calls for implementation of outdated, out of state standards. AFT-WV would like to thank the members for voicing their concerns to legislators about the need for consistency in standards implementation. Amended and passed Senate; pending House Education. **AFT-WV Opposes**

Transfer Process

[HB 2738](#) changes the transfer process of school personnel. Thanks to the efforts of our endorsed candidates in the House Education Committee, HB 2738 was amended to reinstate seniority. This bill had bipartisan opposition and narrowly passed the House. The bill is now pending action in Senate Education. **AFT-WV Opposes**

Governor's Education Bill

At around 11:00 PM on Thursday, our friends in the House Education Committee were able to get the teacher pay raises added back into the Governor's education bill AND get a service personnel pay raise added. The raises had been stripped from the committee substitute version of [HB 2711](#).

Notable Bills Advanced from Education Committees

[SB 186](#) Adjusts date when children become eligible for certain school programs and school attendance requirements. Passed the Senate; pending House Education. **AFT-WV Supports**

[SB 242](#) Changes to the school calendar, including changes faculty senate from 4 to 6 meetings; allows for extra daily minutes to be used for make-up of lost days due to inclement weather; requires that reimagining student instructional days be exhausted prior to using accrued minutes for lost instructional days. Passed Senate with amendments; pending House Education. **AFT-WV Supports**

[HB 2524](#) Bill from Education Chairman Espinosa that addresses numerous sections of code; the bill reorganizes several areas of government. A major concern is the elimination of required postings for master teachers, mentors, academic coaches and other professional development support employees. On 1st reading in the House. **AFT-WV Opposes**

[SB 221](#) Changes the composition of PEIA Finance Board from 10 to 8 members; eliminates the seat on the Board designated for organized labor. It also changes criteria for Board members to prevent education, public employee and retiree groups' elected leaders and lobbyists from serving on the Board. Passed the Senate; pending House Government Organization. **AFT-WV Opposes**

[Comm. Sub for HB 2542](#) Significantly changes higher education classified staff personnel laws; eliminates seniority tie breakers, bumping and recall rights. The institution can identify a position for elimination and lay the incumbent off regardless of skill set or seniority; authorizes governing boards to adopt rules for faculty with little to no oversight. Passed House and Senate. **AFT-WV Opposes**

[HB 2637](#) Relates to employment of retired teachers and prospective employable professional personnel in areas of critical need and shortage; includes speech pathologists and nurses. Passed House; pending Senate Education. **AFT-WV Supports**



2017 Legislative Bad Apples

[HB 2572](#) & [SB 200](#) Provides for the authorization and oversight of public charter schools. **AFT-WV Opposes**

[SB 330](#) Relates to WV Workplace Freedom Act; Right to Work bill. Passed Senate and House. **AFT-WV Opposes**

[SB 555](#) Dissolves PEIA and privatizes employee health insurance. **AFT-WV Opposes**

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