

# **Pittsylvania County Personnel Policies Manual**

**Adopted by the  
Board of  
Supervisors**

**May 2, 2016**

## TABLE OF CONTENTS

	Page
<b>Section 1: Introduction .....</b>	<b>6</b>
1.1 Purpose of Personnel Policies .....	6
1.2 Applicability of Policies .....	6
1.3 Dissemination of Policies .....	7
1.4 Definitions .....	7
<b>Section 2: Qualifications for Employment.....</b>	<b>8</b>
2.1 Equal Employment Opportunity and Accommodation .....	8
2.2 Outside Employment .....	8
2.3 Physical Standards .....	9
2.4 Employment Investigations .....	9
2.5 Form of Application .....	9
2.6 Other Standards for Employment .....	9
2.7 Code of Conduct for Public Service to Pittsylvania County .....	9
2.8 Dress Code .....	11
2.9 Anti-Nepotism Policy .....	12
2.10 Pre-Employment and Application Procedures .....	12
2.11 Immigration Law Compliance .....	13
<b>Section 3: Appointments .....</b>	<b>13</b>
3.1 Vacancies .....	13
<b>Section 4: Classification of Positions .....</b>	<b>14</b>
4.1 Classification Plan .....	14
4.2 Coverage .....	14
4.3 Assignment of Positions .....	14
4.4 Reclassification and/or Grade Changes .....	14
4.5 Classification of New Positions .....	14
<b>Section 5: Pay of Employees .....</b>	<b>15</b>
5.1 Compensation and Classification Definitions .....	15
5.2 Pay Plan .....	15
5.3 Approved Schedule of Rates of Pay .....	15
5.4 Administration of Pay Plan .....	15
5.5 New Employees .....	16
5.6 Promotions .....	16
5.7 Reinstated/Rehired Employees .....	16
5.8 Part Time Employment .....	16
5.9 Transfer .....	16
5.10 Demotions .....	16
5.11 Pay and Allowances .....	16
5.12 Overtime Compensation .....	16

5.13	Emergency Call Back Policy .....	17
5.14	On Call Policy .....	17
5.15	Deductions.....	17
5.16	Deductions on Termination .....	18
5.17	Administrative Responsibility .....	18
<b>Section 6: Employee Leave .....</b>		<b>18</b>
6.1	Vacation Leave .....	18
6.2	Sick Leave.....	20
6.3	Hybrid Leave .....	23
6.4	Bereavement Leave .....	25
6.5	Injury Leave .....	24
6.6	Personal Leave .....	25
6.7	Inclement Weather and Emergency Delays, Closures and Cancellations.....	25
6.8	Compensatory Time Off .....	27
6.9	Court Leave .....	27
6.10	Military Leave .....	28
6.11	Leave without Pay .....	29
6.12	Administrative Leave .....	29
6.13	Holidays .....	29
6.14	Pay in Lieu of Earned and Unused Leave at Termination .....	29
6.15	Civic and Volunteer Leave .....	30
6.15	Family and Medical Leave .....	30
<b>Section 7: Separations and Discipline .....</b>		<b>32</b>
7.1	Voluntary Separations .....	32
7.2	Discipline .....	32
7.3	Causes for Suspension, Demotion or Dismissal .....	33
7.4	Suspension and Minor Disciplinary Measures .....	34
7.5	Disciplinary Procedure .....	34
7.6	Resignation .....	35
7.7	Layoff .....	35
7.8	Retirement .....	35
7.9	Exit Interview and Re-employment .....	36
7.10	Employee Termination Protocol .....	36
7.11	Early Retirement Incentive Program .....	36
<b>Section 8: Employee Benefits .....</b>		<b>38</b>
<b>Section 9: In-Service Activities .....</b>		<b>40</b>
9.1	Job-related Training .....	40
9.2	Educational Benefits .....	40
<b>Section 10: Employee Assistance Program Policy Statement .....</b>		<b>41</b>
<b>Section 11: Drug-Free Workplace .....</b>		<b>42</b>
11.1	Purpose .....	42
11.2	Covered Workers .....	42
11.3	Applicability .....	42
11.4	Prohibited Behavior .....	42

11.5 Notification of Convictions .....	42
11.6 Searches .....	42
11.7 Drug Testing .....	43
11.8 Consequences .....	43
11.9 Return-To-Work Agreements.....	44
11.10 Assistance.....	44
11.11 Confidentiality .....	44
11.12 Shared Responsibility .....	44
11.13 Communication .....	45
<b>Section 12: Tobacco Use Policy.....</b>	<b>45</b>
12.1 Policy .....	45
12.2 Definition .....	45
12.3 Authority .....	45
<b>Section 13: Solicitation .....</b>	<b>45</b>
<b>Section 14: Anti-Fraternization .....</b>	<b>46</b>
<b>Section 15: Harassment.....</b>	<b>46</b>
15.1 Sexual Harassment .....	46
15.2 Violations .....	47
15.3 Retaliation .....	47
15.4 Violence Prevention .....	47
<b>Section 16: Grievance Procedure .....</b>	<b>48</b>
16.1 Grievance .....	48
16.2 Coverage of Personnel .....	49
16.3 Steps of the Grievance Procedure.....	49
16.4 Grievability and Access .....	50
16.5 General Terms.....	50
16.6 Compliance .....	51
<b>Section 17: Employee Evaluation .....</b>	<b>51</b>
17.1 Form .....	51
<b>Section 18: Travel and Expense Policy.....</b>	<b>51</b>
18.1 Purpose .....	51
18.2 General.....	52
18.3 Meal Allowance .....	52
18.4 Mileage Reimbursement .....	52
18.5 Non-Reimbursable Travel Expenses .....	52
<b>Section 19: Health and Safety .....</b>	<b>52</b>
19.1 Occupational Safety and Health .....	52
19.2 Self-inspection Safety Program .....	53
19.3 Accident or Injury Incident Investigation Program .....	54
19.4 Workers' Compensation .....	55
19.5 Return-to-work Policy .....	56
19.6 Vehicle Safety Policy and Driver Requirements .....	57

**Section 20: Electronic Communications Equipment ..... 59**  
    20.1 County Computer Usage..... 59

**Section 21: Political Activity ..... 60**

**Section 22: Severability and Modifications ..... 60**

**Section 23: Credit Card Policy.....60**  
    23.1 Purpose.....60  
    23.2 General Requirements to Use Credit Cards ..... 60  
    23.3 Card Issuance ..... 61  
    23.4 Security ..... 61  
    23.5 Unauthorized and Inappropriate Use ..... 61  
    23.6 Disciplinary Action ..... 61  
    23.7 Credit Card Accountability ..... 61  
    23.8 Documentation, Reconciliation, and Payment Procedures ..... 62  
    23.9 Periodic Review ..... 62

**Section 24: Record Keeping Policy.....62**

**Section 25: Employee Service Awards & Recognition.....64**

**Section 26: Internship Program.....64**

**The most current addition of this manual can be found  
on the County website at:**

[www.pittsylvaniacountyva.gov](http://www.pittsylvaniacountyva.gov)

## PITTSYLVANIA COUNTY, VIRGINIA PERSONNEL POLICY MANUAL

### 1. INTRODUCTION

#### 1.1 PURPOSE OF THE PERSONNEL POLICIES

It is the policy of the Pittsylvania County Board of Supervisors to establish:

The following policies, regulations, and other administrative provisions for personnel administration by the Board of Supervisors for Pittsylvania County for the information and guidance of all County employees.

- A. To provide equitable conditions of employment for County employees;
- B. To establish and maintain uniform standards of employment and compensation; and,
- C. To provide assistance to department directors and supervisors in their administration of personnel matters.

The Pittsylvania County Personnel Policies Manual establishes general County policies and procedures to be used by all County employees covered by the Manual and provides a description of the County's benefits and the general County policies pertaining to benefits provided to employees. Policies may not always be aligned with all individual circumstances and there may be situations which may require interpretation of existing policies or a ruling in conjunction with an employee action related to the policies. If such interpretations are necessary, procedures for such interpretations are established and interpretations shall be made in keeping with the intent of the policies and procedures.

**This manual is not and shall not be construed as an explicit or implied contract of employment for a specific period of time, shall not modify any existing "at will status" of any County employee, and shall not create any due process requirement in excess of Federal or State Constitutional or Statutory requirements.** The term "at-will" means employees can terminate or be terminated at will. Exceptions are employees having written contracts signed by the administrator.

From time to time, conditions or circumstances may require the County to make changes, additions, or deletions to the policies and benefits provided in this Manual. When changes to the policies and benefits of the County are made, employees will be notified of the new or revised policies or benefits within a reasonable time.

Due to the scope of the County's operations all benefits and policies cannot be specifically set forth in this Manual, and written notices may be circulated or new policies may be communicated verbally from time to time. In addition, there may be special policies applicable to particular departments with which employees in particular should be familiar. No member of the County Administration, other than the County Administrator (with consent of the Board of Supervisors), has the authority to modify any of the terms or provisions of this Manual. The policies as a whole, or individually by section, may be modified, amended, or rescinded at the sole discretion of the County without notice.

The personnel policies set forth in this Manual supersede all previous personnel policies and serve as the official personnel policies of Pittsylvania County, Virginia.

The masculine pronoun as used in this Manual is intended to apply to both genders.

#### 1.2 APPLICABILITY OF POLICIES

The policies herein established shall apply to all employees of the County except the following:

- A. Employees of the Pittsylvania County Public Schools
- B. Any employee specifically exempted by action of the Board of Supervisors; and
- C. Constitutional Officers and their appointees not specifically covered by the latest revised Cooperative Agreement.

The Board of Supervisors has the authority to take appropriate action in dealing with cases of violation of the established policies. No employee can be exempted from the grievance procedure contained herein with the exception of Constitutional Officers, those identified in Section 1.2 of this policy, and those identified in Section 16.2 of this policy.

