



State of West Virginia

Department of Administration
AGENCY FACT SHEETS

January 2021



STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION

JIM JUSTICE
GOVERNOR

ALLAN MCVEY
CABINET SECRETARY

January 1, 2021

The Department of Administration oversees 16 state agencies and divisions, as well as provides oversight for the functions of several boards and commissions. It is the Department of Administration's pleasure to share its *Department of Administration Agency Fact Sheets* which provide general information, such as enabling legislation, the primary functions and missions of each agency, funding, challenges, legislative matters, pending issues and relevant contact information.

The Department is also responsible for many customer service core functions that ensure successful and cost-effective operations of state government. These include, but are not limited to, purchasing, personnel, technology, finance, aviation and motor vehicle fleet management, health and liability insurance, retirement, real estate, and overall risk management for state and local government agencies.

This calendar year, the Department of Administration has taken a close look at its operations to identify areas in which it can better benefit the state. As a result, the Department has made great strides in accomplishing its mission and goals. However, there is still much work to be done. Through the strong direction of our agency leaders and the hard work of our nearly 800 employees, the Department will continue to make great progress toward achieving its goals and objectives.

Should you have any questions or need additional information, please do not hesitate to call the Cabinet Secretary's Office.

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ENABLING STATUTE: W. Va. Code §5A-1 et seq.

1) PURPOSE/MISSION:

The Mission of the Department of Administration is to operate a cost-efficient, customer-oriented service department whose actions are transparent to taxpayers resulting in innovative solutions and quality results for a government that effectively serves West Virginia.

2) STAFFING:

The Cabinet Secretary's Office of the Department of Administration has a total of eight employees. This office is responsible for oversight of all internal business functions of state government that operate within the following divisions and agencies:

- Americans with Disabilities Act (ADA) Compliance Office
- Aviation Division
- Board of Risk and Insurance Management
- Consolidated Public Retirement Board
- Equal Employment Opportunity (EEO) Office
- Ethics Commission
- Finance Division
- Fleet Management Division
- General Services Division
- Public Employees Grievance Board
- Office of Technology
- Division of Personnel
- Prosecuting Attorneys Institute
- Public Defender Services
- Public Employees Insurance Agency (PEIA)
- Purchasing Division
- Real Estate Division

Additionally, the Department has oversight or involvement with 12 different boards and commissions.

3) KEY PERSONNEL:

Allan McVey, Cabinet Secretary
Mary Jane Pickens, Deputy Cabinet Secretary
Sarah H. Long, Chief Financial Officer and Assistant Secretary
Bob Paulson, General Counsel
Misty Peal, Deputy General Counsel and Legislative Liaison

4) FUNDING/BUDGET:

FY2021 Budget:	Secretary's Office	\$ 15,740,252 (General Revenue)
	Department of Administration	\$ 105,046,016 (General Revenue)

5) CORE FUNCTIONS OF AGENCY:

- Oversees the administration of 15 divisions/agencies. The Department has oversight or involvement in the administration of 12 boards and commissions;
- Issues strategic planning guidance;
- Administers the issuance of the state's municipal bonds;

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- Manages the processing of the State Tobacco Securitization Bond disbursement;
- Manages debt service for Regional Jails and other municipal bonds.

6) RECENT CHANGES TO ORGANIZATION:

During the past year, no staffing changes have occurred in the Cabinet Secretary's Office. The director of the WV Ethics Commission retired; Kimberly Weber was appointed Executive Director.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

Several agencies under the Department will introduce various pieces of legislation during the 2021 legislative session. The Division of Personnel, Purchasing Division, Public Defender Services, Office of Technology, and the Consolidated Public Retirement Board plan to introduce bills.

8) CHALLENGES/OBSTACLES:

- Potential statewide budget cuts and budgetary issues
- Continued funding of PEIA
- Recruitment, hiring, and retention of state employees
- Constant cyber security threats
- State Agencies completing their year-end financial statements timely for the CAFR
- Funding for Public Defender Services
- Funding for General Services for maintenance of state-owned buildings
- COVID-19 pandemic

9) HIGHLIGHTS ABOUT AGENCY:

The Department of Administration functions as a service arm of state government in various capacities to other state agencies, current and retired public employees, and the general public.

10) LEADERSHIP:**Allan McVey, Cabinet Secretary****304-558-4331 (o)**

Building I, Room E-119

1900 Kanawha Boulevard, East

Charleston, WV 25303

Mary Jane Pickens, Deputy Secretary**304-558-4331 (o)**

Building I, Room E-119

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Charleston, WV 25305

Sarah Hurt Long, Chief Financial Officer and Assistant Secretary **304-558-4331 (o)**

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Robert Paulson, General Counsel**304-558-4331 (o)**

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Misty Peal, Deputy General Counsel and Legislative Liaison
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Charleston, WV 25305

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The Governor shall coordinate the issuance of all bonds issued by the state and its departments, commissions, boards and agencies, through the Department of Administration. On behalf of the Governor, the Department of Administration selects professionals such as bond, disclosure or other counsel, underwriters, trustee, and verification agents necessary to effectuate the issuance of the bonds.

2) STAFFING:

Agencies wishing to issue bonds must follow the Guidelines Regarding the Submission of Financing and Refunding Proposals issued by the Governor's Office and the Department of Administration.

Proposals undergo a review by the Governor's Office, the Department of Administration and the state's financial advisor.

When a proposal is accepted, the Department of Administration's General Counsel will then issue Requests for Proposal (RFPs) for necessary professionals for a given bond issuance and coordinate the selection of teams required to issue bonds.

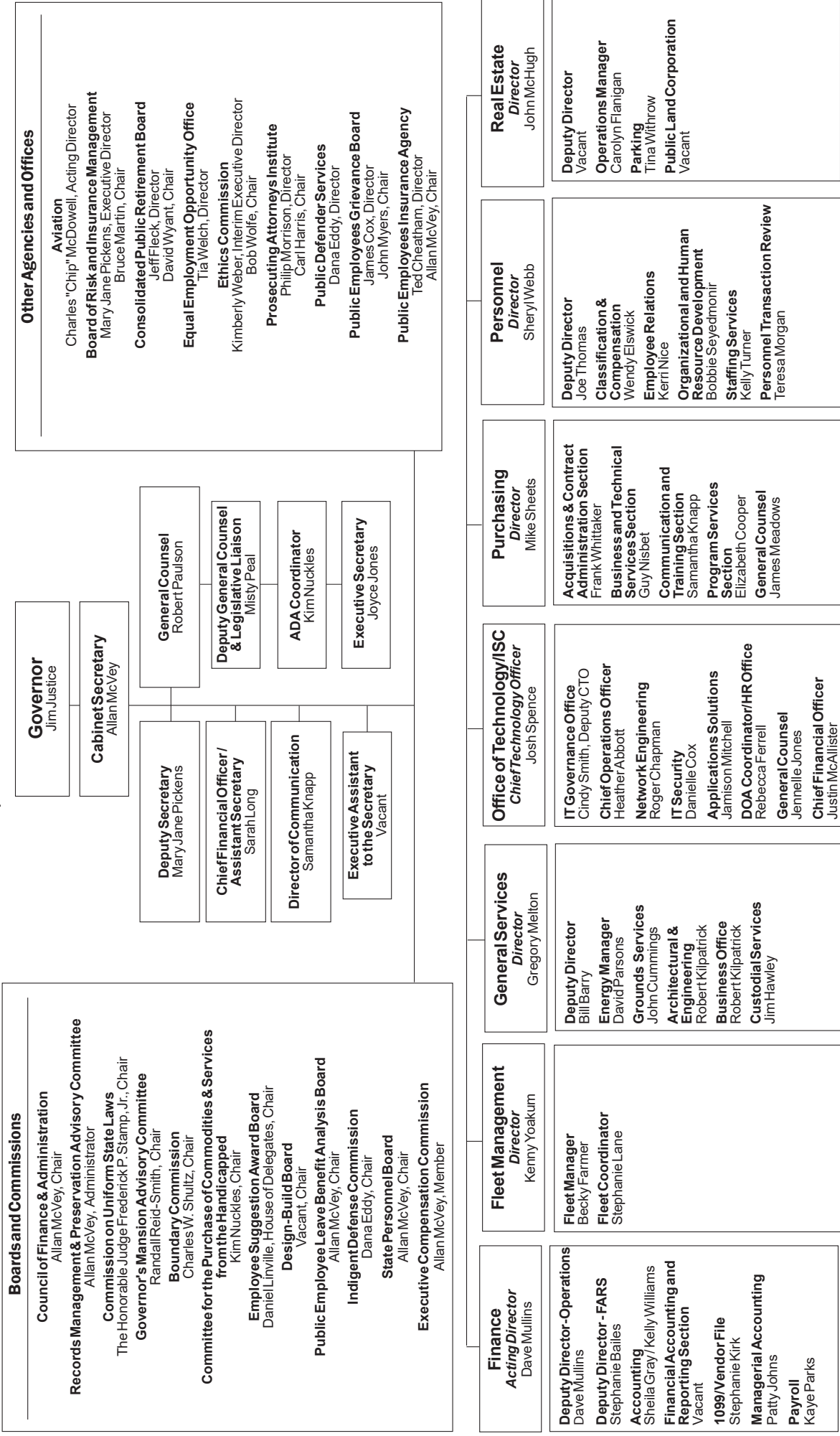
The State has a full-time financial advisor, the Public Resources Advisory Group ("PRAG"), to assist in many levels of bond issuance, evaluation of markets for bond refundings and maintaining the State's credit ratings. The State's disclosure counsel is Bowles Rice, and disclosures to the Federal Government are made through Digital Assurance Certification "DAC."

The Department of Administration continues to monitor or manage the bond issuance process as necessary, ensuring that SEC, IRS and other financial reporting requirements are met.

3) LEADERSHIP:**Robert Paulson, General Counsel***Robert.P.Paulson@wv.gov***304-558-4331 (o)**

STATE OF WEST VIRGINIA

Department of Administration



DIVISIONS AND AGENCIES OF THE DEPARTMENT OF ADMINISTRATION

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §5A-3-48 through §5A-3-53**1) PURPOSE/MISSION:**

The purpose of the Aviation Division is to enhance the efficiency and effectiveness of state government by providing safe, professional and secure, on-demand air transportation to the Governor and state government agencies.

2) STAFFING:

Services are performed by 11 FTE (Currently seven filled; four vacant); Staff includes seven pilots, two aircraft mechanics and two office personnel. In addition, there are currently four assigned WV State Police helicopter pilots.

3) KEY PERSONNEL:

Charles McDowell, Director
Tierra Gable, Secretary

4) FUNDING/BUDGET:

Funding is split between appropriated General Revenue (FUND 0615) and Special Revenue (FUND 2302). Special Revenue is derived from invoiced flight hours.

FY2021 Budget: \$ 2,588,079	49%	\$ 1,260,842 General Revenue (FUND 0615)
	51%	\$ 1,327,237 Special Revenue (FUND 2302)

5) CORE FUNCTIONS OF AGENCY:

Provide aviation support to state government agencies; Operate and maintain the state's 15,000 sq. ft. hangar facility located at Yeager Airport; Serve as the Governor's representative on matters of aeronautical interest.

6) CHALLENGES/OBSTACLES:

30% reduction of general revenue (FY2011-2020) has created substantial obstacles to recruitment and retention of highly skilled, professional staff. To maintain current safety of flight operations, this issue needs to be addressed prior to senior staff retirements to allow an adequate transition period.

