

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In this Box

FILED
1992 JUL -1 PM 3:17
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

UNIVERSITY SYSTEM OF WEST VIRGINIA
AGENCY: BOARD OF TRUSTEES TITLE NUMBER: 128

RULE TYPE: Legislative; CITE AUTHORITY 18B-1-6, 2-2-1

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 26

TITLE OF RULE BEING AMENDED: Holidays

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS

COMMENT PERIOD WILL END ON August 3, 1992 AT 12:00 Noon.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

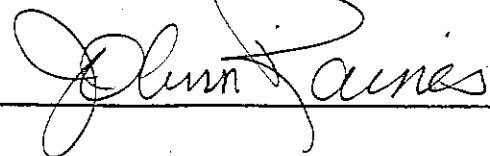
Jo Ann Raines

State College & University Systems

1018 Kanawha Blvd., E.

Charleston, WV 25301

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

2.60

TITLE 128
LEGISLATIVE RULE
UNIVERSITY SYSTEM OF WEST VIRGINIA
BOARD OF TRUSTEES
SERIES 26

TITLE: HOLIDAYS

SECTION	DESCRIPTION	PAGE
1.	General	3
2.	Granting Power	3
3.	Number of Holidays	3
4.	Half Holidays	4
5.	Schedules	4

TITLE 128
LEGISLATIVE RULE
UNIVERSITY SYSTEM OF WEST VIRGINIA
BOARD OF TRUSTEES
SERIES 26

TITLE: HOLIDAYS

SECTION 1. GENERAL

- 1.1 Scope - Rule regarding holidays in the University System of West Virginia.
- 1.2 Authority - West Virginia Code 18B-1-6, 2-2-1.
- 1.3 Filing Date -
- 1.4 Effective Date -
- 1.5 Repeal of Former Rule - Repeals and replaces Series 26, effective September 14, 1987.

SECTION 2. GRANTING POWER

- 2.1 The ~~West Virginia Board of Regents~~ University System Board of Trustees hereby directs that the president of each university shall determine six floating holidays which will be observed by the employees of that institution in addition to the six holidays specified in Section 3.1 of this rule.

SECTION 3. NUMBER OF HOLIDAYS

- 3.1 The number of full holidays shall be twelve (~~12~~), plus additional days for any election day (primary or general) held throughout the State. ~~and such other days as the president of the United States, governor or other duly constituted authority shall proclaim to be legal holidays (Chapter 2, Article 2, Section 1).~~ Days taken shall include Martin Luther King Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day. Six additional days determined by the president of each institution as provided in Section 2.1 shall also be taken. If a specified holiday

falls on a Saturday or Sunday, the preceding Friday or the following Monday will be observed as the legal holiday.

- 3.2 Proclamation of additional legal holidays by the president of the United States, governor, or other duly constituted authority may be observed by employees of the University System only when communicated through the chancellor's office.

SECTION 4. HALF HOLIDAYS

- ~~4.1 Half holidays shall be counted as half-days in computing the total number of holidays.~~
- 4.1 To provide equity with the Executive Branch of government, one-half day preceding Christmas or New Year's Day shall be a holiday when Christmas or New Year's Day falls on Tuesday, Wednesday, Thursday, or Friday. These days will be scheduled at the discretion of each president giving due consideration to operational needs of the institution.

SECTION 5. SCHEDULES

- 5.1 Holiday schedules are to be established and used on a fiscal year basis.
- 5.2 The president of each institution shall submit to the chancellor by June 30 of each year and shall post on campus a list of the holidays to be observed at that institution for the upcoming fiscal year.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: POLICY REGARDING HOLIDAYS

Type of Rule: X Legislative Interpretive Procedural

UNIVERSITY SYSTEM OF WEST VIRGINIA

Agency BOARD OF TRUSTEES

Address 1018 Kanawha Blvd., E.

Charleston, WV 25301

1. Effect of Proposed Rule:	FISCAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services	N/A	N/A	N/A	N/A	N/A
Current Expense	N/A	N/A	N/A	N/A	N/A
Repairs and Alterations	N/A	N/A	N/A	N/A	N/A
Equipment	N/A	N/A	N/A	N/A	N/A
Other	N/A	N/A	N/A	N/A	N/A

2. Explanation of above estimates:

N/A

3. Objectives of these rules:

N/A

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

N/A

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

N/A

C. Economic Impact on Citizens/Public at Large.

N/A

Date:

June 19, 1992

Signature of Agency Head or Authorized Representative

John Raines



STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON 25305

FILED
1992 JUL -1 PM 3:17
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

GASTON CAPERTON
GOVERNOR

June 30, 1992

The Honorable Ken Hechler
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Hechler:

In the absence of a Secretary of Education and the Arts, I hereby grant consent as required pursuant to WV Code §5F-2-2 for promulgation of the following rule by the University System Board of Trustees.

Legislative Rule Title 128, Series 26, Holidays

A copy of the rule is attached.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Heywood".

Thomas A. Heywood
Chief of Staff

TAH/lis

Enclosure

cc: Charles Manning
John Thralls
David Mohr
JoAnn Raines