In any case where an employee is working for a board established by the Pittsylvania County Board of Supervisors, with the authority to make policy for that department, then where reference herein is made to the Board of Supervisors, that department's name should be inserted; and where reference is made to County Administrator, the name of the director of that department should be inserted. It should be noted that boards established by the Board of Supervisors do not have authority to change County policy. Rather, such boards only have authority to act on those matters that specifically allow decisions or interpretations as defined in this Manual.

The policies herein established shall apply to appointees of the County's Constitutional Officers to the extent agreed upon by the respective Constitutional Officers, and the Board of Supervisors and as documented in any Cooperative Agreements that may be agreed to by all parties and adopted by the Board of Supervisors.

### 1.3 DISSEMINATION OF POLICIES

The County Administrator will make public complete copies of all policies and changes thereto, and shall be responsible for maintaining complete current policies. Employees will be provided with various changes and updates. In addition, a copy shall be maintained in the office of each department director. Each County employee shall be given a copy of the personnel policies upon adoption of these policies by the Pittsylvania County Board of Supervisors. Future employees shall receive a copy of the current personnel policies when they begin their employment service with the County. All employees will acknowledge receipt of these policies via a signed and dated statement, which will be maintained within the employee's personnel file. The statement shall include the employee's confirmation that these policies have been read and are understood by the employee. The Personnel Policies Manual shall be available for review by any employee or the public during the County's regular business hours.

### 1.4 DEFINITIONS

Where used within this Manual, the following words and terms shall have the meaning indicated below:

- A. **ALLOCATION.** The assignment of an individual position to an appropriate class of positions on the basis of the kind, difficulty, required skill, and responsibility of the work performed.
- B. **APPOINTING AUTHORITY.** That officer or body having authority under the ordinances of the County to make appointments to positions. Unless otherwise specified, the appointing authority shall be construed to be the Pittsylvania County Board of Supervisors.
- C. **APPOINTEE.** A term used by the Constitutional Offices to designate those who work at the pleasure of the Constitutional Officer. The term "employee" as used in this Manual also applies to the appointee except where otherwise designated.
- D. **CLASS.** A position or group of positions which are sufficiently alike in job evaluation factors (such as duties performed, degree of supervision, required minimum requirements of education, experience or skill and other such characteristics) to be equitably assigned the same class title, same or similar qualification requirements, the same skill level, the same test of fitness and the same salary range.
- E. **CLASSIFICATION.** The entire process of assigning and reassigning individuals to positions and positions to classes and classes to grades to the end that employees will be employed and compensated on the basis of merit, fitness, and actual duties performed so that there may exist equal pay for equal work.
- F. **CLASS DESCRIPTION.** A written description of a class of positions containing a title, statement of typical duties, responsibilities, and minimum or desirable qualifications for applicants or incumbents to insure satisfactory performance.
- G. **DEMOTION.** The change of an employee from a position in one class to a position in another having a lower pay grade and requiring the performance of less responsible duties.

- H. **GRADE OR PAY GRADE.** The numerical designation of a fixed salary range assigned to a position, class or group of classes.
- I. **IMMEDIATE FAMILY.** Includes: the father, mother, child, spouse, father-in-law, mother-in-law, grandparent, grandchildren, stepparent, stepchild, brother/stepbrother, sister/stepmother, grandparent, of spouse, or any relative living in the household of the employee.
- J. **MERIT INCREASE.** Advancement in pay of an employee to a higher step in the pay grade based upon satisfactory display of merit in performance of duties and not requiring a change in basic duties.
- K. **POSITION DESCRIPTION.** A detailed written description of the specific duties assigned to and performed by a particular employee to serve as the basis for classification.
- L. **PROBATIONARY PERIOD.** A working test period, presently established by the department head at the time of hiring, not to exceed twelve (12) months, during which an employee is required to demonstrate by actual performance, fitness for the appointed duties, and general fitness and suitability as a public employee. The probationary period may be extended if approved by the department head and the county administrator. Employees dismissed during their probationary period do not have the right to use the appeal procedure outlined in Section 16.
- M. **Normal Work Week.** The total number of hours expected to be worked by an employee in a seven day period is considered the normal work week. The number of hours varies by department.

## 2. **QUALIFICATIONS FOR EMPLOYMENT**

### 2.1 **EQUAL EMPLOYMENT OPPORTUNITY AND ACCOMMODATION**

It is the policy of Pittsylvania County to provide equal opportunity in employment and to administer employment policies without regard to race, color, religion, sex, age, national origin, or disability. Pittsylvania County is an equal opportunity employer that strives to adhere to the provisions of the Equal Opportunity Act with the goal of maintaining and promoting equal employment opportunity for all employees and applicants for employment. This policy applies to every aspect of employment practices including, but not limited to the following:

- A. Recruiting, hiring and promoting in all job classifications without regard to race, color, religion, sex, age, national origin, political affiliation, or disability except where such a factor can be demonstrated as a bona fide occupational qualification.
- B. All decisions for hiring or promotions shall be based solely upon each individual's qualifications for the position to be filled.
- C. Other personnel actions such as compensation, benefits, transfers, layoffs, training, assignments, will be administered without regard to race, color, religion, national origin, sex, age, political affiliation, or disability.
- D. Reasonable accommodations will be provided to a qualified employee or applicant with a disability when that employee or applicant requests an accommodation. A qualified employee or applicant is one who is able to perform the essential functions of the job with or without accommodation. A request for an accommodation will be denied if the accommodation is not shown to be effective, places an undue burden on the County or if the employee poses a direct threat to the health and safety of himself or others.

### 2.2 **OUTSIDE EMPLOYMENT**

Pittsylvania County considers itself to be the primary employer for all employees who are not temporary or relief, and requires that activities away from the job must not adversely affect the employee's primary job performance or compromise the County's interests through conflicts of interest, or the appearance of conflicts of interest.

Before seeking or accepting outside employment, employees are cautioned to consider carefully the demands that such additional employment will create. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, refusal to travel, or refusal to work overtime or different hours.

The employee shall notify the Department Head **in writing** when he is involved in outside employment.

In addition, employees are not to conduct any business related to outside employment during County paid working time. Conflicting outside employment shall be grounds for disciplinary action up to and including dismissal.

### **2.3 PHYSICAL STANDARDS**

Applicants for employment and employees may be required to have a physical examination at any time and, (as a condition to employment) must meet the physical standards, with or without accommodation, established for the position for which they apply.

### **2.4 EMPLOYMENT INVESTIGATIONS**

All applicants interviewed for employment must provide two acceptable forms of identification per federal law. Pittsylvania County will participate in the E-Verify system as regulated by the Department of Homeland Security.

When required by a department, an applicant may be fingerprinted to determine his criminal record, if any, prior to being considered for employment or after hire date as may be required to comply with standards as set forth by local, state, or federal government. All pre-hire inquiries will be limited to those applicable to the position for which the applicant is applying and will be job related.

All applicants will be subject to a criminal background check, drug test, reference check, and educational background check. Applicants may be subject to optional tests considered necessary for the position applied for, including a Department of Motor Vehicle record check, a polygraph examination, psychological tests, credit reports where appropriate, and other bona- fide pre-employment investigations.

Various departments, where the handling of cash is necessary, may periodically require employee credit checks at a manager's recommendation, if approved by the County Administrator.

Seasonal and temporary employees will be tested as necessary for the position.

### **2.5 FORM OF APPLICATION**

All applicants for employment must fill out and furnish complete information on the application form established for the class of positions for which they apply. Such forms shall include information relative to residence, training, experience, references, and other pertinent information, and may require certificates of one or more examining physicians, a photograph, and fingerprints.

### **2.6 OTHER STANDARDS FOR EMPLOYMENT**

Where other standards or requirements for a particular position are established, all applicants shall be required to meet those standards as condition of employment.

### **2.7 CODE OF CONDUCT FOR PUBLIC SERVICE TO PITTSYLVANIA COUNTY**

Pittsylvania County requires that employees follow this "Code of Conduct for Public Service to Pittsylvania County," reflecting the highest ethical standards and promoting public confidence in County government. This policy is not intended to supersede more stringent codes of conduct adopted by individual departments or offices.

This Code shall be operative in all instances covered by its provisions except when superseded by an applicable statutory or other provision and statutory or other action is mandatory, or when

the application of a statutory or other provision is discretionary, but determined to be more appropriate or desirable.

The effective operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made through the proper channels of the governmental structure; that public office not be used for personal gain; and that the public has confidence in the integrity of its government.

The purpose of this Code is to establish standards of ethical conduct for employees by setting forth those acts or actions that are incompatible with the best interests of the County. The provisions and purpose of this Code and accompanying rules and regulations are established in the best interests of Pittsylvania County.

- A. **Responsibilities of Public Office** - Public employees are agents of the citizens and are entrusted to pursue the public good at all times. As such, they are expected to display the highest degree of integrity and are bound to uphold the Constitution of the Commonwealth of Virginia and to carry out impartially the laws of the nation, state, and County; thus fostering respect for all government. They are bound to observe in their official acts the highest ethical standards and to discharge faithfully the duties of their office regardless of personal considerations with courtesy and respect, always recognizing that the public interest must be their primary concern.
- B. **Dedicated Service** - All County of Pittsylvania employees are expected to be loyal to the objectives expressed by the electorate through the Board of Supervisors. Employees shall adhere to the rules of work and performance established as the standard for their positions. Employees shall not exceed their authority, breach the law or ask others to do so, and shall work in full cooperation with other employees and departments unless prohibited from so doing by law or by officially recognized confidentiality concerns.
- C. **Fair and Equal Treatment** - No employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

No employee shall use or permit the use of County-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally, or are provided as public policy for the use of such employees in the conduct of official business.