7) OTHER INFORMATION:

In FY2020, seven state aircraft flew 1,382 flights, transported 488 passengers, and logged 777.0 flight hours. State aircraft owned and operated by the State of West Virginia:

TYPE	AIRCRAFT	MAKE	PASSENGER CAPACITY	RATE SCHEDULE
Airplane	NIWV	2007 Beechcraft King Air 350	9	\$1400 /Ft Hr.
Airplane	N2WV	2009 Cessna 208B Grand Caravan	8	\$700 /Ft Hr.
Helicopter	N3WV	2006 Bell 407	5	\$1100 /Ft Hr.

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TYPE	AIRCRAFT	MAKE	PASSENGER CAPACITY	RATE SCHEDULE
Helicopter	N5WV	2003 Bell L4 Long Ranger	5	\$800 /Flt Hr.
Helicopter	N6WV	1981 Bell B3 Jet Ranger	3	\$600 /Flt Hr.
Helicopter	N890SP	2001 Bell B3 Jet Ranger*	2	\$400 /Flt Hr.
Helicopter	N895SP	1995 Bell B3 Jet Ranger*	2	\$400 /Flt Hr.

**Military Surplus acquired by and utilized for WV State Police Missions only.*

8) LEADERSHIP:

Charles “Chip” R. McDowell, Director

Chip.R.McDowell@wv.gov

304-558-0403 (o)

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ENABLING STATUTE: W. Va. Code §29-12-1 et seq. and §33-30-1 et seq. and Executive Order 3-17

REGULATORY STATUTE: Title 115, W. Va. Code of State Rules, Series 1, 2, 3, 4, 5, 6, 7 and 8.

1) PURPOSE/MISSION:

BRIM's mission is to secure reasonably broad protection against loss, damage or liability to state property, activities and responsibilities by proper, adequate, and affordable insurance coverage by the introduction and employment of sound and accepted principles of insurance, methods of protection and principles of loss control and risk.

BRIM performs annual insurance loss prevention inspections on selected state structures of significant insurable risks to determine exposures present that may result in a claim; makes recommendations to eliminate or reduce the opportunities for claims; establishes loss prevention standards; provides opportunities for its insured to receive credits against premiums by minimizing losses; and provides loss control education to its insured through public information presentations.

2) STAFFING:

BRIM has 27 full-time employees: five underwriting; seven claims; five loss control; five finance; two executive and three privacy office.

3) KEY PERSONNEL:

Mary Jane Pickens, Executive Director

Senior Management Team:

Robert Fisher, Deputy Director/Claim Manager

Stephen W. Schumacher, CPA, Chief Financial Officer

Jeremy Wolfe, Risk & Insurance Manager

Ashley Summit, Chief Privacy Officer

Melody Duke, Deputy Director and Underwriting Manager

4) FUNDING/BUDGET:

100% Special Revenue from collection of premiums billed to insured entities, as well as money gathered from private insurers for Mine Subsidence reinsurance coverage and money collected from various temporary legislatively directed funding streams for replenishment of the Patient Injury Compensation Fund which is being eliminated with all claims being run off as money becomes available.

FY2021 Budget:

\$103.5 Million (Revenue)

5) CORE FUNCTIONS OF AGENCY:

Pursuant to W. Va. Code §29-12-5, BRIM has general supervision and control over the insurance of state property, activities and responsibilities, including: (A) The acquisition and cancellation of state insurance; (B) Determining the kinds of coverage; (C) Determining limits for each kind of coverage; (D) Determining the conditions, limitations, exclusions, endorsements, amendments and deductible forms of coverage; (E) Inspections relating to insurance coverage of state property and activities; (F) Reinsurance and (G) Considerations for negotiations to ward advantageous rates and coverage for state property and activities.

BRIM is also charged, by Executive Order 3-17, with oversight of the State Privacy Office and the protection of personally identifiable information, including protected health information, collected and maintained by Execu-

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tive Branch agencies. The State Privacy Office leads and manages the State's Privacy Program; manages the Privacy Management Team; issues privacy policies; provides training and technical assistance; and conducts privacy assessments.

If requested by a political subdivision, a charitable or public service organization or an emergency medical service agency, BRIM may provide property and liability insurance to insure the property, activities, and responsibilities of those entities. The board may enter any contract necessary to the execution of the powers granted by article 12 or to further the intent of the article.

BRIM procures coverage for general liability, automobile, wrongful acts liability, professional liability, personal injury liability, stop gap liability, property, cyber liability, aviation, boiler/HVAC, and statutory bond. We also procure excess liability coverage for County Boards of Education as required by statute.

BRIM is charged with administration of the Patient Injury Compensation Fund as found in W. Va. Code § 29-12D-1, et seq.

BRIM is charged with operation and administration of the Mine Subsidence Insurance Fund as found in W. Va. Code § 33-30-4; and handles mine subsidence claims, as well as property claims in-house with the assistance of independent adjusters and engineers.

BRIM utilizes actuaries to determine the amount of money needed to collect as premiums to properly fund the programs it administers. BRIM utilizes professional independent auditors to monitor its financial condition and internal controls; and to properly account for the monies collected and spent by the agency.

BRIM oversees the liability insurance program administered by AIG and carefully controls and monitors the amounts spent in settlement of claims.

BRIM provides inspection and loss control services, both in-house and through use of contractors, to inspect properties and liability exposures, including boilers and machinery, attendant to our various insured; and offers credits and applies surcharges based on an entity's level of participation in our Loss Control Standards of Participation program.

Under its automobile coverage BRIM insures 31,356 units including private passenger, emergency and mobile equipment units; \$21,340,977,899 in property values during 2020; and provides liability coverage to 160 state agencies, 975 other governmental organizations and agencies including Boards of Education, and non-profits.

6) CHALLENGES/OBSTACLES:

Some of BRIM's challenges include: 1) maintaining a zero-unfunded liability (all liabilities are covered by an asset of equal or greater value) and providing service levels competitive with or exceeding those found in the private sector; 2) fluctuating returns on investments which can have a negative effect on BRIM's bottom line; and 3) keeping insurance affordable while maintaining the proper level of protection, especially during hard economic times.

7) HIGHLIGHTS ABOUT AGENCY:

BRIM operates the insurance program with substantially lower administrative cost than seen in the commercial market.

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8) OTHER INFORMATION:

Oversight is provided by the Cabinet Secretary for the Department of Administration and a Board of Directors appointed by the Governor in accordance with the West Virginia Code.

10) LEADERSHIP:

Mary Jane Pickens, Executive Director

MaryJane.Pickens@wv.gov

304-766-2646 Ext. 43439 (o)

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §5-10D-1 through §5-10D-9, et seq.**1) PURPOSE/MISSION:**

W.Va. Code §5-10D-1 through §5-10D-9, et seq.

2) STAFFING:

Approximately 100 full-time positions as currently staffed in the following functional areas: 22 Executive and Administrative; One Communications and Public Information; Five Electronic Imaging; Eight Technology Services; Four Accounting, Deposits, and Invoicing; 10 Employer Reporting; 12 Membership; 10 Refunds, Death, and Required Minimum Distributions; 20 Retirement; and Three Teachers' Defined Contribution Plan.

3) KEY PERSONNEL:

Jeff Fleck, Executive Director
 Terasa Miller, Deputy Director/Chief Operating Officer
 Ken Woodson, Actuary
 John Galloway, CFO

4) FUNDING/BUDGET:

Each retirement plan is funded by employee and employer contributions. Funding is appropriated special revenue derived from annual fees—\$70 per member, retiree, or beneficiary per year—charged against the employer contribution of the specific trust fund. Additionally, the Uniform Services Plans receive fees as set by statute. Assuming an annual interest rate of 7.5%, the contribution rates, percent funded, and unfunded accrued liability (UAL) as of July 1, 2019, per plan follow:

RETIREMENT SYSTEM	EMPLOYEE CONTRIBUTION	EMPLOYER CONTRIBUTION	PERCENT FUNDED	UNFUNDED ACCRUED LIABILITY (UAL)
PUBLIC EMPLOYEES (PERS)	4.5%*	10.0%	93.9%	\$445,105,000
TEACHERS DEFINED BENEFIT (TRS)	6.0%	26.12%**	71.1%	\$3,163,020,000
TEACHERS DEFINED CONTRIBUTION (TDC)	4.5%	7.5%	N/A	N/A
STATE POLICE (PLAN A)	9.0%	33.74%**	89.9%	\$77,298,000
STATE POLICE (PLAN B)	12.0%	14.0%	91.8%	\$18,528,000
JUDGES (JRS)	7.0%	\$791,000**	192.3%	(\$102,177,000)
DEPUTY SHERIFFS (DSRS)	8.5%	12.0%***	89.6%	\$27,091,000

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RETIREMENT SYSTEM	EMPLOYEE CONTRIBUTION	EMPLOYER CONTRIBUTION	PERCENT FUNDED	UNFUNDED ACCRUED LIABILITY (UAL)
EMERGENCY MEDICAL SERVICES (EMSRS)	8.5%	10.5%	102.9%	(\$2,387,000)
MUNICIPAL POLICE & FIREFIGHTERS (MPFRS)	8.5%	8.5%	177.5%	(\$4,932,000)

- * PERS employees hired for the first time after July 1, 2015, contribute 6.0%
- ** Per Actuary: Normal Cost plus Unfunded Actuarially Accrued Liability
- *** 12.0% plus Fee Deposits (0.84% for FY2018)

5) CORE FUNCTIONS OF AGENCY:

CPRB administers the retirement benefits for approximately 76,000 active members (those not yet retired) and more than 66,500 retirees and beneficiaries. As of July 1, 2019, the plans administered by CPRB had approximately \$16.5 billion in assets.

6) RECENT CHANGES TO ORGANIZATION:

During the 2019 Legislative session, the Legislature created the Natural Resources Police Officer Retirement System. This new system will be effective on January 2, 2021 and will have 115 members. Eligible employees will be able to retire immediately. We have been working with our computer system vendor, Deloitte, in updating our system to implement the new plan. Additionally, CPRB recently implemented a call center to ensure those contacting CPRB immediately speak with a trained individual who can help and direct them—creating a more positive experience for CPRB customers. With the COVID-19 pandemic this year, the CPRB was able to seamlessly transition to remote working of staff. As of November 2020, we have 50% of our staff working in the office and the remaining 50% working remotely while coming on-site one day per week. In the coming year we will continue to evaluate our working procedures to provide optimum customer service as well as employee safety.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

As an administrative agency, the nature of CPRB proposed legislative changes is typically clean-up in nature. This year's proposed legislative changes follow:

- Various clean-up of the Deputy Sheriffs Retirement System, the Municipal Police and Fire Retirement System and the new Natural Resources Police Officer Retirement System.
- A change to the Deputy Sheriffs Retirement System to change the employer contribution from the current 13% maximum to an "amount set by the Board." The language mirrors that used in the Public Employees Retirement System. This plan is scheduled to be fully amortized in 2029 and the Board may need flexibility in the contribution rate to meet that date depending on market performance.

8) CHALLENGES/OBSTACLES:

As described in Section 6 of this document, CPRB has been entrusted by the Legislature with a 10th retirement system: The Natural Resources Police Officer Retirement System. This plan has 115 members. Challenges include incorporating the new plan into our specialized pension administration computer system and interfacing with the wvOASIS system. Of course, continuing to deal with the COVID-19 pandemic will continue to be a challenge in the coming year. Also, there are over 800 participating employers in the retirement systems administered by the CPRB

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and with turnover of payroll staff at these employers, ensuring the timeliness and accuracy of the information we receive is a constant challenge.

