

R-8-19-2 Service Personnel Seniority Rights

The Board shall post a current list of all service personnel including their classification and seniority twice yearly (On or before September 1 and January 15).

The Manner in Which Service Personnel Seniority is Calculated:

- ❖ The seniority of service personnel is to be determined on the basis of the length of time the employee has been employed within a particular job classification in the following manner:
- ❖ Seniority begins to accrue upon commencement of the employee's duties.
- ❖ Employees shall accrue seniority for each day employed regardless of whether they receive pay for the day except that employees shall not receive seniority credit for any day they are suspended without pay or if they are in a concerted work stoppage or strike. Employees shall accrue seniority during the time they are on an approved leave of absence.
- ❖ Employment for a full term shall equal one year of seniority. Employment for less than the full employment term shall be prorated.
- ❖ Seniority acquired within different classification categories shall be calculated separately; however, when a school service employee makes application for a position outside of the classification category currently held, if the vacancy is not filled by an applicant within the classification category of the vacancy, the applicant shall combine all regular employment seniority acquired for the purposes of bidding on the position. Class titles having Roman numeral designations shall be considered a single classification for employment purposes.
- ❖ School service personnel who hold multi-classification titles shall accrue seniority in each classification category of employment which the employee holds and shall be considered an employee of each classification category contained within his or her multi-classification title.
- ❖ Unlike professional personnel, service personnel who leave employment and are subsequently reemployed by the same board of education are not entitled to reinstatement of their seniority credit earned when previously employed.
(WVC §18A-4-8b, §18A-4-8g)

Service Personnel Substitute Seniority:

Substitute service personnel earn substitute seniority from the time they begin their duties as a substitute until they either obtain regular employee status or lose their substitute contract.

Beginning July 1, 2007, a substitute school service employee who acquires regular employment status serving in posted long-term substitute assignments will no longer acquire regular employee job bidding or regular seniority while serving in such assignments.
(WVC §18A-4-8g)

Service Employees Holding Identical Seniority:

If two or more employees accumulate identical seniority, the priority shall be determined by a random selection system established by the employees and approved by the county board. The random selection process must be conducted within thirty days of the discovery of the tie. Employees with an identical seniority date within the same class title or classification category shall participate in the random selection. As long as the affected employees hold identical seniority within the same classification category, the initial random selection conducted by the board shall be permanent. However, if another employee subsequently acquires identical seniority, a second random selection will be held within 30

days to determine the priority of the new employee versus the existing group. Priority within the original group will not change.

(WVC §18A-4-8b, §18A-4-8g)