- 1. **Conflict of Interest** - As provided in Title 2.1 of the Code of Virginia ("The Virginia Conflict of Interests Act") no employee shall engage in any private financial or other interest which might impact the performance of his official duties. Employees are also bound by the additional guidance outlined below:
  - a) **Incompatible Employment:** No employee shall engage in or accept other employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or would impair his/her independent judgment or action in the performance of his official duties. With Department Head's approval, employees may engage in other employment that does not interfere with or present a conflict of interest with County employment;
  - b) **Disclosure of Confidential Information:** No employee shall, without proper authorizations, disclose confidential information concerning the property, government, or affairs of the County, which would advance the financial or other special interest of himself or others;
  - c) **Gifts and Favors:** No employee shall accept any gift or favor of more than nominal value, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation, intended to, or which may, influence him in the discharge of his duties; and
  - d) **Representing Private Interests before County Agencies or Courts:** No employee shall represent his own or any other private interest before any agency of the County,

unless he is doing so as a member of a civic organization, or is speaking on an issue of general public interest;

2. **Consequences of Violation** - Violation of any section of this policy may constitute a cause for disciplinary action up to and including dismissal.

## 2.8 DRESS CODE

Pittsylvania County is a public service delivery organization and expects all employees to dress appropriately for a business environment and in keeping with his work assignment. Public image plays an important role in developing and maintaining support for the organization. To maintain the confidence and respect of the citizens of Pittsylvania County, each employee must exercise good judgment and professional decision-making in choosing workplace attire.

- A. **Objective** - To establish clear guidelines regarding employee attire, taking into account the variety of work assignments.
- B. **General Guidelines** - The following guidelines establish the general expectations regarding employee attire. Every employee is expected to exercise good judgment in dressing appropriately for his work assignment. The following list is not intended to include every possible scenario but provides guidelines for employee and supervisory decisions.
  1. Clothing, jewelry, and accessories must not create a safety hazard for the employee or others;
  2. All clothing must be in good condition without holes, excessive wear, or staining from use or design;
  3. Clothing shall not display implied or stated profanity, advertisements or logos for alcohol, tobacco products and/or illegal, racial, or sexual connotations;
  4. Political endorsements may not be worn on clothing, badges, or any other ways that are visible to the public;
  5. Employees shall be clean, well-groomed and demonstrate acceptable personal hygiene;
  6. Appropriate undergarments must be worn;
  7. Employees shall not normally wear jewelry in facial and/or tongue piercing(s);
  8. Excessive or offensive (profanity, nudity, illegal acts, racial/ethnic slurs) tattoos must not be visible; and
  9. Appropriate footwear must be worn.
  10. Due to allergies and sensitivities of co-workers and the public, employees shall refrain from wearing or using products containing fragrances.
- C. **Prohibited Clothing** - The following clothing is not acceptable for employees at any time and shall not be worn except in the case of approved field/operational attire or as noted in the Exceptions section:

Leggings (except underneath an appropriate lower body garment such as skirts, shorts, or pants);

Excessively short skirts and shorts; Bedroom slippers;

Flip-flops; Sweat Pants;

Wind Suits /Jogging Suits;

Tank Tops, Halter Tops, Tube Tops; and

Head gear worn indoors (hats, caps, headphones, bandannas, etc.)
- D. **Direct Service Delivery Assignments**

Employees working in direct service delivery assignments, such as uniformed public safety positions, public works, inspections, or other operational field capacities may be issued workplace uniforms that shall be worn while performing official duties. The style and material of the uniforms shall be determined by the department. When uniforms are not issued, departments shall determine the appropriate attire for field or direct service delivery staff, taking into account the general guidelines of this policy.

Employees shall not post pictures showing themselves in uniform or links to such pictures on any non-County Internet website or electronic media not related directly to their specific job function.

E. Administrative Assignments

The County supports “business casual” dress Monday through Thursday for administrative employees, i.e. those employees working in an office environment. Business casual is a form of attire that is more traditional and typically includes slacks and shirts or suits for men and slacks/skirts with blouses and dresses or suits for women. Directors and department heads retain the right to require more formal business-like attire based on the needs of the department or division. Business casual does not include blue jeans pants, t-shirts, sweatshirts, or bib pants/overalls.

The County also supports “casual” dress on Fridays (or the last workday of a shortened workweek). Casual dress is a form of attire that is more relaxed and normally associated with leisure time. Casual dress typically includes less formal clothing such as blue jeans, sweatshirts, and t-shirts.

F. Exceptions

Directors shall retain the right to consider unique situations and may approve alternate employee attire for a variety of reasons.

G. Consequences

Employees are expected to abide by the provisions of the dress code policy and shall be held accountable for decisions that do not meet the guidelines. When an employee’s attire does not meet expectations, the immediate supervisor shall first discuss the matter with the employee to ensure that the employee understands the policy and its application. If the employee refuses to change his attire and/or fails to comply with the dress code, the supervisor may initiate disciplinary action in accordance with Pittsylvania County’s disciplinary policy.

**2.9 ANTI-NEPOTISM POLICY**

Except as provided herein, no applicant shall be hired, reinstated, reemployed, transferred, promoted, or demoted to a position which places him or her in a direct supervisory role with a family member.

This prohibition may be extended to positions in which the duties involve access, review, verification, authorization, or approval of the transactions of family members in financial, personnel, purchasing, or other sensitive matters, even though the respective functions are in different departments. Such positions will be identified by the affected department head or designee, with the approval of the County Administrator.

For the purposes of this anti-nepotism policy, “family member” is defined as spouses, parents, in-laws, children, and siblings, including step-parents and siblings, half-siblings, and including grandparents and grandchildren, and aunts, uncles, nieces and nephews, and first cousins. Such relationships include those legalized by adoption.

If a change occurs which causes employees to come into conflict with this policy, one of the employees shall be transferred to a vacant position, if available. In the absence of an agreement, by the affected parties, the employee with the lower (pay) grade or if the same grade, the employee with the fewest years of County service, will be transferred.

The Personnel Officer for the department shall ensure that this policy is enforced when making recommendations for employment, promotions, transfers or demotions.

The County Administrator or Board of Supervisors may approve written requests to interpret or waive this policy, when it is in the best interest of the County to do so as provided by the Code of Virginia.

## **2.10 PRE-EMPLOYMENT RECRUITMENT AND APPLICATION PROCEDURES**

The Human Resources Department develops, and maintains effective recruitment procedures that attract candidates who possess the education, skills, and abilities to meet the current and future needs of Pittsylvania County. When a position is to be filled from outside of the department, the department manager will notify the Human Resources Manager of the need to advertise the position and seek qualified applicants for employment. No person will be hired or promoted into a position unless that position is a funded vacant position as approved by the County Administrator.

Vacant positions may be filled by recruitment from inside and/or outside sources as determined appropriate in coordination with the selecting department manager or designee. Vacancies may also be advertised with the local Virginia Employment Commission, newspapers, electronic media, other government agencies, journals or other appropriate sources. All posted position vacancies can be viewed online at any time at <http://www.pittsylvaniacountyva.gov/>.

When a vacancy occurs, or the County Administrator approves a new position, normally, vacancies shall be advertised concurrently internally, and externally and posted for a minimum of ten (10) days. Applications will be accepted only for posted positions. However, high turnover positions may remain continuously under recruitment in order to maintain pools of qualified candidates, and to quickly fill such positions as vacancies occur. Pittsylvania County supports cross training and promotion from within, when appropriate, internal applications will be considered first. If no internal application is selected to fill the position, outside applicants will be considered. Positions are posted on the bulletin board located in the County Administration Building.

Managers at each work site are responsible for posting notices of vacancy at their facility. In the interest of public welfare and safety, before an employment offer can be extended, an applicant must be able to perform the essential functions of the job with or without reasonable accommodations. Medical examinations may be required depending on the duties of the position. The application process may also include examinations, such as personal reference checks, criminal history, child abuse registry, alcohol and drug testing, skill testing, written examinations, personal interviews and other testing as determined appropriate and lawful. If other testing is determined to be appropriate, in such case, all applicants for that position will be administered the same test uniformly.

Some positions require the operation of Pittsylvania County owned motor vehicles as a function of the job. Applicants will be required to provide a copy of their valid driver's license, and Division of Motor Vehicles driving record, and where necessary, a copy of the applicant's Commercial Driver's License. Employees must report any restrictions, limitations, or loss of their driving privileges to their supervisor. Applicants will be required to grant permission to Pittsylvania County management to conduct background investigations, and state criminal history checks not to violate any federal or state equal opportunity law or regulation. All applicants for Pittsylvania County employment will be informed of the Drug Free Work Place Policy Section 11, and will be required to undergo a drug screen upon offer of employment and prior to final appointment.

Due to the length of time required to complete certain background investigations, a conditional offer of employment may be extended, subject to the successful completion of the investigation. Pittsylvania County does not discriminate unlawfully against persons who have been convicted of criminal offenses. A prior conviction does not automatically exclude an applicant from employment with Pittsylvania County. The nature and the offense of a past conviction is weighed and considered in relation to the duties of the vacant position. Department/division managers will review applicants for vacant positions in their department and will make recommendations for employment to the Human Resources Manager. The Human Resources Manager will review the department/division manager's decision, and check references on the selected applicant. The Human Resources Manager will then present the information to the County Administrator for final approval.

## **2.11 IMMIGRATION LAW COMPLIANCE**

Pittsylvania County complies with the Immigration Reform and Control Act of 1986 and is committed to employing only United States citizens, and aliens who are authorized to work in the United States.

## **3. APPOINTMENTS**

### **3.1 VACANCIES**

All full-time and regular part-time vacancies to be filled shall be publicized. The Human Resources Department shall maintain an advertising distribution list, which shall be used to maximize the application pool.

#### **A. Employment Applications**

1. Persons seeking to apply for employment with the County shall be referred to the Human Resources Department. The County relies upon the completeness and accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the selection process and during County employment. Therefore, applicants and employees are hereby notified:
  - a) All employment information shall be current, accurate and complete.
  - b) Any misrepresentations, falsifications or material omissions on the County application may result in the County's exclusion of the individual from further consideration for employment.