9) HIGHLIGHTS ABOUT AGENCY:

With seven of its eight defined benefit plans funded at 90% or greater, the retirement systems administered by the CPRB are among the top funded in the country. The Teachers Retirement System (TRS) is currently funded at about 71% but was as low as 9% in the early 1990s. It is considered a success story nationally in the way that a public pension defined benefit system should be funded. During 2019-20, the CPRB transitioned all retirees to direct deposit or Reliacard which reduced the risk for fraud and eliminated costly paper checks. The impact of COVID-19 on our ability to provide services was challenging but minimal. From March-June 2020, all staff worked remotely and not a single retiree missed a payment and we continued to process new retirements and refunds. The implementation of our line of business COMPASS computer system in 2017 allowed us to be able to perform our essential functions remotely and enact our Disaster Recovery Plan successfully during this trying time.

10) LEADERSHIP:

Jeff Fleck, Executive Director

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304-957-3523 (o)

Terasa Miller, Deputy Director/Chief Operating Officer

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304-957-3521 (o)

Ken Woodson, Actuary

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John Galloway, CFO

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FY-2021 FACT SHEET**ENABLING STATUTE:**

The WV Equal Employment Opportunity (WV EEO) office operates based upon Executive Order 10-18. From the date of this order, April 23, 2018, the State Equal Employment Opportunity Program transferred in its entirety from the Governor's Office to the West Virginia Department of Administration. Now the WV EEO is supervised and administered by the Department of Administration.

The Director of the WV EEO Program will continue to be appointed by the Governor. Staff of the WV EEO Program will continue to be classified-exempt service at the will and pleasure of the Governor.

Originally, the WV EEO office operated under the authority of three documents: Executive Order 6-90, issued by Governor Gaston Caperton; Interpretive Bulletin DOP-B6 Prohibited Workplace Harassment, issued by the Division of Personnel; and Procedure for Handling Equal Employment Opportunity Complaints, issued by Governor Joe Manchin. The WV EEO Director is a member of the Equal Pay Commission, pursuant to W. Va. Code § 21-5E-5(a)(3).

1) PURPOSE/MISSION:

The mission of the West Virginia Equal Employment Opportunity Office is:

- To address and resolve EEO problems in state agencies and institutions of higher education;
- To prevent unlawful harassment and discrimination through up-to-date training;
- To host an annual EEO training conference for the agency and higher education EEO counselors, coordinators, and HR personnel;
- To advise the Office of the Governor, state agencies and state employees on current EEO law and procedure; and
- To act as an advisor and repository for state agency Affirmative Action Plans.

2) STAFFING:

The WV EEO Office operates with a staff of (3) three. The office would greatly benefit from an additional EEO Specialist, who would focus on Affirmative Action Plans and compliance.

3) FUNDING/BUDGET:

The WV EEO Office currently operates under the guidance of the Department of Administration. It has no separate budget. There has been a Fund 2440, previously Fund 1033 used for the annual training conference.

4) CORE FUNCTIONS OF AGENCY:

The core functions of the WV EEO Office are:

- To assist all state agencies in mediating or investigating allegations of unlawful workplace harassment or discrimination based upon protected class; and
- To provide useful, up-to-date training for all West Virginia state employees on identifying, preventing and eliminating workplace harassment and discrimination through individual employee and agency training and by hosting the Annual EEO Training Conference; and
- To provide EEO advice and assistance as requested for state employees, including agency supervisors, managers and directors; and
- To form working relationships with other agencies and with community organizations to promote diversity and support affirmative action in West Virginia state government; and
- To maintain federally acceptable standards for EEO in state government, and to prevent litigation over EEO issues.
- To review Affirmative Action Plans submitted to the WV EEO Office every September.

FY-2021 FACT SHEET**5) RECENT CHANGES TO ORGANIZATION:**

In the past, the West Virginia EEO Office had been tasked by the Office of the Governor to host an annual training conference for state agencies and higher education EEO counselors, coordinators, and HR personnel. The WV EEO Annual Training Conference was held in Fall 2019. Due to the coronavirus pandemic, the 2020 conference was canceled. The annual conference will resume in September 2021.

6) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

The WV EEO Office requests that funds be allocated to support the annual WV EEO training conference and professional staff development. It is imperative that the EEO staff receive training in EEO law and best practices to serve as a resource for state agencies. Funds should be allocated for staff to attend conferences and seminars sponsored by the EEOC, NELI, SHRM and related organizations to stay current and updated on changes in EEO law and provide resources to state agencies. These funds to attend training are crucial for staff.

The annual conference should also be mandatory for state agencies.

7) CHALLENGES/OBSTACLES:

Affirmative Action Plan: There is a need for trained Affirmative Action Plan writers for every state agency. Those AAP writers for state agencies should be allowed to attend a national training program such as the National Employment Law Institute (NELI). The AAP training will ensure that those writers will be able to continue to keep their agencies AAP plans in compliance and address the possible disparity in its employment practices.

8) HIGHLIGHTS ABOUT AGENCY:

Outreach: The WV EEO Office is actively raising the visibility of the office by its social media presence and EEO Coordinator/Counselors quarterly newsletter. This is the first year the WV EEO Office has provided online training. WV EEO staff serve as speakers on EEO updates, affirmative action plans, and diversity, equity, and inclusion. The Office participates in community events, career fairs, and hiring events. Frequently, WV EEO staff works with community organizations that promote the advancement and employment of those covered by EEO protected classes.

Procedure for Handling EEO Complaints: On May 16, 2019, the State EEO Office revised the 2007 Procedure for Handling EEO (PFHEEO) Complaints and submitted it to the Office of the Governor. Governor Justice signed the PFHEEO Complaints and it became effective May 31, 2019. This document will provide a guideline and promote uniformity across state agencies in reporting EEO Complaints and submitting Investigative Summary Reports to the WV EEO office.

State Annual EEO Conference: The State EEO Office held its annual training conference on September 12, 2019 at the Beckley-Raleigh County Convention Center (BRCCC) with the largest attendance ever at 109 registered attendees. The all-day conference featured speakers from the EEOC, FBI-Charleston, Fair Shake Network, WV Human Rights (WVHR) Commission, State ADA, WV Women's Commission, JAN Network, ACLU, YWCA of Charleston and Spillman Thomas & Battle law firm. Keynote speaker was WVHR commissioner Rev. Darrell Cummings. Greetings were provided by Department of Administration Cabinet Secretary Allan McVey, U.S. Senator Joe Manchin and the office of U.S. Senator Shelley Moore Capito. The last conference was held in 2015.

Community Outreach: An important component of this office's mission is supporting the organizations in the community which address the needs of historically protected classes of our citizens. Members of the EEO Office's staff attend meetings and events, such as Kanawha Communities that Care, Tuesday Morning Group, Rotary Club, Charleston Lions Club, NAACP-Charleston Branch, WV Women Moving Forward, Women's Club of Charleston, HHOMA Juneteenth Celebration & Minority Business Expo, Governor's Civil Rights Day, TMG & HOPECDC Community Job

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& Resource Fair and WV DOP Hiring Event. Meetings and events may be held after regular working hours, weekends, or holidays.

Semi-Annual EEO Coordinators Meetings: The WV EEO Office has changed the quarterly coordinator's meetings to semi-annual meetings. We encourage all EEO Coordinators and EEO Counselors to attend the annual training conference. The change in meeting frequency allows more coordinators to attend, increases productivity and maximizes time. Input from EEO Coordinators is used to update and revise training topics, share concerns, suggest topics and speakers for the annual training conference, and update EEO counseling and investigation forms. Such agency interactions are vital to meet the needs of those requiring training or assistance with EEO investigations or mediations.

9) OTHER INFORMATION:

By 2023, the 2020 Census data needs to be updated in an accessible data system.

10) LEADERSHIP:

Tia Welch, Director/WV EEO

Tia.L.Welch@wv.gov

304-558-0400 (o)

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ENABLING STATUTE: W. Va. Code §§ 6B-1-1 through 6B-3-11, §§ 6B-2B-1 through 6, §§ 6-9A-10 and 11, §§ 18-5-1a(a) and (b)

REGULATORY AUTHORIZATION: W. Va. Code of State Rules. §158 I through 20.

1) PURPOSE/MISSION:

To maintain confidence in the integrity and impartiality of the governmental process in the state of West Virginia and its political subdivisions and to aid public officials and public employees in the exercise of their official duties and employment; to define and establish minimum ethical standards for elected and appointed public officials and public employees; to eliminate actual conflicts of interest; to provide a means to define ethical standards; to provide a means of investigating and resolving ethical violations; and to provide administrative and criminal penalties for specific ethical violations herein found to be unlawful. W. Va. Code § 6B-1-2(b). The Commission also interprets the Open Governmental Meetings Act, W. Va. Code §18-5-1a(a) and (b), which relate to eligibility to serve on a county school board, and W. Va. § 61-10-15, which relates to county contracts.

2) STAFFING:

The Executive Director supervises three full-time attorneys and two full-time administrative assistants.

3) KEY PERSONNEL:

Kimberly B. Weber, Executive Director
Theresa M. Kirk, General Counsel
Ellen Briggs, Executive Assistant

4) FUNDING/BUDGET:

Funding is from General Revenue derived from an appropriation from the State General Fund. The FY 2021 budget appropriation is \$719,844; 100% of this is from General Revenue. The Ethics Commission has a Special Revenue Account which started in January 2015 in which complaint fines are deposited. The balance in that account is \$63,050.47.

5) CORE FUNCTIONS OF AGENCY:

The Commission enforces the Ethics Act's prohibitions through the Verified Complaint and Initiated Complaint processes; administers lobbyist registration and reporting provisions; publishes an annual Lobbyist Directory; renders formal Advisory Opinions on the meaning and application of the Ethics Act, the Open Governmental Meetings Act, and W. Va. Code § 61-10-15 (prohibited county contracts); issues formal Advisory Opinions to school board members and candidates for those boards regarding other elected or appointed positions potentially barring their service; administers the Code of Conduct for State Administrative Law Judges; processes Financial Disclosure Statements, and advises and educates public employees and officials regarding the Ethics Act and the Open Governmental Meetings Act. The Commission also is the repository of disclosure forms required to be filed regarding "interested parties" to certain state contracts.

6) RECENT CHANGES TO ORGANIZATION:

Commission member Lawrence Tweel resigned at the end of his term (June 30, 2020).

7) HIGHLIGHTS ABOUT AGENCY:

In fiscal year 2020, the Ethics Commission processed 109 Complaints and approximately 3,300 Financial Disclosure Statements. It has trained 1,472 public officials and employees throughout the state.

FY-2021 FACT SHEET**8) OTHER INFORMATION:**

Oversight is by members of the Ethics Commission, who are appointed by the Governor with advice and consent of the Senate, and administratively by the Cabinet Secretary of the Department of Administration.

10) LEADERSHIP:

Kimberly B. Weber, Executive Director

Kimberly.B.Weber@wv.gov

304-558-0664 (o)

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5A-2-1**1) PURPOSE/MISSION:**

The Finance Division provides financial management, accounting, and payroll services to the agencies of the Department of Administration as well as several State Boards and Commissions. In addition, the Division is responsible for the issuance of the State's Comprehensive Annual Financial Report (CAFR), Statewide Cost Allocation Plan (SWCAP) and Single Audit. The Finance Division also maintains the Statewide vendor file, including preparation of IRS forms W8, W9, and 1099.

