

STATE OF WEST VIRGINIA
At CHARLESTON
EXECUTIVE ORDER NO. 11-17
By the Governor

WHEREAS, our state is at a crisis in dealing with the housing of individuals, adult and juvenile, both awaiting trial, and having been adjudicated; and

WHEREAS, our Correctional Officers numbers are less than what is safely recommended to operate the State's juvenile and adult detention and correctional facilities; and

WHEREAS, it is recognized that without proper supervision of this State's incarcerated individuals there is a danger to the citizens of the State, a danger to the public, a danger to the Correctional Officers and administrative staff, and a danger to the incarcerated individuals themselves; and

WHEREAS, it is understood that, with the shortage of Correctional Officers, employees of Division of Corrections, Regional Jail and Correctional Authority, and Division of Juvenile Services are necessary and required for overtime shifts, and are subject to having annual leave denied or cancelled in order to ensure that the facilities are appropriately staffed, and to ensure the safe, secure, and orderly operations of this States' juvenile and adult detention and correctional facilities; and

WHEREAS, the State recognizes that these employees are subject to unused annual leave expiring at the end of this calendar year, and that they have not been able or permitted to use the annual leave that they have accrued, to no fault of their own; and

WHEREAS, it is imperative to properly staff and control this State's juvenile and

adult detention and correctional facilities and until there is proper legislation and staffing to achieve a safe environment within our juvenile and adult detention and correctional facilities, this situation will continue to exist.

NOW, THEREFORE, I, JIM JUSTICE, by the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. Notwithstanding West Virginia CSR § 143-1-14.3.a, and any other statute or Rule to the contrary, and pursuant to West Virginia Code § 15-5-6 (c)(7) and (8), all Correctional Officers, employees of Division of Corrections, Regional Jail and Correctional Authority, and Division of Juvenile Services, necessary to the safe and secure operation of the facilities, who are unable to use annual leave due to the emergency situation, and are subject to losing said annual leave, shall have all unused annual leave carry forward to and through calendar year 2018. Said leave shall not expire until the end of calendar year 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

DONE at the Capitol, in the City of Charleston, State of West Virginia, this twenty-second day of December, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.


GOVERNOR


SECRETARY OF STATE