## **4. CLASSIFICATION OF POSITIONS**

### **4.1 CLASSIFICATION PLAN**

The County Classification Plan ("Classification Plan") has been established and shall be maintained by County Administration. No deviation shall be made from the plan except where circumstances warrant. Under these circumstances, the plan itself or the classification of a particular class or grade of positions may be amended with the approval of the Board of Supervisors.

### **4.2 COVERAGE**

The Classification Plan shall cover all positions included under Section 1.2 of this Manual.

### **4.3 ASSIGNMENT OF POSITIONS**

The County Administrator or his designee, in consultation with affected department heads, shall make all assignments of positions to classes and grades and to salary ranges. Positions, which are sufficiently alike in duties and/or responsibility, will be accorded the same pay scale. The County Administrator or his designee shall allocate each position covered by the classification plan to its appropriate pay scale, subject to approval of the Board of Supervisors.

### **4.4 RECLASSIFICATION AND/OR GRADE CHANGES**

Department heads shall be responsible for bringing to the attention of the County Administrator or his designee any material change in the nature of duties, responsibilities, working conditions, or other factors affecting the classification of any position. Following the receipt of such information, the County Administrator, in consultation with the affected department head, shall restudy the position and determine if the classification should be changed. No person shall be appointed, promoted, demoted, transferred, or paid in any position until the position has first been established by the Board of Supervisors.

### **4.5 CLASSIFICATION OF NEW POSITIONS**

The County Administrator or designee shall be responsible for the allocation of new positions to the existing classes or to new classes of positions in County service, subject to review and approval of the Board of Supervisors.

**5. PAY OF EMPLOYEES**

**5.1 COMPENSATION AND CLASSIFICATION DEFINITIONS**

- A. **PAY PERIOD** - The County's regular pay period is semi-monthly. The normal pay day is the 15th of the month and the last working day of the month.
- B. **FULL TIME** – Those employees who work thirty (30) hours or more in a week are eligible for all County benefits. Vacation leave benefits are available six (6) months after accrual.
- C. **PART TIME** - Those employees who work twenty-nine (29) hours or less per week are paid on an hourly basis are not eligible for County benefits other than personal leave hours and the Employee Assistance Program (EAP). Employees earn 29 hours of personal leave; leave is calculated as follows:

Eligibility Period	Personal Leave Hours
Hired July 1 through December 31	29
Hired January 1 through June 30	14.5

Hours do not roll over if promoted to a full-time position. Employees who have accrued leave benefits will have leave balances grandfathered in without further accrual upon adoption of this policy by the Board of Supervisors. Personal leave is not carried over each year, and is not payable upon resignation/termination of employment. Leave is available after six (6) months of employment, and can be taken in half-hour increments. Work schedule must be a minimum of 20 hours per week to earn personal leave hours.

- D. **TEMPORARY** – Those employees engaged to work full-time or part-time with the understanding that their employment will be terminated no later than the completion of a specific assignment. Temporary employees are not eligible for County benefits, other than workers' compensation and the Employee Assistance Program (EAP).
- E. **SALARY** - Employee salaries will be reviewed at least annually and employee performance will be discussed with the employee by his supervisor or department head. Funds for increases are determined by the Board of Supervisors and will be determined at least in part by the employee's performance evaluation and will be in accordance with the County's adopted salary schedule.
- F. **WORK DAY** - The normal work day in Pittsylvania County may be 8 hours per day for most employees, depending on department and work situation.

The normal work day is 8:00 to 5:00 P.M. but the schedule may be adjusted by the Department Head with the approval of the County Administrator to establish a flexible work schedule for employees. Starting and stopping times and shift lengths may also vary in some departments, such as the Sheriff's Office and Emergency Services, which operates with an independent work schedule consistent with the service needs of the County. Employees are expected to be at their work station and ready for work at the starting time, unless prior arrangements have been made.

The Board of Supervisors reserves the right to adjust the number of hours worked for all employees in accordance with the provisions of the federal Fair Labor Standards Act. If circumstances arise which will cause an employee to be late in reporting to work, the employee should notify his supervisor as soon as he become aware of the delay. Do not have someone call for you unless it is absolutely necessary, as your supervisor needs to know your status as soon as possible.

- G. **LUNCH AND BREAKS** - Lunch times will vary from department to department, but normally are scheduled for one hour. Morning and afternoon breaks of fifteen (15) minutes are provided to each employee.
- H. **EMERGENCY SERVICE** - Each County employee has a special responsibility to the citizens of Pittsylvania County. As part of this responsibility, service outside of the normal working hours may be required during a state of emergency. All County employees should be

prepared to receive special assignments. When emergency service results in overtime work, employees will be compensated, in accordance with the overtime provisions.

## **5.2 PAY PLAN**

For each class of position, a salary range shall be assigned which includes a minimum and maximum salary step, selected from the schedule of pay steps included in the County's pay schedule. Each salary range will consist of a selected number of pay steps which may vary from position to position based upon the amount of time deemed necessary for an employee to reach the maximum salary level. In arriving at salary ranges, consideration shall be given to prevailing rates for comparable work in other public employment and relevant private business, the current cost of living, responsibilities of the position, and the County's financial condition and policy.

## **5.3 APPROVED SCHEDULE OF RATES OF PAY**

The pay schedule consists of a series of standard approved pay ranges. For each class of positions, the range will be authorized as provided by Section 5.4 of the County's Personnel Policies Manual; the salary range will consist of annual salary rates from this schedule.

## **5.4 ADMINISTRATION OF PAY PLAN**

It shall be the intent of this plan, as long as it is financially feasible that each employee will receive merit pay annually, if the evaluation performance is satisfactory or better, until the employee reaches the maximum rate for the classification in which he or she is assigned, or until placed in another classification.

## **5.5 NEW EMPLOYEES**

Generally, a new employee shall be paid the minimum rate of pay for his class. The minimum rate for each class is based upon the assumption that a new employee meets the minimum qualifications stated in the class specification.

When a new employee more than meets the minimum qualifications, he may be appointed at a higher step.

## **5.6 PROMOTIONS**

When an employee is promoted to a position in a higher class his salary shall be increased to at least the minimum rate of the higher class. In the cases of overlapping ranges, the promoted employee shall be increased to the step which accurately reflects the increased responsibility of the position. Employees will be evaluated for a six (6) month period to determine if job performance and requirements are satisfied.

## **5.7 REHIRED / REINSTATED EMPLOYEES**

A rehired employee may be paid at a salary rate within the approved salary range for the position in which he is rehired. Rehired employees separated for less than three (3) months are eligible to return at the step equal to that of which they were previously paid. An employee who voluntarily leaves the County in good standing shall be eligible for rehire, if the position is vacant. If an employee is reinstated within six (6) months, all pre-employment tests do not need to be performed again.

An employee who has voluntarily resigned from County employment, and is in good standing, and wishes to return within thirty (30) days of the separation, may be reinstated to their former position, if vacant, at the discretion of the director. A reinstated employee shall be considered to have been on a leave without pay status for the time of the separation.

## **5.8 PART TIME EMPLOYMENT**

When employment is on a part-time basis, the hourly rate paid shall be commensurate with the responsibilities of the job classification and employee's level of experience in this or other positions requiring comparable skills.

## **5.9 TRANSFER**

The pay of an employee transferred to another position of the same pay grade shall remain unchanged. Leave accruals will continue at the current level. Years of service for full-time employees will be counted for the corresponding accrual category when transferring from an office/department that does not participate in the County accrual leave policy to another office/department that does participate.

## **5.10 DEMOTIONS**

A voluntary or involuntary demotion is defined as assignment to a position with a decrease in duties and responsibilities and is distinguished from a downward reclassification resulting from a formal review of duties and responsibilities. An employee demoted from one position to another is placed in a lower pay grade contingent upon a lesser position being available at the time the action is taken. The department head may petition the County Administrator to adjust the amount of the salary reduction either upward or downward.

## **5.11 PAY AND ALLOWANCES**

Rates of pay established are gross salary amounts for full time service in the various classifications. The hours of work for full time service are established by the pay plan.

## **5.12 OVERTIME COMPENSATION**

It is the policy of the County to adopt and implement the provisions of the Fair Labor Standards Act (FLSA), as amended, as the fundamental wage and hour policy of the County. Further, it is the policy of the County that any overtime work necessary for the continued effective operation of the County shall be managed in the most efficient and economical manner possible.

Every attempt will be made to minimize overtime work and supervisory approval is required to authorize any overtime. Non-exempt employees shall not perform job related work at home unless specifically authorized in advance by the employee's supervisor, and permission is granted from the respective department director. Any employee who fails to comply with any applicable provisions of this section, and any supervisor who permits the same shall be subject to disciplinary action.

All County Departments have established working hours as required by workload, production flow, service needs, and the efficient management of personal resources. In addition, to these established work hours, certain situations may arise requiring overtime work. As required by the Federal Fair Labor Standards Act ("FLSA") all positions in the County shall be designated as "exempt" or "non-exempt". Employees in exempt positions are not subject to the provisions of the Act.

The Act requires that non-exempt employees receive overtime compensation for hours worked in addition to specified limits. Law-enforcement and fire protection employees' overtime hours are calculated in accordance with the Code of Virginia 9.1-703. However, the compensation may be in the form of compensatory time earned as opposed to direct cash payment. The limits placed on the amount of compensatory time a non-exempt employee can earn in lieu of cash overtime payment are noted in (Section 6.8). All compensatory time accrued by employees in non-exempt positions must be taken or paid when the employee separates from County employment. In the event a non-exempt employee is promoted to an exempt position, he shall be paid for any accrued compensatory time at the time of promotion.

To the extent any provision in the Personnel Policies Manual would cause an exempt employee under the FLSA to lose their exempt status, such policy shall not apply.

It is the County's policy to comply with the salary basis requirements of the FLSA. Therefore, the County prohibits all department heads or their designees from making any improper deductions from the salaries of exempt employees that violate the FLSA.