2) STAFFING:

Services are performed by 36 employees, broken down as follows:

Administrative:

(two) Deputy Director,
(one) Administrative Secretary
(one) Accountant Auditor III

Shared Services Section:

- Accounting Services
(two) Administrative Services Assistant III
(two) Administrative Services Assistant I
(two) Accounting Tech III
(one) Accounting Tech IV
(one) Procurement Specialist
- Managerial Services
(one) Administrative Services Manager I
(three) Accountant Auditor IV
- Payroll
(one) Accountant Auditor III
(one) Administrative Services Assistant I
(one) Human Resources Generalist II
(one) Human Resources Generalist I

Financial Accounting & Reporting Section:

(two) Financial Reporting Manager II
(one) Financial Reporting Specialist III
(four) Financial Reporting Specialist II
(four) Financial Reporting Specialists I
(one) Secretary II

Vendor Section:

(one) Administrative Services Assistant III
(one) Accounting Tech IV
(two) Accounting Tech III

3) KEY PERSONNEL:

Acting Director/State Comptroller and Senior Management

FY-2021 FACT SHEET**4) FUNDING/BUDGET:**

FY 2021 General Revenue Budget	\$753,000	13%
FY 2021 Non-Appropriated Special Revenue Budget	\$2,901,817	51%
FY 2021 Appropriated Special Revenue Budget	\$2,000,000	36%
Total Budgeted Expenditures	\$5,654,817	

The Non-Appropriated Special Revenues are derived from fees for Shared Services, the CAFR, and Single Audit reports.

5) CORE FUNCTIONS OF AGENCY:**Shared Services Section**

- **Accounting Services** – Provides procurement, accounts payable and collections for several agencies within the Department of Administration as well as State Boards and Commissions.
- **Managerial Services** – Provides expertise in accounting to Department of Administration agencies. Examples of services: monitoring of cash flows, appropriation and expenditure requests, profit and loss reports, and debt service payments.
- **Payroll** – Oversees Department of Administration, numerous State Boards & Commissions payroll, and leave administration.

Financial Accounting and Reporting Section (FARS) - Provides valid financial information to citizens and decision-makers to allow for sound financial decision-making. Annual reports prepared include the CAFR, Single Audit, and SWCAP.

Vendor Section – Responsibilities include administration of the Statewide vendor file, and the completion of IRS Forms W8, W9, and 1099.

6) RECENT CHANGES TO ORGANIZATION

Shared Services is being offered to all State agencies.

7) CHALLENGES/OBSTACLES:

Finance Division's biggest obstacle is recruiting and retaining staff due to non-competitive salaries and long hours.

8) HIGHLIGHTS ABOUT AGENCY:

The Finance Division has been in receipt of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting since 1995.

9) LEADERSHIP:

David Mullins, Acting Director
Dave.W.Mullins@wv.gov

304-558-6181

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code §5A-12-1, et seq.

1) PURPOSE/MISSION:

The mission of the Fleet Management Division (FMD) is to provide safe, efficient, and reliable fleet services in the most cost-effective manner possible. It assists state spending units by providing exceptional fleet service and by promoting teamwork to accomplish the State's strategic goals and objectives.

2) STAFFING:

FMD currently has nine full-time employees; an Executive Director, one ASA 3, one Data Warehouse Specialist, three ASAI, one Accounting Technician 3, one OA3 and one OA2.

3) KEY PERSONNEL:

Director
Fleet Manager – ASA3
Fleet Administrator – Data Warehouse Specialist I
Fleet Analyst Fueling – ASAI
Fleet Analyst Maintenance – ASAI
Fleet Coordinator – ASAI
Fleet Assistant - Accounting Technician 3
Fleet Assistant – OA3
Fleet Assistant – OA2

4) FUNDING/BUDGET:

Funding for FMD comes from a monthly administrative fee for state owned and leased vehicles. In addition, FMD receives 50% of the resale value of leased vehicles.

FY 2021 Budget: Fleet Management Division operates on a \$13.2 million annual budget.

5) CORE FUNCTIONS OF AGENCY:

- Approves and tracks the acquisition and decommission of state vehicles with a classification of one ton and under.
- Finance the purchase of vehicles off statewide contracts issued by the Purchasing Division for agencies' daily operations.
- Provides statewide contracts for an online reservation car sharing system, fueling, telematics, and vehicle maintenance services to all State vehicles with a classification of one ton and under.
- Provides the tools that allow the agencies to report on fleet inventory and operating cost.
- Maintains a rental fleet for state agencies located around the Capitol complex.
- Assists with agency vehicle specifications for vehicles not found on the statewide contract.

6) RECENT CHANGES TO ORGANIZATION

- Passage of HB4015, HBI03, and State Rule 148 CSR 3 has provided requirements to capture and report on the inventory and operation cost of one ton and under state vehicles.
 - The Bills and Rule require agencies to capture and report monthly odometer readings and commuting miles along with yearly travel reimbursements and vehicle rental expenses.
 - The Bills and Rule requires FMD to report annually to the Governor and to the Joint Committee on Government and Finance regarding the operations of the state's fleet and the utilization of state vehicles.
 - Added an online reservation system with a kiosk and key lock box to facilitate the utilization of vehicles

FY-2021 FACT SHEET

across agencies and reduce the number of agencies' pool vehicles.

- Added telematics devices and services to the vehicle management vendor contract specifications to better determine how state vehicles are being utilized

7) CHALLENGES/OBSTACLES:

- Ensuring all State agencies participate in FMD programs and in wvOASIS fixed assets.
- Find an effective way to enforce FMD's approval (as mandated in HB4015) for acquiring and decommissioning one ton and under state vehicles.
- Creating a process to account for vehicles over one ton that are operated by agencies exempt from Surplus Property.
- Finding a solution to pending vehicle inventory issues that have been identified but not addressed.
- Consolidating the state's vehicle inventory and operating cost into one database for reporting purposes.
- Acquiring more than 4,000 monthly ending odometer readings and uploading them monthly into ARI's database.
- Tracking vehicle utilization by fueling transactions and monthly vehicle logs.

8) HIGHLIGHTS ABOUT AGENCY:

- Returned \$791,653.96 to the agencies in May 2020.
- FY20, FMD and ARI saved the state \$303,777.63 in maintenance costs by suggesting alternatives to the garages' recommended repairs.
- Training the Agency Fleet Coordinators (AFCs)
 - Developed 3 online training sessions for the AFCs to complete by Oct. 31, 2020
 - 67 AFCs and guests attended
- Assisted DMV and wvOASIS in the license plate renewals project
 - Facilitated the license plate renewals for 2,570 vehicles owned by FMD and operated by state agencies
- Completed a state vehicle underutilization report on 8/7/2020 listing 7,068 one ton and under state licensed vehicles and identified 4,773 vehicles that do not average 1,100 miles/month
- Processed 738 vehicle requests for the MV2020 vehicle statewide contract
 - 201 vehicles purchased as Agency Owned
 - 330 vehicles leased through FMD
 - 171 decommissioned vehicles without replacements
 - 36 Reassignments
- Telematics Pilot Program with DEP
 - FMD and DEP tested 50 Geotab telematics units through ARI. The units were installed in October 2019 and removed November 2020
 - FMD completed and submitted a Telematics Pilot Program Six Month Findings to the Governor's Office and Secretary of the Department of Administration on 7/20/2020 noting an 8% reduction in fueling
- Online Reservation and Kiosk System for vehicle pooling/sharing
 - FMD has contracted for an online reservation and kiosk system that will facilitate sharing vehicle pools across agencies by dispensing the keys through a wall mounted ATM-like box based on a reservation number

9) LEADERSHIP:

Kenny Yoakum, Executive Director
Kenny.H.Yoakum@wv.gov

304-558-2106 (o)

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §5A-4**1) PURPOSE/MISSION:**

The General Services Division (GSD) provides grounds and facilities management, engineering, custodial and maintenance services in order to maintain a safe and comfortable work environment for the West Virginia Capitol Campus and all buildings owned and operated by the Department of Administration.

2) STAFFING:

Services are performed by 104 people (116 positions):

- Business and Administration - 13
- Occupational Health & Safety - 2
- Maintenance - 56
- Grounds - 12
- Custodial - 18
- Architect/Engineering - 3

3) KEY PERSONNEL:

Bill Barry, Deputy Director
 Brandon Perdue, Admin Assistant
 Bob Kilpatrick, Business Manager
 Scot Casdorff, Architect/Engineer Manager
 Dave Parsons, Energy Manager
 Jim Hawley, Custodial Manager
 John Cummings, Grounds Manager
 Roger Wines, Maintenance Manager

4) FUNDING/BUDGET:

Funding is General Revenue by appropriation, Appropriated Special Revenue derived from excess lottery funds and Non-Appropriated Special Revenue derived from rent received.

FY 2021 Total Budget	\$78,465,617
General Revenue 35%	\$27,769,219
Special Revenue 65%	\$50,696,398

5) CORE FUNCTIONS OF AGENCY:

General Services Division provides maintenance for facilities and grounds at 35 major buildings throughout the state, custodial services at the Capitol and via contract throughout the remainder of Department of Administration buildings, architect/engineering and construction management services, energy management and the management and business processes to support all internal sections

6) RECENT CHANGES TO ORGANIZATION

We have hired a new manager for the Architect/Engineering Section who is in the process of rebuilding a design and construction team.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGE

Recommended statutory changes to State Code 5-22-1 to allow correction of administratively minor deficiencies in bid bonds to allow state to benefit from the lowest cost possible for construction bids.

FY-2021 FACT SHEET**8) CHALLENGES/OBSTACLES:**

Neglected/antiquated building infrastructure, staffing inadequate by industry standards, budget versus expectations, retention of quality staff and flexible tools to provide contracted services, refusal of users of services to pay for same.

8) HIGHLIGHTS ABOUT AGENCY:

Completed construction:

- Capitol Parking
- Garage repairs
- Major hardscapes being renewed to include Lincoln Plaza
- Steam valve replacements
- 11 restrooms in Capitol being renovated
- Five floors of building 6 under renovation

Ongoing major construction includes:

- Capitol Dome Moisture Intrusion
- Parkersburg State Office Building reskinning
- Falling clay tile remediation in Capitol

9) LEADERSHIP:

Greg Melton, Director

Gregory.L.Melton@wv.gov

304.558.1808 (o)

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code § 29-6-1 et seq.

1) PURPOSE/MISSION:

The Division of Personnel (DOP) supports state government agencies' human capital needs through an integrated system for recruiting, screening and referring applicants for employment with oversight that ensures personnel standards and policies are met; establishes and maintains classification and compensation plans; is the responsible repository assuring compliance with personnel standards and policies for employee personnel records; formulates and consistently interprets personnel policies and procedures and provides assistance in grievance and disciplinary matters; and provides organizational and human resource development and training.

2) STAFFING:

TOTAL 66:

- Administration - 6
- Classification and Compensation - 13
- Personnel Transaction Review - 15
- Employee Relations - 4
- Staffing - 18
- Organization and Human Resource Development (OHRD) - 10

3) KEY PERSONNEL:

Joe Thomas, Deputy Director

Joe.F.Thomas@wv.gov

Layna Valentine-Brown, Administrative Secretary

Layna.S.ValentineBrown@wv.gov

Wendy Elswick, Assistant Director Classification and Compensation

Wendy.A.Elswick@wv.gov

4) FUNDING/BUDGET:

Funding for the DOP includes an annual budget appropriation from the Legislature combined with revenue derived from fees charged to state government agencies that are served by the sections of the DOP.

