



west virginia
DIVISION OF PERSONNEL

FILED

Sheryl R. Webb, Director
Mark D. Scott, Cabinet Secretary

2022 FEB -1 A 8:03

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

MEMORANDUM

TO: Members of the State Personnel Board

FROM: Sheryl R. Webb, Director
Division of Personnel

DATE: January 27, 2022

RE: **Proposed Withdrawal of the Emergency Rule Revision to the Administrative Rule of the West Virginia Division of Personnel**

Your approval is requested for the withdrawal, effective February 1, 2022, of emergency rule revisions to the *Administrative Rule of the West Virginia Division of Personnel*, W. VA. CODE R. § 143-1-1 et seq., filed with the Legislative Rule-Making Review Committee and the Secretary of State's Office.

Included is a copy of the proposed letter of withdrawal to be filed with the Legislative Rule-Making Committee.

Thank you for your consideration of this request.

Approved: _____

Mark D. Scott, Chairman
State Personnel Board
January 27, 2022

SRW/kln



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DIVISION OF PERSONNEL

Sheryl R. Webb, Director
Mark D. Scott, Cabinet Secretary

February 1, 2022

The Honorable Mac Warner
Office of the Secretary of State
Building 1, Suite 157K
Charleston, WV 25305

Dear Secretary Warner:

The Division of Personnel (DOP) desires to withdraw the proposed emergency rule revisions to the *Administrative Rule of the West Virginia Division of Personnel*, W. Va. Code R. § 143-1-1 *et seq.*, with the Legislative Rule-Making Review Committee and the Secretary of State's Office.

This request is being made pursuant to W. Va. Code § 29-6-10 and § 29-6-13. Enclosed please find a signed memorandum from the State Personnel Board approving this withdrawal request.

W. Va. Code § 29-6-10 and § 29-6-13 provide that the State Personnel Board "shall have the authority to promulgate, amend or repeal rules, according to chapter twenty-nine-a of this code, to implement the provisions of this article," and "for such other rules and administrative regulations, not inconsistent with this article, as may be proper and necessary for its enforcement. Subsection 21.1 of the *Administrative Rule of the West Virginia Division of Personnel* provides, in pertinent part:

Pursuant to W. Va. Code § 29-6-12, all affiliated agencies' officers and employees shall comply with and aid in all proper ways in carrying out the provisions of W. Va. Code § 29-6-1 *et seq.*, and the rules and orders promulgated thereunder.

Thank you for your assistance.

Sincerely,

Sheryl R. Webb
Director

Enclosure

SRW/kln

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