

West Virginia State Code Section §18B-1B-13
Study of Issues Affecting Employees in Public Higher Education

(a) In consultation with the Council, the governing boards, the State Advisory Council of Faculty established pursuant to section two, article six of this chapter and the State Advisory Council of Classified Employees established pursuant to section five, article six of this chapter, the Commission shall conduct a study relating to issues affecting employees in public higher education.

(b) The study includes, but is not limited to, the following:

- (1) Reviewing statutes, rules, guidelines, interpretations and other statements of policy;
 - (2) Surveying the capacity, professional training and practices of human resources staff by institution, including the number of staff employed in each institutional human resources office, their job titles and responsibilities;
 - (3) Evaluating the strengths and weaknesses of the statewide classification and compensation system and examining alternatives;
 - (4) Reviewing job titles and responsibilities to determine if certain families of jobs should be classified or nonclassified;
 - (5) Evaluating and recommending best practices and methods to establish salary rates for faculty, classified employees, nonclassified employees and administrators, including:
 - (A) Developing measurable indicators of "merit" and "performance" if these terms are to be used in a system for determining benefits;
 - (B) Developing reliable instruments of performance evaluation for all classes of employees; and
 - (C) Exploring the feasibility of authorizing employee bonuses under a merit or performance-based system;
 - (6) Determining the most effective and efficient method to train administrators who perform employee evaluations and assuring that they use these instruments appropriately;
 - (7) Exploring justifications for maintaining or removing the internal preference for hiring, promoting and transferring classified employees pursuant to article seven of this chapter;
 - (8) Developing recommendations for a fair and rational policy covering reductions in force;
 - (9) Identifying unnecessary state-level paperwork requirements related to personnel and recommending methods to eliminate them while maintaining strict fiscal accountability;
 - (10) Evaluating the strengths and weaknesses of statewide tenure and promotion policies for faculty and examining alternatives;
 - (11) Evaluating the feasibility of implementing differential salary rates based on cost of living or other relevant factors;
 - (12) Determining whether employees whose salaries are derived from funds other than state appropriations should be subject to the provisions of article seven of this chapter and how such employees should be treated in any policy on reductions in force; and
 - (13) Determining the true costs or benefits as well as the advantages and disadvantages that may accrue as a result of decisions to outsource certain institutional functions. In order to perform a cost/benefit analysis, the Commission must first develop an accurate database of institutional practices including the number of positions being outsourced or filled by temporary employees and the true amount of cost savings, if any.
- (c) The Commission shall report to the Legislative Oversight Commission on Education Accountability by the first day of October, two thousand five, and every six months thereafter on the progress of the study.
- (d) The Commission shall complete its work and report its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate the recommendations, to the Legislative Oversight Commission on Education Accountability by the first day of December, two thousand eight.
- (1) In making its recommendations, the Commission shall take into account the impact of proposed changes on employees and the communities in which state institutions of higher education are located; and
 - (2) The Commission shall include documentation to support any conclusion or recommendation included as a part of their findings and shall attach estimates of cost or savings to each recommendation, if that recommendation has a fiscal impact on any public agency or institution.