## **5.13 EMERGENCY CALL BACK POLICY Non-exempt employees who are required to report to work under emergency circumstances will be compensated for a minimum of three hours. If the actual hours worked exceed the three-hour minimum, the employee will be compensated**

**for all hours worked. Callback time will commence from the time the employee leaves his/her premises and returns to the original location. If the employee is called back while in route to or from work, time worked will be credited as an extension of the normal workday and the three-hour minimum will not apply.**

Should the employee be called back a second time within the original three (3) hours of the first call, an additional three (3) hour credit for the new call back will not be granted. Calls received and time worked by an employee in a callback situation must be reported to the employee's supervisor on the next regular workday. The nature and amount of time worked during on-call duty are subject to verification by supervisors. When discrepancies are noted, further justification may be required. Supervisors must establish what constitutes emergencies for their department.

#### **5.14 ON CALL POLICY**

It is the policy of Pittsylvania County that departments that require non-exempt employees to be on call, shall be required to develop a department ON CALL roster. Establishment of on-call rosters, and method of notification are the responsibility of each respective department director. Employees who are assigned to on call duty, are required to be available for work within a reasonable time. Pittsylvania County does not restrict employee movement while ON CALL. A reasonable response time shall be deemed within one hour.

For each scheduled assignment of on call duty, a non-exempt employee shall be paid one (1) hour pay at his/her regular hourly rate for each day of on-call duty, whether or not actually called for duty, in addition to being compensated for the time actually worked. Actual time worked over the employee's prescribed duty cycle while on call will be subject to the overtime provisions herein.

#### **5.15 DEDUCTIONS**

As a condition of employment with Pittsylvania County, the employee must complete an application and participate in Direct Deposit.

The payroll clerk is authorized to make established deductions from an employee's gross pay to cover mandatory deductions and optional deductions elected by an employee.

If an employee believes that an improper deduction has been made to his salary, he should immediately report this to his supervisor.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for such improper deduction.

#### **5.16 DEDUCTIONS ON TERMINATION**

On termination of employment, the payroll clerk shall deduct and withhold from the final pay check of any employee any amount owed to the County in payment for unearned leave, and group insurance premiums. New hires are required to sign an authorization form allowing Pittsylvania County to deduct any amount owed to the County. Unreturned property (including keys, cell phones, electronic devices, or any other indebtedness to the County). The final paycheck and payment for unused leave shall not be issued until the extent of any indebtedness to the County has been determined and cleared. If any indebtedness is determined after an employee has been separated from the County, and has received their final paycheck, the Director of Human Resources shall give proper notice to the person, informing such person of the indebtedness and requesting payment. If such correspondence is unsuccessful in clearing the indebtedness, legal action may be initiated at the direction of the County Administrator.

#### **5.17 ADMINISTRATIVE RESPONSIBILITY**

Periodically, the County Administrator may cause to be made a comprehensive review of all factors affecting employee compensation levels. The review, when undertaken, will consider rates of pay for comparable positions in the area, fringe benefits, general wage data, the County's financial condition, and other pertinent factors. Prior to implementing changes to employee pay or compensation package based on such review, approval of the Board of Supervisors is required.

## 6. EMPLOYEE LEAVE

The County recognizes that only full time employees are eligible for earnings or taking vacation, sick, or personal leave benefits.

### 6.1 VACATION LEAVE

Vacation: Each permanent full-time employee, employed on or subsequent to the date of these rules' adoption (month, day, year), shall accrue vacation at the following rates:

Years of Service Completed	Accrual Rate
1 through 5 years	Four (4) hours of paid vacation per completed pay period, with an annual accumulation of 12 days (not to be taken until employee has worked at least six (6) months).
6 through 10 years	Five (5) hours of paid vacation per completed pay period, with an annual accumulation of 15 days.
11 through 15 years	Six (6) hours of paid vacation per completed pay period, with an annual accumulation of 18 days.
16 through 20 years	Seven (7) hours of paid vacation per completed pay period, with an annual accumulation of 21 days.
21 through 25 years	Eight (8) hours of paid vacation per completed pay period, with an annual accumulation of 24 days.
Over 25 years	Nine (9) hours of paid vacation per completed pay period, with an annual accumulation of 27 days.

Vacation can be taken within six months after employment. An employee may carry a specified amount of vacation earned in one year over into succeeding years. However, no more than the below noted levels of accumulated vacation shall be allowed to be carried over from one year into the next. On the last day of the year any accumulated vacation in excess of the below noted limits shall be forfeited. For this purpose a year is defined as the period of time from July 1st through June 30th.

Years of Service	Maximum Carry Over Hours	Upon Separation Maximum Hours Paid
1 through 5 years	192	192
6 through 10 years	240	192
11 through 15 years	288	192
16 through 20 years	336	192
21 through 25 years	384	192

26 through 30 years	432	192
Over 30 years	480	240

Scheduled vacation shall be subject to the approval of the employee's supervisor; vacation shall be taken in one-hour increments. Wishes of employees will be given consideration in the establishment of vacation schedules. In instances of concurrent requests for overlapping vacation dates, preference will be given to the request of the longer-term employee

If a holiday is observed during an employee's vacation leave, it is not counted as a vacation day.

## 6.2 SICK LEAVE

Sick leave may only be used to cover any absence from work because of a personal illness, injury, or physical incapacity (other than incurred in the line of duty) that prevents the employee from performing his/her job or exposure to contagious disease, when the employee's presence on duty would jeopardize the health of fellow workers or the public.

When an employee is absent for sick leave they shall inform their supervisor at the earliest possible time, to assure full coverage of departmental work responsibilities.

If an employee is away from work for three (3) or more consecutive work days, the employee may be asked to provide a doctor's statement and may be asked to provide a written release from his physician to return to work. An employee must keep his supervisor informed of his work status through regular contact.

An illness, injury, or medical condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or an incapacity that lasts more than three consecutive work days may be considered a serious health condition and subject to the requirements of the Family Medical Leave Act. The County may also designate leave as FMLA leave without a request from the employee.

A request for extended sick leave use may require verification by the department head concerned and/or Human Resources Manager. Sufficient verification is a medical certification containing medical facts to establish an employee was unable by reason of the disability to be on duty during the entire period covered by the application, and where an extended absence is indicated, the probable duration of the disability.

Beginning with the first month of employment, sick leave begins to accrue at a rate of eight hours per month. **(This only applies to VRS Plan 1 & 2 Employees).**

The absence of an employee for the reasons stated shall be a charge against earned sick leave credits time in one-hour increments:

- A. An illness, condition, or non-work related injury incapacitating the employee to perform his duties;
- B. An exposure to a contagious disease such that presence on duty would jeopardize the health of fellow employees or the public;
- C. Appointment for examination and treatment related to health when such appointment cannot reasonably be rescheduled during non-work hours; on the basis of the availability of local resources in the area of employment, the County Administrator may establish limits upon the charge of sick leave for keeping such appointments;
- D. Sick leave is also available when dependents/spouse requires the employee's assistance not to exceed three (3) days at one time. In situations where the employee is required to care for a child, parent, or spouse exceeds three days and the medical situation meets the definition of a serious medical condition, the absence may be considered a qualifying event under the Family and Medical Leave Act. (See Family and Medical Leave Act) Other legitimate causes

which, in the discretion of the County Administrator and/or the Elected Constitutional Officer, may be classified as sick leave.

#### **E. Final Sick Leave Settlement**

Whenever possible, department heads shall budget when a retirement is foreseeable. Upon retirement with ten (10) or more years of service, an employee shall be paid his/her hourly rate, up to a maximum of \$1,250 for unused sick leave or \$2,500 for twenty (20) or more years of service. (This applies to VRS Plan 1 & 2 Employees to include prior years of service).

#### **F. Sick Leave Bank - (Non-Hybrid Employees)**

1. The purpose of the Sick Leave Bank is to provide additional sick leave for those eligible employees who have prolonged, catastrophic or long term illness or injury and who have exhausted their sick leave.
2. The Bank will be maintained as long as at least one-third (1/3) of the eligible employees agree to participate and will be declared inoperative at a specific time to be determined by the County Administrator and/or his designee.
3. Membership Eligibility
  - a. Eligible employees are those who are members of the Virginia Retirement System (VRS) Plan 1 and Plan 2 programs and who earn sick leave benefits according to division policy. Employees under the VRS Hybrid Retirement Plan, which includes short-term and long-term disability coverage, will not be eligible to participate in the Sick Leave Bank.
  - b. Membership shall be voluntary on the part of the employee.
4. Enrollment Period
  - a. An eligible employee becomes a member of the Sick Leave Bank by submitting the Sick Leave Bank Enrollment Form. By completing this form, the employee donates two (2) days of his/her sick leave to the Sick Leave Bank and one day thereafter when an assessment is required.
  - b. An employee may enroll within the first thirty (30) days of employment.
  - c. An employee who does not enroll when first eligible may do so between any subsequent August 1st through August 31st by completing a Sick Leave Bank Enrollment Form.
  - d. Membership in the Bank shall be continuous unless the employee informs the County Administrator and/or his designee in writing of his/her intent to discontinue participation at the time that an additional assessment is required in order to maintain the Sick Leave Bank.
5. Procedures Concerning Use
  - a. Sick Leave Bank members must exhaust their own sick leave prior to drawing from the Sick Leave Bank. Employees do not accrue leave until he/she returns to work.
  - b. A member must make application for the use of the Sick Leave Bank entitlement by completing and filing a Sick Leave Utilization Application with the Human Resources Manager and/or designee).
  - c. For the participating member to be eligible to receive sick leave benefits, a doctor's certificate is required. The certificate is to be submitted to the Human Resources Manager, and must contain the job title of the applicant, medical certification, and statement that the member is totally unable to work as a result of the illness or disability and the approximate length of absence.