5) CORE FUNCTIONS OF AGENCY:

The Administration section coordinates the financial, purchasing, human resources, information technology and communications functions of the DOP. This section also serves as advisor to the Director, providing human resource generalist knowledge, workforce analytics, project management, and input into key functions within the DOP. In addition, the Director's Office manages the communication, scheduling, and recordkeeping functions of the State Personnel Board.

The Classification and Compensation section is responsible for the development, maintenance, and revision of the classification and compensation plans for all positions in the classified and classified-exempt services. The classification and compensation plan organizes job classifications into related and meaningful groups to comply with legally required hiring standards and pay relationships.

The Personnel Transaction Review section establishes and maintains employee information systems and historical records for all state employees and many county health departments. Staff of the section certify personnel transactions and assure that all transactions, including internal placements, are in compliance with applicable state statutes, regulations, policies, procedures, and compensation plans.

The Employee Relations section's purpose is to ensure that merit system principles of personnel administration are upheld through the fair and equitable application of rules, policies, and procedures across the executive

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branch agencies of state government.

The OHRD section works to increase the effectiveness and efficiency of state government through the development of a skilled workforce. To support this mission, the section provides training programs, development plans and strategies, and consulting services to those working in covered agencies.

The Staffing Services section administers the hiring system for the classified service by establishing valid and reliable selection procedures for recruiting, assessing, and evaluating applicants; creating lists of qualified applicants; and providing the best-qualified applicants to state agencies for appointment consideration. In addition, this section is responsible for research, development, and implementation of job-related employment examination procedures.

6) RECENT CHANGES TO ORGANIZATION

The DOP started participating in virtual career fairs (these are job fairs that are hosted online for applicants to learn about agencies and apply for jobs.) which has provided a new way to recruit applicants for in demand positions. It does not require the travel time and resources that are needed to participate in an in-person job fair. Traditional job fairs are still a very important recruitment tool. However, under many circumstances, such as the current pandemic, virtual career fairs have allowed DOP to continue to participate in job fairs for recruitment purposes.

The DOP has implemented online testing. Some positions require a test in order to be placed on a list of eligible applicants. Prior to online testing, applicants were required to go in person to a test center in order to test for a position. This project was already being implemented but was expedited as a result of the COVID-19 (COVID) crisis. Implementation of the process during the pandemic was challenging but the DOP considers the transition a success. The online enrollment, examination and scoring process is more convenient for applicants from elimination of the testing centers as well as efficiencies in the process. It is anticipated that this initiative will also attract more applicants.

The DOP continues to work internally and with wvOASIS, the Auditor's Office and Budget Office to find efficiencies and resolve issues pertaining to personnel transaction workflow.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

The primary legislation pending is the request to update the entire DOP code section to create efficiencies in the hiring process and address pay stagnancy.

8) CHALLENGES/OBSTACLES:

The DOP staff are now required to be familiar with not only the DOP merit system, but also the new systems operated by DOH and Tax.

9) HIGHLIGHTS ABOUT AGENCY:

During Fiscal Year 2021, the DOP has continued to make improvements in the services we provide.

The DOP is implementing the transition of the process for posting internal agency positions into the NEOGOV system. This will not only simplify and expedite the process but it will further integrate the processes for posting positions and establishing lists of eligible applicants.

The DOP is modernizing the employee performance appraisal process. This and the offboarding process are also

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being transitioned into the NEOGOV system to further integrate operations and facilitate use of data analytics.

The Classification and Compensation Section continues to update class specifications, as well as work with agencies to assist with recruitment and retention issues.

The DOP created the Temporary Classification Transition Policy to assist agencies in preventing gaps during when certain positions are being vacated due to retirement or other specified issues.

To develop a new procedure for paying back wages owed as a result of minor payroll corrections, Employee Relations worked with DOP's Personnel Transaction Review (PTR) section and the State Auditor's Office to develop a Payroll Correction process and form. The form may be used in circumstances when the amount is less than \$500 and is designed to be more efficient than the certification process for Settlement Agreements.

Between February 2020 and September of 2020, the Employee Relations section developed the federal Families First Coronavirus Response Act (FFCRA) Policy to ensure a clear and uniform understanding and administration of leave and pay under the FFCRA for employees affected by the COVID pandemic. In addition to the policy, Employee Relations created four (4) guidance documents to assist agencies with compliance with the FFCRA, including three frequently asked questions documents addressing the pandemic's impact on the workplace and the reopening of State agencies and schools.

Due to COVID, OHRD developed a series of mini classes to address the skill development needs while teleworking. To that end we developed a series of seven programs including Getting started with Telework, Telework Support Hours, Improving Your Virtual Meetings, The Resilience Factor: How to Build Resilience in Challenging Times, Conducting Selection Interviewing Remotely, Digital Communication: Better Emails and IMs, and How to Improve I-I Performance Conversations.

The OHRD section worked with our Director's office to establish a fee for classes system where agencies that are not covered under DOP are able to request our services and pay per class or service. To date, we entered into contract with two agencies, WV Department of Agriculture and WV State Treasurer's Office. The WV Department of Agriculture requested three sessions of our three-day Supervising for Success I: Critical Skills for New Supervisors class. We were able to conduct two out of the three classes before we had to cancel due to COVID. Per contract with the WV State Treasurer's Office, we agreed on two sessions of our three-hour customer service class. Due to COVID, we were unable to hold either of these sessions as they were scheduled for April and May. We will revisit our contract obligations once we are able to hold in-person classes.

OHRD increased its outreach efforts to supervisors/managers in response to COVID via providing 18 editions of the DOP-OHRD eNewsletter. Prior to COVID, the eNewsletter normally highlighted upcoming classes and different requirements of the DOP-PI8 training program, but this year, it has also become an integral part of DOP's COVID response by adding First Responder Resources, Families First Coronavirus Response Act information, and Curated Development Opportunities.

10) LEADERSHIP:

Sheryl R. Webb, Director
Sheryl.R.Webb@wv.gov

304-558-3950

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 7-4-6 and §61-8B-15**1) PURPOSE/MISSION:**

The Prosecuting Attorneys Institute provides special prosecutors where elected prosecutors are unable to serve; provides training, service, support and resources to the prosecutors and staffs to enhance and improve the quality of all prosecution throughout the state; educates law enforcement regarding the constantly changing face of the law; and expands the public's knowledge of the criminal justice system.

2) STAFFING:

The Institute is maintained by five full-time employees: three legal and two administrative.

3) KEY PERSONNEL:

Philip Morrison, Executive Director
Sherry Eling, Resource Prosecutor
Nicole Cofer, Resource Prosecutor
Amy Leslie, Administrative Assistant
Luke McVay, Tech Services

4) FUNDING/BUDGET:

The Institute is funded through General Revenue and Special Revenue from the special prosecutor premiums paid by county commissions.

FY 2021 Annual Budget:	\$1,049,109
General Revenue 23.6 %	\$246,653
Special Revenue 76.4%	\$802,456

The General Revenue appropriation comes in two allotments from the Legislature. Each is dedicated to particularized uses. The first is the Forensic Evaluation Fund (\$141,579 in FY2019) and the second (\$105,074 in FY2019) is used specifically for grant matching although both funds entitle West Virginia to draw down federal dollars either directly to the Institute or, in the case of the Forensic Evaluation Fund, allows multiple entities to draw down funds. The Forensic Evaluation Fund may be viewed as earnest money, if you will, that the justice department requires as a condition precedent to the receipt of Violence against Women grant funding. Special Revenue comes from grant funding or premiums paid to the Institute by the counties which are set by code.

5) CORE FUNCTIONS OF AGENCY:

The Institute Core Operations (largely county premium or grant funded) provide special prosecuting attorneys; training for prosecutors, law enforcement and other agencies; legal research, technical assistance, and technical and professional publications and manuals to prosecutors; and identification of experts and other resources for use by prosecutors. The Institute provides updates on legislation, court cases, court rules, policies and procedures and new practices. Grant funded programs include:

- Violence against Women Resource Prosecutor program works to provide with support and training for prosecutors and law enforcement and, to some extent, the public on topics related to best practices in Sexual Assault and Domestic Violence cases.
- Finding Words/Child First (Forensic Interviewing of Children Program)
- Beginning October 1, 2020. The WV Traffic Safety Resource Prosecutor position has returned to the Institute after a three-year hiatus and provides support and training for prosecutors and law enforcement and, to some extent, the public on topics related to best practices related to traffic safety. Budget num-

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bers, not readily available now, will be forthcoming.

6) CHALLENGES/OBSTACLES:

Our challenge, like other agencies, is money and salaries. Because of the increasing costs to the employees the traditional benefits package is less attractive to potential new hires. We simply have to find a way to make the salary side of the equation more attractive to offset this.

7) HIGHLIGHTS ABOUT AGENCY:

24/7 On-Call resource to all State Prosecutors in West Virginia regarding any Prosecution Related Request including Special Prosecutors, Legal Research and Case Consulting.

8) OTHER INFORMATION:

Agency oversight is by the West Virginia Prosecuting Attorneys Institute Executive Council and by the Cabinet Secretary of Administration. Institute membership consists of 55 prosecutors (each county prosecutor's office is funded by their respective county and not the state). The Executive Council consists of seven prosecuting attorneys elected by all 55 members and two persons appointed annually by the West Virginia County Commissioner's Association.

9) LEADERSHIP:

Philip W. Morrison, Executive Director

Philip.W.Morrison@wv.gov.

304-558-3348 (o)

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code §29-21-1, et seq.

REGULATORY AUTHORIZATION:

W. Va. Code §29-21-5 authorizes the agency's Executive Director to promulgate legislative rules. The agency promulgated the legislative rule codified in Title 89, Series I, of the Code of State Regulations, 89CSR1, entitled *Payment of Fees and Reimbursement of Expenses of Court-appointed Attorneys*.

1) PURPOSE/MISSION:

The agency is responsible for fulfilling the State of West Virginia's constitutional obligation under the Sixth and Fourteenth Amendments to the United States Constitution and Section 14 of Article III of the West Virginia Constitution to provide legal counsel to indigent defendants in criminal or related proceedings.

2) STAFFING:

The agency has thirty-one (31) positions. One vacancy exists but is to be filled when an acceptable candidate is found. The agency is organized into three divisions: an Administrative Division, a Policy Division, and an Office of Legal Representation. The Administrative Division is overseen by the Chief Operating Officer and is comprised of Appointed Counsel Services and human resources. Appointed Counsel Services is staffed by one (1) director, four (4) processors, one (1) attorney, and one (1) help desk coordinator. The Policy Division encompasses the Chief Executive Officer, the Chief Process Officer, the Chief Financial Officer, and the General Counsel. Within the Policy Division are (i) the Financial Division which includes the auditor of the voucher processing function and the office manager; (ii) the Criminal Law Research Center which includes one (1) coordinator; and the (iii) Public Defender Corporation Resource Center which is staffed by one (1) administrative assistant and two (2) criminal justice resource specialists. The Office of Legal Representation includes (i) the Appellate Advocacy Division which is staffed by four (4) appellate attorneys, one (1) paralegal, and one (1) secretary; and (ii) the Habeas Corpus Division which is staffed by four (4) attorneys, one (1) paralegal, and one (1) investigator. The Appellate Advocacy Division and Habeas Corpus Division share one (1) administrative assistant.

