



**Members**  
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**WEST VIRGINIA EDUCATION  
EMPLOYEES GRIEVANCE BOARD**

**ARCH A. MOORE, JR.**  
Governor

**Offices**  
240 Capitol Street  
Suite 508  
Charleston, WV 25301  
Telephone 348-3361

**EVELYN DELLO, ET AL.**

**vs.**

**Docket No. 15-86-100-2**

**HANCOCK COUNTY BOARD OF EDUCATION**

**DECISION**

The grievants, Evelyn Dello, Mishel Robinson and Betty Lou Rossi are employed by the Hancock County Board of Education as Executive Secretaries assigned to the office of the Superintendent of Schools. The grievants allege salaries paid to the secretarial staff are not uniform throughout the county with regard to training classification, experience, years of employment, responsibility, etc. as set forth in W.Va. Code, 18A-4-5b.

An informal conference was held by this examiner at which time the grievants and Superintendent Slack presented their positions and additional documentation.

**FINDINGS OF FACT**

1. In September, 1979 the Hancock County Board of Education reclassified four secretaries from Senior Secretary (Secretary II) to Supervising Senior Secretary (Secretary II)

and granted the individuals a pay increase of \$50.00 per month.

2. These grievants timely filed a grievance subsequent to this action in 1979 thereby giving the board of education notice that the salary supplement may not have been applied uniformly to similarly situated personnel and that a review was warranted.

3. These employees pursued their grievance through level four of the State Board of Education grievance policy, said grievance denied at all four levels.

4. Another group of secretaries completed the grievance procedure and thereafter appealed their decision to the Hancock County Circuit Court for review.

5. The Memorandum of Opinion issued in Betty French et al. v. Hancock County Board of Education, Civil Action No. 81-P-58 clearly states "the Board of Education violated the uniformity requirements of the law; and the Petitioners were entitled to receive the same salary as the four listed in said minutes. Consequently, the salaries of the Petitioners should be adjusted accordingly effective the 1979-80 school year."

6. In December, 1985 the Board of Education revised the secretarial salary schedule to reflect the \$50.00 salary increase to all secretaries, including these grievants, effective January 1, 1986.

7. The grievants ask to be compensated for the salary adjustment retroactive to the 1979-80 school term through January, 1986, plus interest.

### CONCLUSIONS OF LAW

1. A county board of education may establish salary schedules in excess of the state minimum to be uniform throughout the county with regard to responsibilities, duties, experience, etc. W.Va. Code, 18A-4-5b; Betty French et al. v. Hancock County Board of Education, Civil Action No. 81-P-58.

2. All secretaries performing like duties and responsibilities in 1979 were entitled to the salary increase at that time. French, et al. supra.

Therefore, these grievants are entitled to additional compensation of \$50.00 per month for the period September 1979 through January 1, 1986. In the absence of express authority relative to the award of interest, that request shall be denied.

Either party may appeal this decision to the Circuit Court of Kanawha County or to the Circuit Court of Hancock County and such appeal must be filed within thirty (30) days of receipt of this decision. (Code, 18-29-7) Please advise this office of your intent to do so in order that the record can be prepared and transmitted to the Court.

Dated: May 22, 1986

Sue Keller

Sue Keller  
Hearing Examiner