- d. All applications will be reviewed by the (Human Resources Manager and County Administrator) whose decision to approve or disapprove the application will be final, binding and not subject to appeal.
- e. The Human Resources Manager and/or his designee shall maintain a current list of Bank members.
- f. A "day" in each case refers to eight (8) hours.
- g. The first thirty (30) consecutive days of illness or disability will not be covered by the Bank but must be covered by the employee's own accumulated sick leave or leave without pay.
- h. Employees on Worker's Compensation shall not be permitted to draw from the Bank.
- i. A member may discontinue participation by giving written notice to the Human Resources Manager and/or designee within ten (10) calendar days from the date of notification of any additional assessment to be made.
- j. An individual member may draw thirty (30) days from the Bank during any one fiscal year. Any period of eligibility must be consecutive except as provided below. If the member suffers a recurrence of the same illness, disability or condition that resulted in the initial utilization of Sick Leave Bank benefits and if the member has not drawn the maximum number of days (thirty (30) for one (1) fiscal year), then the member will not be required to complete an additional eligibility period of thirty (30) consecutive days prior to being eligible for continuation of Sick Leave Bank benefits.
- k. Any Sick Leave Bank days not used at the end of one (1) fiscal year will carry over to the next fiscal year. .
- l. Upon termination of employment or withdrawal of membership from the Bank, a participating employee shall not be permitted to withdraw his/her contributed day (s).
- m. Sick Leave Bank days are for employee use only and do not apply to absence due to family illness.

#### 6. Additional Assessment

- a. Members of the Bank shall be assessed a maximum of one (1) day of sick leave per year if the Bank falls below ninety (90) days. A member may withdraw from the Bank if he/she does not accept the additional assessment but shall lose all contributed days to that point. Members who do not have leave to contribute will be assessed this day from the first sick leave subsequently accumulated.
- b. Notification of such assessment shall be sent to each member at the time is determined to be necessary, and the assessment shall be made unless the participant chooses to cease membership in the Bank. A member not wishing the assessment may terminate membership in the Bank by notifying the County Administrator and/or his designee, in writing, within ten (10) work days from the date of the notice.

#### 7. Records

- a. The Sick Leave Bank will be administered by the Human Resources Manager and/or designee.
- b. The Human Resources Manager or/designee shall maintain the operations and maintenance of the Sick Leave Bank and its records.
- c. If the Sick Leave Bank shall become inoperative for any reason, the balance of days shall first be distributed to those members receiving benefits. From the remaining

balance, the Human Resources Manager and Payroll Clerk will determine distribution of days to participating members.

**6.3 HYBRID LEAVE PROGRAM**

The Hybrid Leave Program is a leave accrual program for employees that are members of the VRS Hybrid Retirement Plan. The purpose is to provide an alternative leave system to address the leave needs of employees covered under short and long term disability programs.

**Eligibility**

Full time employees hired or rehired on or after January 1, 2014 but without prior VRS service credit will automatically be enrolled in the VRS Hybrid Retirement Plan and in the County’s Hybrid Leave Program. This policy applies to VRS Plan 1 and Plan 2 employees who choose to opt-in to the Hybrid Retirement Plan during the open enrollment period with an effective date of July 1, 2014. The Hybrid Leave Program coordinates with the employer-paid Short and Long Term Disability benefits provided for employees in the VRS Hybrid Retirement Plan.

Public safety employees covered by VRS enhanced hazardous duty benefits are not eligible for the VRS Hybrid Retirement Plan or the County’s Hybrid Leave Program.

**Description**

The Hybrid Leave Program retains the annual leave accruals and the personal day of the traditional leave program, but adjusts the sick leave accrual to correspond to the employer-paid Hybrid Short and Long Term Disability benefits.

1. Sick Leave Credit ~ Sick leave will be credited on the following basis:

- a) Full-time employees employed between January 1 and June 30 are credited the entire sick leave credit on the first day of their first full payroll period.
- b) Full-time employees participating in the hybrid retirement plan and hired July 1 or later or current employees who opt-in to the hybrid retirement plan are credited 50% of the sick leave credit on the first day of their first full payroll period or on the effective date of their election as applicable.
- c) In subsequent years, the sick leave credit will be credited to eligible employees on the first day of the first full payroll period in January.

2. Sick Leave Credit Charts

Eligible full-time employees hired from January 1 through June 30:

Sick Leave Credit Charts (Hybrid Plan)

Sick Leave Credit in Days	Sick Leave Credit in Hours
12	96

Eligible full-time employees hired from July 1 through December 31:

Sick Leave Credit in Days	Sick Leave Credit in Hours
6	48

### 3. Effect of Leave without Pay on Sick Leave Credit

If an employee is on leave without pay on the day that the sick leave credit is granted, the sick leave credit is not granted until the employee returns to work.

### 4. No Carry Over or Payment Upon Separation

The sick leave credit does not accrue. No carryover of the sick leave credit from year to year is allowed. Sick leave credit balances are not paid out upon separation.

### 5. Use of Sick Leave Credit

Sick leave may only be used to cover any absence from work because of a personal illness, injury, or physical incapacity that prevents the employee from performing his/her job or exposure to contagious disease, when the employee's presence on duty would jeopardize the health of fellow workers or the public. An illness, injury, or medical condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or an incapacity that lasts more than three consecutive work days may be considered a serious health condition and subject to the requirements of the Family Medical Leave Act. The County may also designate the leave as FMLA leave without a request from the employee.

Medical appointments that cannot be scheduled outside of work hours (regularly scheduled, routine appointments should be scheduled outside of work hours, when possible).

When an employee is absent for sick leave they shall inform their supervisor at the earliest possible time, to assure full coverage of departmental work responsibilities.

If an employee is away from work for three (3) or more consecutive work days, the employee may be asked to provide a doctor's statement and may be asked to provide a written release from his physician to return to work. An employee must keep his supervisor informed of his work status through regular contact.

Employees may use sick leave or any other accrued leave balance to supplement their short term disability to receive up to 100% of their pay.

The sick leave credit cannot be used until it is granted. There is no borrowing against future credits. Sick leave is charged against employees as used in one-hour increments, unless it is used to supplement their short term disability. Abuse of sick leave is considered grounds for counseling and/or discipline.

Sick leave is also available when dependents/spouse requires the employee's assistance not to exceed three (3) days at one time. In situations where the employee is required to care for a child, parent, or spouse exceeds three days and the medical situation meets the definition of a serious medical condition, the absence may be considered a qualifying event under the Family and Medical Leave Act. (See Family and Medical Leave Act).

Other legitimate causes which, in the discretion of the County Administrator and/or the Elected Constitutional Officer, may be classified as sick leave.

### 6. County's Sick Leave Bank

Employees under the VRS Hybrid Retirement Plan which includes short-term and long-term disability coverage will not be eligible to participate in the County's Sick Leave Bank.

#### **6.4 BEREAVEMENT LEAVE**

When there is a death in the employee's family, full-time employees are allowed a leave of absence with pay in order to attend the funeral or memorial service of a family member , to experience the initial grieving process, and to take care of personal business specifically related to the death in the family. Bereavement leave will be granted for a period not to exceed three (3) working days. The leave is not automatic and should not be requested or granted unless used as intended. Bereavement leave does not accumulate from year to year and must be approved by the department head and/or elected constitutional officer.

For purpose of bereavement leave, employee's family is defined as parent/stepparent, child/stepchild, spouse, brother/stepbrother, sister/stepsisiter, grandparent, grandchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law of employee or spouse, or any relative living in the household of the employee.

#### **6.5 INJURY LEAVE**

Injury leave may be granted during the seven (7) day Workers' Compensation waiting period disability requirement, because of an employee's incapacity to work as a result of an injury or illness that occurred during the course of an employee's job performance. Injury leave during the first seven (7) days pays an employee his/her regular rate of pay.

Should leave extend beyond the seven day period, the County will pay the employees regular salary, so that total payments will not exceed a period of (92 Calendar days). Such payments by the County will not be charged against the employee's sick leave, compensatory leave or vacation leave accruals. The County will continue to maintain the employee's health and life insurance coverage.

If the absence continues beyond the (92 calendar days) limit, employees will be required to use accumulated sick leave, compensatory leave, and vacation leave to continue receiving their full salary. Charges against balances will equal 1/3 of earned leave for workers' compensation.

If the Workers' Compensation carrier makes a determination an injury or illness is not job related, the absence will be charged 100% to sick leave. If sick leave is exhausted, the absence will be charged to vacation leave, and if necessary, leave without pay. The employee must pay for other benefits that are usually deducted from his or her salary. (See section 19.4 Workers' Compensation and Family and Medical Leave section 6.16 as described in this manual).

Part-time employees will receive benefits according to the workers' compensation guidelines.

#### **6.6 PERSONAL LEAVE**

All permanent full-time employees are entitled to one day of leave with pay per year that may be taken, with supervisory approval, at the employee's discretion. Personal leave shall be taken as a day for a day. Personal leave days become available at the commencement of a County fiscal year and must be taken prior to its termination - it may not be accumulated and is not eligible for compensation at an employee's termination.

#### **6.7 INCLEMENT WEATHER**

The purpose of this policy is to provide guidance to management and employees on handling inclement weather and emergency related operating and facility delays, closures, program postponements and cancellations, and associated employee leave from work.

##### **POLICY**

The County will attempt to keep offices and facilities open, continue to deliver services, and maintain programs as scheduled, unless severe weather or emergency conditions jeopardize the safety of County employees and citizens. The County will make appropriate emergency actions necessary to maintain the safety of the public and employees. The County may excuse some employees from duty, ask others to work their normal shifts, and call upon some employees to work extended hours in dealing with weather and emergency related conditions.

The County will endeavor to treat all employees equitably regarding pay and use of leave to cover the range of circumstances experienced during an inclement weather or emergency event. At the

discretion of the County Administrator, or designee, offices and departments may be opened late, dismissed early, or closed due to inclement weather or an emergency event.