3) KEY PERSONNEL:

Generally, the agency functions at a level that requires specialization in every division. The following positions could be eliminated if reduction of force was mandated but would mean the diminishment of services including the inability to organize affordable legal seminars for court-appointed attorneys and public defenders and the ability to monitor proposed reforms in criminal justice: Coordinator of Criminal Law Research Center, the agency's general counsel and the Chief Operating Officer.

4) FUNDING/BUDGET:

FY 2021 Budget: \$34,485,646. A Supplemental Appropriation of \$20,000,000 will be required. The Criminal Law Research Center has \$35,438.99 on account which is generated by fees from the Annual Indigent Conference and which is used to offer other continuing legal education programs.

5) CORE FUNCTIONS OF AGENCY:

The agency has six (6) core functions under the present structure of the state's indigent defense system.

CORE FUNCTION NO. 1: The agency is responsible for processing for payment the vouchers for the legal services provided by court-appointed private counsel. In fiscal year 2020, the agency processed 40,270 vouchers, totaling \$27,808,797.64. When electronically received, the agency reviews the vouchers of court-appointed attorneys requesting payment of their compensation for legal services and the reimbursement of their incurred expenses. The review ensures compliance with the governing statute, the agency's legislative rule, and the Office

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of Auditor's guidelines and the reasonableness and necessity of the services. Once vouchers are reviewed by agency personnel, the vouchers are entered into the agency's appointed counsel claims tracking system, which interfaces with wvOASIS and begins the process for payment of the vouchers. The Officer of the Auditor and the Officer of the Treasurer issue the warrants for the payment of the vouchers. Additionally, the agency provides support to the attorneys in completing and submitting the vouchers for payment of their legal services and will often contact attorneys to informally resolve issues with the vouchers.

CORE FUNCTION NO. 2: The agency is responsible for the management of funding contracts executed with eighteen (18) public defender corporations. The appropriation for this purpose is \$19,538,435. Notably, one hundred and forty-one (141) full-time public defenders are employed and provide representation in the same number of cases as the over 400 court-appointed private counsel throughout the state, but at a cost that is, conservatively, five (5) to seven (7) million dollars less.

CORE FUNCTION NO. 3: The agency provides support to the public defender corporations by centralizing certain administrative and substantive functions through its public defender corporation resource center that is funded, in part, by the appropriation to the public defender corporations. The agency's mitigation services, recovery coach project, and SWIFT Defense of Women initiative are examples of resources that are provided to several corporations collectively whose budgets individually would not otherwise enable retention of an investigator or social worker to serve the needs of their clients.

CORE FUNCTION NO. 4: The agency represents indigent defendants in the appeal of their convictions. With only three active attorneys in the division, the agency's protocol is that only cases with significant legal issues will be handled. The remaining appeals will be handled by court-appointed private counsel at a significantly greater cost than the cost of adding attorneys to the division's staffing.

CORE FUNCTION NO. 5: The agency represents incarcerated individuals petitioning the circuit courts and the Supreme Court of Appeals for writs of habeas corpus. Cases not handled by the division will be handled by court-appointed counsel if any are willing to take such appointments.

CORE FUNCTION NO. 6: The agency's criminal law research center provides support to criminal defense attorneys and sponsors an annual conference that has received national recognition. The center periodically provides or sponsors other legal education programs throughout the year on topics of immediate interest, including in the past year a seminar on the representation of clients during a pandemic.

6) RECENT CHANGES TO ORGANIZATION:

The agency was reorganized into three divisions: the Administrative Division, the Policy Division and the Office of Legal Representation.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

The agency is seeking a supplemental appropriation in the amount of \$20,000,000 to (i) continue payments to the court-appointed counsel on a timely basis; and (ii) to provide funding for the commencement of the operation of a public defender corporation in Monongalia County. The agency is seeking a clarification in the mandatory reporting statute that the statute's mandate would not extend to social workers who contract with attorneys when the information is covered by the attorney/client communication privilege or the work product doctrine even though the social worker may be also employed by a social service agency.

FY-2021 FACT SHEET**8) CHALLENGES/OBSTACLES:**

The most substantial challenges are:

ONE: The system of indigent defense envisioned in 1989 should be completed. Presently, public defender corporations are serving only 19 of 31 judicial circuits. The corporations are an efficient and effective means of providing representation. Private counsel will still be appointed to handle conflict matters and to handle, generally, child abuse and neglect proceedings. But public defender corporations provide a platform for programs to assist clients with issues such as treatment, employment, housing and transportation that solo private counsel cannot do as they have limited or no resources. The corporations also provide for the wellness of attorneys through insurance benefits, retirement benefits, and collegiality. Finally, the experience of creating a public defender corporation in Wood and Wirt Counties demonstrates that cases will be resolved more efficiently and effectively than can be done with solely private counsel.

TWO: Funding for the public defender corporations has been static for several years. While state employees have received a 10% increase in the past two (2) years and court-appointed counsel have received a 33-1/3% increase in the rates of their compensation, the corporations have not received funding for an increase in their attorneys' and staffs' salaries. Personnel are leaving the corporations to work with the prosecutor's offices at an alarming rate due to the higher salaries offered by the counties. Moreover, the corporations are dealing with increased rental expenses, accounting expenses, and technological expenses while their funding has been static. Accordingly, more funding is needed for the public defender corporations which will still result in a cost per case lower than court-appointed counsel by a substantial amount.

THREE: The private counsel who take court-appointments should be overseen generally as are the public defender corporations. The agency could then regulate the appointment of counsel, impose certain levels of qualifications for appointments to various types of cases, impose uniform standards of representation, and resolve issues surrounding complaints about the representation. Presently, the private counsel are appointed by local courts without the agency's knowledge or input and are, after appointment, not subject to review or oversight by any entity, preventing, therefore, assurances that services are being provided effectively and zealously. Such oversight would reduce the number of habeas corpus petitions that are filed on the grounds of ineffective assistance of counsel.

9) HIGHLIGHTS ABOUT AGENCY:

The agency has been involved in the development of several programs including wellness programs for attorneys, family treatment courts, a review of mental hygiene proceedings, the embedding of recovery coaches throughout the state to provide treatment options for clients at the earliest intersection with the criminal justice system, and the statewide implementation of the federally funded LEAD program. The agency is establishing another program through a grant from the Chan/Zuckerberg Initiative in partnership with the Greater Kanawha Valley Foundation that will provide social service support to women clients of selected public defender corporations in order to address the high rate of incarceration of women, who most likely have unrealized and untreated trauma underlying their behaviors.

10) LEADERSHIP:

Dana F. Eddy, Executive Director

Dana.F.Eddy@wv.gov

304-558-3905 (o)

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code §6C-3-1 et seq

REGULATORY AUTHORIZATION:

Title 156 Series 1 – Rules of Practice and Procedure of the West Virginia Public Employees Grievance Board

Title 156 Series 2 – Notice and Conduct of Meetings

1) PURPOSE/MISSION:

The Public Employees Grievance Board provides a fair, consistent and expedited administrative process for resolving employment related disputes between employers and employees of the Executive Branch, Public Institutions of Higher Education, County Health Departments, and County Boards of Education, covering more than 74,000 employees. The Board is responsible for administering the grievance procedure and has jurisdiction regarding procedural matters at all levels of the grievance procedure.

2) STAFFING:

Services are performed by 12 full-time employees: six Administrative Law Judges (ALJs) and six administrative and support staff.

3) KEY PERSONNEL:

Five-member Board appointed by the Governor and Director appointed by the Board.

4) FUNDING/BUDGET:

FY 2021 Budget: 100% General Revenue

\$1,124,712

5) CORE FUNCTIONS OF AGENCY:

There are three levels of grievances:

Level One – An employee can file a grievance with a chief administrator stating the nature of the grievance and the relief requested and request a conference (an informal meeting) or a hearing (a recorded proceeding where a grievant can call witnesses and present evidence). The chief administrator will issue a written decision within fifteen days of the conference or hearing.

Level Two – Within ten days of receiving an adverse written decision at level one, a grievant can submit a written request for mediation by a Board ALJ, private mediation, or private arbitration. Private mediation and arbitration can be obtained by written agreement between the parties to share the cost.

Level Three – Within ten days of receiving a written report that level two was unsuccessful, the grievant can file a written appeal with the employer and the Board requesting an administrative hearing on the grievance. An ALJ will set a date and location for a formal hearing. The judge will issue a written decision to all parties within 30 days.

6) CHALLENGES/OBSTACLES:

The Board's FY 2021 appropriation is equal to the FY 2020 appropriations. The agency received a minor increase for FY 2020 to offset the across the board raises. No increases in appropriations to account for increasing costs of goods and services.

7) HIGHLIGHTS ABOUT AGENCY:

The agency received a transfer of \$100,000 from the Secretary of Administration. Due to the successful re-

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location of office space in July 2019, the agency ended FY2020 without spending any of the \$100,000 transferred from the Secretary's office. The agency had \$21,749.28 remaining from the original FY2020 appropriation.

8) LEADERSHIP:

James A. Cox, Director

James.A.Cox@wv.gov

304-558-3361

FY-2021 FACT SHEET**ENABLING STATUTE:**

W. Va. Code §5-16-1 through §5-16-27 (PEIA and Finance Board)

W. Va. Code §5-16D-1 through §5-16D-6 (West Virginia Retiree Health Benefit Trust Fund)

1) PURPOSE/MISSION:

The Mission of the Public Employees Insurance Agency (PEIA) is to administer affordable insurance programs and services that protect, promote and benefit the health and well-being of our members. PEIA provides benefits to 230,000 members in the following categories: county schools, higher education, state agencies, local governments, retirees and survivors.

2) STAFFING:

PEIA is administered by 52 full-time employees: six administration, seven clinical services, three communications, 10 customer service, 12 eligibility, eight finance, six premium accounts.

3) KEY PERSONNEL:

Bill Hicks, General Counsel

Charlotte Stover, Deputy Director of Insurance and Member Services

Felice Joseph, Pharmacy Director

Jan Powell, Operations and Communications Manager

Jason Haught, Chief Financial Officer

Dr. Lisa Newell, Medical Director

Tom Miller, Privacy and Security Officer

4) FUNDING/BUDGET:

Funding is provided through the premiums of participating employers, employees, and retirees. Budget guidance for general-revenue-funded agencies is provided by the Governor after reviewing revenue projections for the next fiscal year.

TOTAL BUDGET FY 2021:

\$ 949 Million

\$ 716 Million – Active

\$ 233 Million – Retiree

5) CORE FUNCTIONS OF AGENCY:

PEIA provides life insurance, health care benefits and flexible benefits; educates and increases awareness related to insurance and health care; administers effective and efficient programs and services; ensures that claims and other requests are processed promptly and accurately; works with providers to ensure ample access to medical services at reasonable costs; and assists members regarding insurance and health care benefits.

6) CHALLENGES/OBSTACLES:

In response to COVID-19, the agency had to quickly modify plans to provide Telehealth visits and COVID testing to protect members and allow them safe access to healthcare.

7) HIGHLIGHTS ABOUT AGENCY:

- Cappa Weight Loss Pilot - Ongoing
- Updated Bariatric Policy to collaborate with the four Centers of Excellence in WV and a pilot for the limited use of weight loss medications
- Implemented a dynamic COVID-19 policy consistent with CMS guidelines

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8) OTHER INFORMATION:

- OPEB – other post-employment benefits liability of State government is \$2.8 billion (Net OPEB Liability, OPEB - Assets = \$1.6 billion)
- Allowed members that had to defer medical procedures to elect which Plan Year they want the expenses applied

9) LEADERSHIP:

Ted Cheatham, Executive Director

Ted.M.Cheatham@wv.gov

304-558-7854 (o)

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code §5A-3, et. al. [Related statutes: W. Va. Code §5-22 and 5G]

REGULATORY AUTHORIZATION: W. Va. Code of State Rules 148-CSR-1

1) PURPOSE/MISSION:

The Mission of the Purchasing Division is to provide prudent and fair spending practices in procuring quality goods and services at the lowest cost to state taxpayers by maximizing efficiencies and offering guidance to our customers.