## **RESPONSIBILITY**

### Employees:

- Public Safety (police, fire), Building & Grounds and other essential personnel may be required to report to work, even when the County is officially closed, due to weather or other types of extraordinary circumstances. Essential personnel are key employees who work in departments that are required to be in full operation.
- Every employee is expected to report to work on time during hours established by the County Administrator and when reasonably safe to do so.
- If local weather conditions make it impossible to report to work on time, if at all, the employee is to notify his or her supervisor in the same manner as for any other tardiness or absence.
- If an employee does not report to work during hours established by the County Administrator, or designee, annual/vacation leave, compensatory time, or leave without pay must be used to cover the duration of the absence.
- In the event the County Administrator, or designee, decides to close due to inclement weather or emergency event, the hours closed will be assigned as hours worked.

### **\*Scenarios (assumes the employee work day is 8 hours and reports to work at 8am):**

1. *Employee reports to work at 8am. The County Administrator makes a decision to close at 12pm due to inclement weather.*
  - *8am-12pm = 4 hours worked by employee*
  - *1pm-5pm = Inclement weather hours to be paid as hours worked.*
  - *Employee will be paid a total of 8 hours worked for the day.*
2. *Employee does not feel safe driving to work due to inclement weather although County offices are open. The employee notifies his/her supervisor of the absence for the day per the policy. At 11am the County Administrator makes a decision to close due to inclement weather*
  - *Employee will be charged for 8 hours of leave per the policy.*
3. *Employee is on pre-approved leave status (day off, vacation, sick). There is an inclement weather event and the County Administrator makes a decision to close offices while the employee is on pre-approved leave status.*
  - *Employee will remain on pre-approved leave status. Employee's leave will not be offset by the amount of time County offices were closed.*

### Department Heads:

Department Heads are responsible for their department's inclement weather preparations, including maintenance of staffing necessary to keep essential operations running and continue at least minimal services to the public.

Department Heads may, in certain circumstances outside of normal business hours, exercise discretion when opening late, dismissing early or closing early due to weather or emergency conditions.

Departments Heads and supervisors are responsible for proper timekeeping associated with employee leave from work during all inclement weather and emergency events.

## **PROCEDURE**

1. County Administrator, or designee, will determine if County offices will open late or close due to weather conditions.
  - a. If offices close during the course of normal business hours, County Administrator, or designee, will announce that the offices are closed via email.

- b. If offices open late, a message will be sent to all County phones via the phone message system.
  - c. If offices close prior to the start of normal business hours, a message will be sent to all County phones via the phone message system.
  - d. Employees that are not issued a County phone may registered their personal cell phone number to receive notifications by emailing Daniel Kendrick at [daniel.kendrick@pittgov.org](mailto:daniel.kendrick@pittgov.org), or by calling 434-432-7984.
2. Department Heads are responsible for ensuring that all staff are informed and aware of County office late openings or closures due to inclement weather conditions or emergency event.

## **6.8 COMPENSATORY TIME OFF**

In order to receive compensatory time off, the employee must work more than their normal work week. Time taken as sick leave, personal leave, annual leave, and compensatory time cannot be counted toward this time until the normal work week has been worked.

Compensatory leave shall be taken in half-hour increments.

Compensatory leave is for an authorized absence on a half hour increment basis with full pay, when taken during the same work cycle, and at time and one half for other times for hours worked on a holiday, on a rest day, or beyond those regularly scheduled hours, or on a work day when the work was required by the County Administrator or by a person authorized by him to make such a requirement. General or blanket authorizations which provide unlimited work options to County employees are not valid to establish compensatory leave credits. Additional work hours shall be required only to relieve specific peak workloads and not to provide for constant requirements.

Compensatory leave may not be credited to any employee in a position in which the employee independently determines the need for the extra hours or establishes the work schedule, or is one in which administrative or professional responsibility for work accomplishment without regard to their work schedule is implicit. (EXCEPTION: Irrespective of the position held, compensatory leave may be credited when a holiday (a) falls on a rest day, or (b) is not observed by the employee because the unit of employment operated on the designated holiday.

Compensatory leave may be used at the employee's request in lieu of vacation and sick leave. When available, accumulated compensatory leave should be used prior to the usage of vacation time. Earned compensatory leave must be used within one year of accrual. It is the responsibility of supervision to ensure that earned compensatory time is taken off within one year of accrual. At no time shall an employee retain more than 40 hours of compensatory time leave per fiscal year ending June 30. If leave remains over 40 hours, the difference from 40 hours will be paid the close of fiscal year by July 15. If an employee(s) wants all hours paid, the department supervisor must request, in writing, payout of all hours. Employees with accrued compensatory leave classified from a non-exempt to exempt position will receive a payout of accrued compensatory leave the next available pay period.

## **6.9 COURT LEAVE**

The employee shall be granted leave with full pay for absences necessary for serving on a jury, or attending court under subpoena. Employees are required to report to work if court duty ends within the assigned work hours. If an employee is unable to return to work after court duty within assigned work hours, the employee must request approval from his/her supervisor to use their available leave. Employees are required to submit proof of jury duty from the court along with timesheet to the payroll department.

## **6.10 MILITARY LEAVE**

### **A. Eligibility**

Regular full-time employees, including those serving a probationary period, are eligible for military leave with or without pay. Under the Federal Uniformed Services Employment and

Reemployment Rights Act of 1994 and Section 44-83 and 44-93 of the Code of Virginia, part-time employees are not eligible for military leave.

#### **B. Military Leave With Pay**

1. Employees who are former members of the armed services or members of the organized reserve forces of any of the armed services of the United States, National Guard, or naval militia shall be entitled to a military leave of absence, with pay, for the purpose of federally funded military duty to include training duty. This leave shall not exceed 15 consecutive calendar days for training duty and 5 working days for emergency active duty each federal fiscal year, October 1 – September 30.
2. FLSA non-exempt employees requiring more than 15 workdays shall be granted the time off for the performance of such duty. Such absences shall be without pay or, at the option of the employee, may be charged to annual or compensatory leave balances.
3. Employees who are called forth by the Governor pursuant to the Code of Virginia shall be entitled to leave with pay for the period of the ordered absence.
4. Employees returning from military leave with pay are required to return to work the first regularly scheduled workday after the end of duty, allowing reasonable travel time.

#### **C. Military Leave Without Pay**

1. Any eligible employee who leaves County service as a result of volunteering for active duty or being drafted into the armed services of the United States during time of war or other national emergency, as determined by the Board of Supervisors, or when reservists and National Guard members are voluntarily or involuntarily called to active duty shall be placed on military leave without pay commencing on the first business day following the last day of active employment with the County.
2. Leave shall only be granted for active military service for those dates stated on the employee's military orders.
3. Status of Benefits For Employees on Leave Without Pay for Active Military Service
  - a. Service Credit – An employee on extended leave without pay due to active military service shall be treated as though he was continuously employed for purposes of determining benefits based on length of service, such as the annual leave accrual.
  - b. Compensatory Leave – Any compensatory leave balance shall be paid at the time the employee is placed on military leave without pay.
4. Reinstatement from Active Military Service
  - a. Conditions – Upon satisfactory completion of active military service, the employee is entitled to reinstatement to his/her former position or to a position of like status and pay, provided that:
    - (1) The employee makes application to the County Administrator not later than 90 days after the date of honorable discharge or separation under honorable conditions.
    - (2) The employee presents a certificate showing satisfactory completion of military service.
    - (3) The employee is still physically and mentally qualified to perform the duties of his/her position.
  - b. The conditions stated above shall not apply when County circumstances have changed making it impossible or unreasonable to reinstate the employee. Reinstatement may not be possible when:
    - (1) The employee's former position has been abolished at the time of reinstatement: The employee may be placed in a position of comparable status and pay to the one previously held. Employees selected to fill vacancies created by persons on military leave may be employed on a temporary basis.

- (2) Such a position is not available: The employee shall be considered affected by a reduction in force and the provisions of the County's Layoff Policy shall apply.

#### **D. Employee Notification Requirements**

1. Requests for Military Leave shall be made in writing and submitted with copies of the employee's official military orders to the department head. The employee shall notify his department head of the military obligation as far in advance as possible. A minimum of two weeks advance notice is required except for an emergency call-up. In the case of emergency call-up, the employee shall notify the department director as soon as possible.
2. The leave request and supporting military orders shall be forwarded to the County Administrator.

#### **6.11 LEAVE WITHOUT PAY**

Leave of absence without pay may be granted for:

- A. Educational leave in excess of such leave allowable with pay;
- B. Courses of study;
- C. Military leave in excess of such leave allowable with pay,
- D. Purposes of annual and sick leave, in excess of accumulated leave; and
- E. Purposes of disciplinary actions.

Leave of absence without pay requiring one calendar month or more of leave may be granted by the Department Head and County Administrator.

Any employee returning from leave of absence without pay during, or at the end of the period for which the leave was granted shall be entitled to reinstatement; failure to return at the end of the period for which the leave was granted shall be treated as having resigned from employment.

Unpaid leave may not be taken until all available vacation and compensatory leave has been used.

During this time of absence the employee is responsible for full benefit premiums to the County. No VRS service credit will be given to the employee during this unpaid status.

#### **6.12 ADMINISTRATIVE LEAVE**

Administrative leave is assigned at the discretion of the County Administrator, Board of Supervisors, or Constitutional Officers when it is deemed to be in the best interest of the County or a department. Administrative leave may be with or without pay as approved by the County Administrator, Board of Supervisors, or Constitutional Officers.

If administrative leave is granted while employee is on any other prior approved leave status (e.g., vacation, sick, military, etc.), the administrative leave will begin after the approved leave is completed.

#### **6.13 HOLIDAYS**

Pittsylvania County will observe state holidays, and any other day so appointed by the Board of Supervisors or Governor for full-time employees. If the nature of services of a department requires that it be in full operation on the appointed holiday(s) then double time (for time worked) or holiday leave shall be granted. Holiday leave is authorized absence from work without loss of pay in recognition of holidays observed by the Commonwealth of Virginia.

#### **6.14 PAY IN LIEU OF EARNED LEAVE AT TERMINATION**

Employees who give, and work, a two-week period of notice as defined in section 7.1, (or, if Instructed, take pay in lieu of notice) are entitled to be paid for any earned vacation compensation up to maximum stated in section 6.1.