2) STAFFING:

The Purchasing Division is staffed with 48 full-time employees:

- 18 in the Acquisition and Contract Administration section;
- Five in the Communication and Training section;
- Nine in the Business and Technical Services section;
- 13 in the Program Services section;
- and three in the Administrative Office of the Director.

3) FUNDING/BUDGET:

FY 2021 Budget:	3,744,700
General Revenue (28%)	\$1,064,477
Special Revenue (72%)	\$2,680,223

4) CORE FUNCTIONS OF AGENCY:

The Purchasing Division oversees the procurement of commodities, business services, professional services, and construction exceeding \$25,000, and delegates procurement authority to state agencies under that dollar threshold. Various functions related to the state procurement process include training and professional development, vendor registration, purchase order encumbrance, inspection and contract management. In addition, the Purchasing Division administers the Surplus Property Program (see separate Fact Sheet for Surplus Property).

5) RECENT CHANGES TO ORGANIZATION:

The Purchasing Division underwent a reorganization, effective October 12, 2020. The former Communication and Technical Services section was divided into two new sections: *Communication and Training* (CT) and *Business and Technical Services* (BTS). These changes allow the Division to more precisely manage the areas over which it has authority.

6) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

The Purchasing Division will be requesting two legislative changes during the 2021 Legislative Session. The first bill would clarify the illegality of the state entering into contracts that contain specified terms and conditions. The second would allow the Purchasing Division to recoup the 5.5% of P-Card revenue recently lost through legislative change by allowing the collection of a small administrative fee from vendors for the utilization of statewide contracts.

5) CHALLENGES/OBSTACLES:

- Enhancing performance and work outcomes of agency purchasing officers through education, training and certification efforts.
- Improving efficiency of the purchasing process while maintaining transparency and compliance with all state laws, rules and procedures.

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- Acquiring/developing reporting tools that accurately affect the State's spend.
- During the 2020 Legislative Session, House Bill 4665 reduced the Purchasing Division's Purchasing Card rebate by 5.5%. As a result, the Purchasing Division will lose approximately \$600,000 of its revenue stream, requiring them to look at other sources of income.

6) HIGHLIGHTS ABOUT AGENCY:

- The Purchasing Division entered into a terms' agreement with Amazon Business Prime. Creating a single account for the state with Amazon provided agencies with another potential source of supply for small dollar purchases, facilitated Amazon becoming a registered vendor with the state of West Virginia, and it also provides the Purchasing Division with more accurate data about state agency spend with Amazon.
- In 2020, the Purchasing Division worked with wvOASIS to develop a report within Business Intelligence that will allow agencies to search for potential vendors based on commodity code. This report will increase the vendor pool while simultaneously driving down prices for the state.
- In response to the pandemic, rules for the purchase of goods and services related directly to COVID-19 were suspended. This allowed agencies to obtain needed supplies, such as hand sanitizer, gloves, masks, and more in a timelier manner.

7) OTHER INFORMATION:

There are 46 exemptions, both full and in part, from the Purchasing Division's authority, which are noted on our website at www.state.wv.us/admin/purchase/PurchasingExemptions. These include Higher Education, Division of Highways road construction, and the Judicial and Legislative branches of government.

8) LEADERSHIP:

W. Michael Sheets, Director
William.M.Sheets@wv.gov

304-558-0492

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code §5A-3-43 through 46 [Related statutes: WV Code §5A-3-34 through 35 for Fixed Assets and §12-3-11 and §5A-3-48B for Travel Management]

REGULATORY AUTHORIZATION: W. Va. Code of State Rules 148-CSR-4

1) PURPOSE/MISSION:

The West Virginia State Agency for Surplus Property [“WVSASP”] has the exclusive power and authority to maintain a record of property and make dispositions of commodities, or expendable commodities that are owned by the State, when the commodities become obsolete or unusable, are not being used, or need to be replaced. WVSASP also oversees the State Travel Management Office and the Fixed Assets Program.

2) STAFFING:

The services are performed by 12 full-time employees, including one manager, four administrative employees, one supervisor, one mechanic, two truck drivers, two inventory control associates, one laborer, and one Federal Service Property Manager.

3) FUNDING/BUDGET:

Funding for WVSASP is Non-Appropriated Special Revenue derived from the sale of surplus property.

FY2021 Budget:	\$2,337,757
<i>100% Special Revenue =</i>	
Operation Budget	\$1,502,465
Reimbursement to Agencies	\$ 835,292

4) CORE FUNCTIONS OF AGENCY:

WVSASP operates the State Surplus Property and the Federal Surplus Property programs and is also responsible for the Fixed Asset Program and the Travel Management Office.

Under the State Surplus Property Program, property no longer required by a state agency is made available to Eligible Organizations and the general public. Eligible organizations include state agencies, county commissions, county boards of education, municipalities, public service districts, county building commissions, airport authorities, parks and recreation commissions, nonprofit domestic corporations qualified as tax exempt under Section 501 (c) of the United State Internal Revenue Code. All state agencies must retire state surplus property to WVSASP, unless otherwise exempt through state law.

The Federal Surplus Property program is the gateway to obtaining donated federal surplus property. Only Eligible Organizations can participate in the Federal Surplus Property program. This program allows WVSASP to apply for and receive surplus federal property on behalf of Eligible Organizations.

The Fixed Assets Program provides tracking guidelines for state agencies to maintain state-owned property. State agencies reporting to the Purchasing Division must, on or before July 15th of every year, file with the Purchasing Division a certification verifying that all reportable property in its possession as of the close of the last fiscal year was properly entered into the Fixed Asset System within wvOASIS. This deadline was moved to October 15th for Fiscal Year 2020 due to the COVID-19 pandemic.

The State Travel Management Office coordinates information relating to the Governor’s Travel Policy and travel-related contracts.

FY-2021 FACT SHEET**5) RECENT CHANGES TO ORGANIZATION:**

Matt Harper was promoted to Supervisor 3, Cheryl Cohen was promoted to Office Assistant 3, and Cody Rose was promoted to Inventory Control Associate.

6) CHALLENGES/OBSTACLES:

- Acquire/develop reporting tools that accurately affect the fixed assets program.
- Implementing its inventory system.
- As a self-sustaining agency, continue to grow the programs to generate revenue to cover expenses.

7) HIGHLIGHTS ABOUT AGENCY:

- WVSASP recently purchased a new point of sale system to invoice customers and track surplus inventory.
- Over \$1.2 million in federal surplus property was donated to West Virginia for federal Fiscal Year 2020.
- WVSASP hosts an annual open house to educate eligible organizations about the Surplus Property Program.
- WVSASP conducts an annual customer appreciation day and created a Facebook page to keep the public informed about what property is available through Surplus Property.

8) OTHER INFORMATION:

- Surplus Property, which is an organization under the Purchasing Division, is located at 2700 Charles Avenue in Dunbar, WV.
- Some agencies are exempted from Surplus Property's authority. These agencies include Higher Education, Division of Highways, and the Legislative and Judicial branches of state government.
- Surplus Property has the authority to sell state property to the public utilizing various methods of sale, including daily public sales, off-site sales, sealed bid, online sales or auctions.

9) LEADERSHIP:

WVSASP is organizationally structured under the Purchasing Division.

W. Michael Sheets, Director

William.M.Sheets@wv.gov

304-558-0492

Elizabeth Cooper, Surplus Property Manager

Elizabeth.J.Cooper@wv.gov

304-766-2626

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §5A-6, §5A-6B, and W. Va. Code §5A-7**1) PURPOSE/MISSION:**

The West Virginia Office of Technology (WVOT) provides leadership and oversight in driving West Virginia's technology strategy, while providing essential enterprise technology services to agencies across state government. Our mission is to enable state agencies to leverage protected technology in carrying out their purpose in service to our citizens, to businesses, and other interested parties in West Virginia. The growing integration and interdependency on technology that drives innovation, enhancements, and efficiencies in government operations and services only confirms WVOT's vital role in state government.

2) STAFFING:

Total number of filled positions: 215.5

Total number of vacancies: 80

3) KEY PERSONNEL:

- Chief Technology Officer (CTO)
- Deputy CTO (DCTO)
- Chief Information Security Officer (CISO)
- Chief Operations Officer (COO)
- Chief Financial Officer (CFO)

4) FUNDING/BUDGET:

Org: 0210

Funds: **2220 – WVOT/Information, Services & Communication (IS&C)**

Appropriated Special Revenue derived from technology support billed to other state agencies

FY2021 Budget \$39,321,583

2032- Central Mail Operations

Non-appropriated Special Revenue derived from mail operations billed to other state agencies

FY2021 Budget \$7,516,240

2222- Telecommunications

Non-appropriated Special Revenue derived from telecommunications services billed by outside providers to other state agencies

FY2022 Budget \$14,152,900

Org: 0231

Fund: **2531- WVOT**

Appropriated Special Revenue derived from fees associated with the IS&C Fund

FY2021 Budget \$709,787

Fund: 2532- supplemental SB 678

Re-appropriated Excess Lottery Funds

FY2019 Re-appropriated for FY2021 Budget \$10,798,301

FY-2021 FACT SHEET**5) CORE FUNCTIONS OF AGENCY:**

- To lead the State's technology strategy leveraging technology to improve and enhance government operations and services.
- To provide information technology enterprise services and support to executive and non-executive branch agencies, designed to leverage economies of scale, offering cost-efficient centralized technology services.
- Set standards for cybersecurity and charged with managing the cybersecurity framework.

6) RECENT CHANGES TO ORGANIZATION:

Under the leadership of CTO Josh Spence, the Office of Technology has implemented and accomplished a number of initiatives to improve and enhance the state's technology infrastructure, enterprise services, and cybersecurity posture. Some of the recent changes include the unification of the WV Library Commissions' technical staff, unification of the Division of Labor's technical staff, the reorganization of the ITC to become the ITAC which is now an advisory council. In addition, the Office of Technology has addressed a critical issue concerning enterprise data backup, started migrations to the new hosted voice telephony contract, leased floor space in a tier 3 data center for the Data Center 2.0 project, in the award phase for a contract to develop a cyber risk program, publishing an RFP for Infrastructure as a Service, and overhauled the CTO review process reducing operational expense and review time from approximately 40 days to approximately 4 days while ensuring accountability and efficiencies in technical procurements.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

Explore ways to update and streamline statutes that relate to the delivery of IT services to client agencies. Improve procurement law to enable flexibility of technical procurements.

8) CHALLENGES/OBSTACLES:

- The growing cyber threat presents critical cyber risk to the state: (1) in the potential loss of sensitive information and (2) the negative and prolonged impact on government services from a cyber attack.
- The competition with the federal government and private sector in hiring and retaining a qualified and capable cyber workforce presents a significant obstacle to the Office of Technology.

9) HIGHLIGHTS ABOUT AGENCY:

The WVOT supports:

- 23,000 users across nine departments
- 81 total service offered, categorized into seven core areas:
 - Application Development
 - Desktop Support/Technical Services
 - Project Management
 - Security Services
 - Servers/Storage
 - Email
 - Network/Telephony Support
- Servicing over 500 locations across the entire state

10) OTHER INFORMATION:

- The WVOT is responsible for providing leadership and direction of information technology for state government and is responsible for the administration of technology infrastructure for Executive Branch agencies.
- The WVOT directly supports the Governor's efforts to deliver critical services, streamline operations and reduce costs.

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II) LEADERSHIP:

Joshua D. Spence, Chief Technology Officer

304-558-8100

WV Office of Technology

1900 Kanawha Blvd. East

Bldg. 5, 10th Floor

Charleston, WV 25305

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §5A-10**1) PURPOSE/MISSION:**

The Real Estate Division (RED) provides a unified and fully integrated, professional real estate service. It has the following responsibilities: manage leases for state-owned and leased buildings; negotiate and renegotiate leases on behalf of agencies in role of lessee, and as Lessor in owned buildings; develop co-location and relocation plans for agencies; space programming and planning in facilities; project and construction management; and establish uniform and cost-effective guidelines for real estate practices.

2) STAFFING:

20 full time employees:

- 10 Real Estate (includes one vacant)
- 10 Parking (includes one vacant)

3) KEY PERSONNEL:

John K. McHugh, Executive Director
 Arlie Hubbard, Deputy Director
 Carolyn Flanigan, Operations Manager

4) FUNDING/BUDGET:

RED is funded through General Revenue appropriation and Special Revenue from Parking fees.

FY2021 Budget	\$1,451,739
57% General Revenue	\$ 831,866
41% Special Revenue from Parking	\$ 595,373
2% Special Revenue from PLC	\$ 24,500

5) CORE FUNCTIONS OF AGENCY:

The Real Estate Division administers 531 leases around the state totaling \$41 million annually. The rents are paid by the agencies as the tenant, while the RED is the lessee. The Department of Administration, General Services Division and the Real Estate Division are responsible for 31 state-owned buildings. RED is responsible for maintaining the leases for these buildings. The Auditor's Office collects \$20 million in rent annually on state-owned buildings. This money is forwarded to the General Services Division for building maintenance and service.

The Parking Section of RED is responsible for the following: collecting monthly fee of \$20 per parking space from each employee parking on the Capitol campus, totaling \$435,789; collecting all money from the parking meters, totaling \$55,730; collecting fines for parking citations, totaling \$33,321; collecting other monies for parking permits, placards, access cards, etc. totaling \$7,005; and overseeing the maintenance of all parking on the Capitol Complex.

Total revenue generated by the parking section for fiscal year 2020 is \$ 531,845.

6) RECENT CHANGES TO ORGANIZATION:

Arlie Hubbard was appointed Deputy Director, March 2020.

7) CHALLENGES/OBSTACLES:

RED must ensure compliance by state agencies with the provisions of RED's enabling statute, W. Va. Code §5A-

FY-2021 FACT SHEET

10-9, requiring the reporting of all property owned or leased by a state spending unit. RED must also continue to emphasize the full utilization of existing state office space whenever possible.

8) HIGHLIGHTS ABOUT AGENCY:

RED continues in its mission of moving state agencies from privately-owned office space into state-owned space. RED has also worked in partnership with wvOASIS to develop a reporting template to collect information from all state spending units on property that they own or lease and has provided an annual report to the governor and legislature.

9) OTHER INFORMATION:

Centralizing the office lease function in RED enables state agencies to save tax dollars spent in the private market. RED will generally only approve a 1%-2% annual rent increase from private landlords and strives for no increase; RED also conducts a market-rate analysis to ensure fair rental rates in the private sector; RED is also the agency directly responsible for ensuring that as a priority, agencies are housed in state-owned buildings whenever possible. This is essential for maintaining debt payments on state buildings, as well as providing much-needed revenues for the General Services Division as they address the challenge of repairing and maintaining these properties.

10) LEADERSHIP:

John K. McHugh, Executive Director

John.K.McHugh@wv.gov

304-558-3490 (o)

**BOARDS AND COMMISSIONS UNDER
THE AUTHORITY OF THE
DEPARTMENT OF ADMINISTRATION**

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §5A-1-11**1) PURPOSE/MISSION:**

Developing, implementing and monitoring a statewide program to assure state government compliance with 42 U.S.C. § 12101, et seq., the federal Americans with Disabilities Act.

2) POSITION:

Appointed by the Secretary of the Department of Administration with input from the chairpersons of The Developmental Disabilities Council, The Statewide Independent Living Council, The Mental Health Planning Council, and The State Rehabilitation Council.

3) RESPONSIBILITIES:

- Advise and train agency heads, managers, supervisors and agency disability directors on ADA compliance;
- Assist in formulating ADA rules and standards and investigate and resolve complaints regarding employment, education, housing and public accommodation;
- Consult and collaborate with state and federal agencies on ADA plan development;
- Represent the state on local, state and national committees and panels;
- Advise the Governor on ADA issues.
- Consult with state EEO officers on hiring persons with disabilities; and
- Inspect and advise the Real Estate Division on ADA issues with state owned and leased space.

4) CONTACT INFORMATION:**Kim Nuckles, ADA Coordinator***Kim.P.Nuckles@wv.gov***304-558-1247**

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §29-23-2**1) PURPOSE/MISSION:**

The West Virginia Boundary Commission investigates state, county and municipal boundary disputes when requested to do so by the Governor or the Legislature.

2) STAFFING:

There is no staff for the Commission.

3) FUNDING/BUDGET:

There is no funding for the Commission.

4) CORE FUNCTIONS OF AGENCY:

The Boundary Commission establishes boundary lines; employs a surveyor or engineer to survey such boundary; and contracts for the placement of monuments to identify any boundary line disputes.

5) OTHER INFORMATION:

The Commission is a third party which investigates and establishes boundary lines in a fair and accurate manner. The Commission has not needed to meet or act in recent history.

6) LEADERSHIP:

Misty Peal, Deputy General Counsel

Misty.Peal@wv.gov

304-558-4331

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code §5-22A-I, et seq. Design-Build Procurement Act

REGULATORY AUTHORIZATION: W. Va. Code of State Rules (148 CSR 11)

1) PURPOSE/MISSION:

The Design-Build Procurement Act was enacted to allow publicly funded projects to utilize the design-build delivery model of construction.

2) STAFFING:

The Department of Administration provides support staff to the Design-Build Board.

3) KEY PERSONNEL:

The Board is composed of the following:

- Two members must be contractors licensed in the state
- One member must be an architect licensed in the state
- One member must be a professional engineer licensed in the state
- One member shall represent labor
- Three members that represent the public-at-large
- Cabinet Secretary of Administration is an ex-officio member

4) FUNDING/BUDGET:

The Department of Administration received an appropriation in the amount of \$4,000.00 for payment of expenses of the members and costs incurred by the Secretary's office related to the Board.

5) CORE FUNCTIONS OF AGENCY:

The Design-Build Board must approve and monitor all projects owned, potentially owned or ultimately owned by any agency, state department, authority, quasi-public corporation and all political subdivisions that are to be constructed through the design-build method. All projects must meet the following criteria:

- Must have appropriate legal authority to enter into a contract;
- Must require a construction timeline that is faster than the traditional design-bid-build method;
- Must require close coordination of design functions and construction expertise;
- Must require early cost containment;
- Must provide a written plan for funding the project; and
- Must submit a written application for approval by the board.

6) CHALLENGES/OBSTACLES:

Turnover in membership on the Board has created difficulty with loss of institutional knowledge about the process and the role of the Board.

7) HIGHLIGHTS ABOUT AGENCY:

Governor Justice has appointed members to fill vacant seats on the Board.

8) LEADERSHIP:

Allan McVey, Cabinet Secretary of Department of Administration, serves as an ex-officio member of the Board.

Misty Peal, Deputy General Counsel

Misty.Peal@wv.gov.

304-558-4331

FY-2021 FACT SHEET

ENABLING STATUTE: W. Va. Code §5A-3A-3 through §5A-3A-6

REGULATORY AUTHORIZATION: Legislative rules governing the operation of the Committee are 186CSR1 through 186CSR5.

1) PURPOSE/MISSION:

Furthering the state's policy of encouraging disabled persons to achieve maximum personal independence by engaging in productive activities. Providing state agencies, institutions and political subdivisions with a method to purchase commodities and services offered for sale by nonprofit workshops outside of the usual Purchasing process.

2) STAFFING:

The Committee has six members that serve two-year terms that expire on the 31st day of January of odd-numbered years. Members are appointed by the Governor with advice and consent of the Senate. The Governor appoints the chairperson.

1. A private citizen conversant with problems related to employment of handicapped;
2. A representative of a producing nonprofit workshop;
3. A representative of the Division of Rehabilitation Services;
4. A representative of the Department of Administration;
5. A representative of private business knowledgeable of activities in sale of commodities and services; and
6. A representative of organized labor knowledgeable in employment of the disabled.

3) COMPENSATION:

Members that are not state employees shall receive compensation of \$50.00 a day for each day engaged in work for the committee; all members shall receive reimbursement for expenses with no geographical constraints.

4) CORE FUNCTIONS/RESPONSIBILITIES OF AGENCY:

Determining the fair market price of commodities, printing and services offered by the central nonprofit agency. Monitoring the activities, performance and records of the central nonprofit agency.

5) CONTACT INFORMATION:

Kim Nuckles, Chairperson

Kim.P.Nuckles@wv.gov

304-558-1247

FY-2021 FACT SHEET**ENABLING STATUTE:** W. Va. Code §5A-5-1**1) PURPOSE/MISSION:**

The Governor's Mansion Advisory Committee makes recommendations to the Governor for maintaining, preserving and replenishing of all articles of furniture, fixtures, decorative objects, linens, silver, china, crystal and objects of art used or displayed in the state rooms of the Governor's mansion.

2) STAFFING:

There is no staff associated with this committee. The statute states that the Governor designates a Chairman from the committee and the Secretary of the Department of Administration serves as secretary. However, this committee meets in conjunction with the West Virginia Mansion Preservation Foundation, Inc. Members of the Foundation are also members of the advisory committee and they elect the chairperson, secretary and treasurer. The Advisory Committee is composed of the following:

- Secretary of Administration or designee, ex-officio.
- Commissioner of Culture and History or designee, ex-officio.
- Spouse of the Governor or his/her designee, ex-officio.
- One member shall be a curator in the field of fine arts.
- One member shall be an interior decorator who is a member of the American Institute of Decorators.
- One member shall be a building contractor.
- One member shall represent the interest of the general public.

3) FUNDING/BUDGET:

There is no funding from the State. However, the Foundation has an account at a financial institution; current balance in the account is unknown.

4) CORE FUNCTIONS OF AGENCY:

The Committee makes recommendations regarding the décor, furnishings and arrangements best suited to enhance the historic and artistic values of the mansion. The Committee is required to file an annual report to the Governor and Legislature regarding the Committee's activities.

5) CHALLENGES/OBSTACLES:

The challenge to the Advisory Committee is that its mission and function are duplicative with other entities.

6) HIGHLIGHTS ABOUT AGENCY:

The Advisory Committee assures that the Governor's mansion is decorated in a fashion that preserves historic and artistic values and is appealing to those who visit the mansion.

7) OTHER INFORMATION:

The Committee has not met for some time.

8) LEADERSHIP:

Allan McVey, Cabinet Secretary of Department of Administration, serves as an ex-officio member of the Advisory Committee.

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