## **6.15 CIVIC AND VOLUNTEER LEAVE**

Pittsylvania County encourages its employees to become active in civic and volunteer activities. Absence from work for volunteer activities must have prior approval from the employee's department head.

## **6.16 FAMILY AND MEDICAL LEAVE**

Employees are entitled to participate in the benefits of the Family and Medical Leave Act ("FMLA"). FMLA leave may be unpaid leave.

### **A. Eligible Employees**

To be covered under the FMLA, an employee must have worked for the County for twelve (12) months and must have worked at least 1,250 hours within the twelve (12) months preceding the start of the leave. Part-time and temporary employees who meet these requirements are eligible for FMLA leave.

### **B. Purposes For Which FMLA May Be Taken**

1. To care for an employee's child after birth or for the placement with an employee of a child for adoption or foster care (provided that the leave is requested and used within twelve (12) months of the birth, placement, adoption or foster care);
2. To care for an employee's spouse, child or parent (does not include in-laws) who has a serious health condition; or,
3. When the employee is unable to work because of a serious health condition. A serious health condition is an illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, or an incapacity lasting more than three consecutive days, or involving continuing treatment by a health care provider. Continuing treatment involves two or more treatments (or one treatment when the condition is such that continuing follow-up is or will be required) by a healthcare provider, pregnancy, prenatal care or other chronic or long-term serious health conditions.

To qualify for leave due to the serious health condition of a family member, the family member must be incapable of self-care. To qualify for leave due to the serious health condition of the employee, the employee must be unable to work at all or unable to perform any of the essential functions of the employee's position.

Employees are required to obtain a health care provider certification for all absences for which FMLA leave is being requested. A chronic or long-term health condition or pregnancy does not require a visit to the health care provider for each absence; however, a statement by the health care provider that the absence was due to the chronic condition or pregnancy may be requested by the County at its discretion.

### **C. FMLA Benefits**

An eligible employee is entitled to twelve weeks of unpaid leave during a twelve-month period. The twelve-month period is calculated on a rolling 12 month period starting with once eligible with twelve (12) months, and 1,250 hours of employment at the onset of the condition. Employees will be required to use accumulated paid leave (sick, compensatory, annual, etc.) on an hour for hour basis concurrent with the FMLA leave. If FMLA leave is exhausted before the end of the twelve-month period, the employee will not be entitled to further FMLA leave during this period.

Employees with military family members shall be eligible for leave entitlements for eligible specified family members:

1. Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation, and
2. Up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty on active duty.

Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

An employee is required to request FMLA leave in writing at least thirty days before the leave is to commence if the need for leave is foreseeable. In circumstances when the leave is not foreseeable thirty days in advance, an employee must request the leave as soon as practical. The County may designate leave as FMLA leave without a request from an employee.

FMLA leave taken for a serious health condition of the employee or family member may be taken intermittently or on a reduced-hours basis.

FMLA leave taken for birth, adoption, placement or foster care cannot be taken intermittently unless approved in advance. If both spouses work for the County, the total FMLA leave that may be taken for this event by both employees is twelve weeks, pro-rated between employees as the spouses choose. FMLA leave taken for the birth, adoption, placement or foster care of a child must be taken within twelve months following the event.

Should the County obtain information that the employee was not FMLA eligible or the event did not qualify under FMLA, the designation of FMLA leave, previously given, may be withdrawn.

Airline Flight Crew Employees (Informational Purposes Only). See link below.  
<https://www.dol.gov/whd/regs/compliance/whdfs28j.pdf>

#### **D. Job Restoration**

Upon return from FMLA leave, an employee is entitled to be restored to the same position that was held before the start of the FMLA leave, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. If an employee is unable to return to work after the FMLA leave benefits have been exhausted, the employee will not have a right to return to his/her position even if there are unused accrued leave balances.

Key employees are entitled to FMLA leave but are not entitled to job restoration if reemployment after the conclusion of the leave will cause a substantial and grievous economic injury to the County. A key employee is defined by the Department of Labor – *when under limited circumstances where restoration to employment will cause "substantial and grievous economic injury" to its operations, an employer may refuse to reinstate certain highly-paid, salaried "key" employees. A key employee must be among the highest paid 10 percent of all the employees.* A key employee will be notified in writing of his/her status in response to the employee's notice of intent to take FMLA leave, unless circumstances do not permit such notice. If a key employee is already on FMLA leave when s/he receives notice that s/he is a key employee, the employee will be given a reasonable time to return to work before losing the right to job restoration.

#### **E. Health Benefits**

If paid leave is used for FMLA purposes, an employee will maintain the same benefits as if working. If the employee is on leave with or without pay, continuation in the health care plan is permitted, provided that the employee continues to pay for his/her share of premiums. If the employee fails to make his/her premium payments, the employee will be provided written notice of this failure and will be given an additional fifteen (15) days to make payment in full. If payment is not made after this notice, health benefit coverage will cease.

If an employee is unable to return to work at the conclusion of the 12 weeks, the employee must request in writing, to the County Administrator, an extension of leave. The employee must also provide medical certification for the extension of leave. COBRA options will be discussed with the employee in order to continue health insurance coverage.

If an employee does not return to work after the conclusion of the FMLA leave, the employee is responsible for reimbursing the County for the County's share of the health care premiums paid.

## 7. SEPARATIONS AND DISCIPLINE

### 7.1 VOLUNTARY SEPARATIONS

To resign in good standing, employees, other than department heads must give notice in writing to the department head at least fourteen (14) days prior to the effective date of the resignation; department heads must give at least thirty (30) days notice in writing to the County Administrator. The director may withhold accrued holiday, or vacation leave should an employee fail to work the agreed upon separation notice.

### 7.2 DISCIPLINE

Upon accepting a position with the County, employees are expected to apply themselves efficiently to their assigned duties, to be timely and regular in attendance, and to maintain satisfactory work performance. Failure to meet these standards can result in disciplinary action up to and including termination.

This section provides employees with a general understanding of what can be expected when a violation of certain policies and/or procedures occurs. It is not possible to list every conceivable form of misconduct. As a result, the conduct standards listed in this section are for illustrative purposes only. Misconduct or nonperformance issues not listed here will be treated consistently within the guidelines outlined in this section. Whenever possible, the County recommends that corrective action by the employee, or progressive discipline such as coaching, warnings, oral or written reprimands be used, prior to suspension, demotion or dismissal as necessary. However, immediate dismissal may result from situations where the County believes corrective action by the employee or lower level progressive discipline is inappropriate. The County does not intend for this manual to alter the at-will nature of its relationship with employees.

- A. **Suspensions** - are temporary separations from the service for disciplinary purposes where the case is not sufficiently grave to merit dismissal. An employee may be suspended by his department head and County Administrator without pay for a period not to exceed thirty (30) days within one (1) calendar year.
- B. **Demotions** - are necessary in order that employees whose work has not been satisfactory but whose dismissal does not appear warranted may be retained and assigned less difficult work. (See page 9, section G for definition). However, a demotion shall never be used as a form of disciplinary action when the demotion will result in the displacement, or may result in the displacement, of another employee. Therefore, demotion as a form of disciplinary action shall only be available when there is an existing vacancy in a lower level position for which the employee being disciplined is qualified. In the event that a demotion is appropriate, the department director shall notify the employee of his/her decision of demotion and the cause. A copy of this action shall be forwarded to the County Administrator and Human Resources Manager.
- C. **Dismissals** - will be made for inefficiency, insubordination, misconduct, or other just cause. A department head and the County Administrator may dismiss any employee in a department at any time. The department head shall give the employee a written notice of his dismissal, including the reasons therefore. ***The Director of Information Technology (or the network administrator for independent computer networks) shall be informed immediately of dismissals and computer access shall be terminated at once.***

### 7.3 CAUSES FOR SUSPENSION, DEMOTION OR DISMISSAL

County employees are expected to conduct themselves in a professional, and courteous manner, as representatives of the County. Employees are expected to avoid any action which may result in giving preferential treatment to any organization or person, losing independence or impartiality of action, or adversely affecting the integrity of the County.

If an employee's work performance is deemed unsatisfactory, he or she may be suspended, demoted, or dismissed. Additionally, other types of discipline, such as verbal or written reprimands, may be used at the supervisor's discretion. .

The following are examples of situations and misconduct that may result in discipline. The list is not inclusive and other misconduct may be subject to disciplinary action:

- A. Conviction of a felony or of a misdemeanor involving moral turpitude and other criminal acts such that continued performance of duties is compromised;
- B. Membership in a subversive organization that knowingly or willfully violates the laws of the United States, the Commonwealth of Virginia, and the ordinances of any city, county, or municipality of the Commonwealth, or any departmental rules and regulations;
- C. Willful, wanton, unreasonable, unnecessary, or culpably negligent brutality or cruelty to an inmate, or prisoner of a county institution or to a person in custody, provided the act committed was not necessarily or lawfully done in self-defense, or to protect the lives of others or to prevent the escape of a person lawfully in custody;
- D. Violation of any of the provisions or regulations of this Manual;
- E. Offensive conduct or language in public or toward the public, county officials, or fellow employees, either on or off duty;
- F. Violating any lawful official regulation or order, insubordination, or failing to obey any proper direction made and given by a superior.
- G. Using or being impaired by intoxicants while on duty, or otherwise violating the County's Drug-Free Workplace policy. (See Section 11)
- H. Becoming afflicted with any disease or having any physical or mental ailment or defect which, in the opinion of the County Administrator and the department head after confirmation by a physician, renders the employee unfit for employment. However, any such actions shall be taken in a manner that complies with the requirements of the Americans with Disabilities Act;
- I. Being incompetent or inefficient in the performance of the duties of his position;
- J. Being careless or negligent with the monies or other property of the County or taking any property of the county for personal use or for sale or gift to others;
- K. Using, or threatening to use, or attempting to use personal or political influence in securing promotion, leave of absence, transfer, change of pay rate, or in any manner related to work;
- L. Inducing, or attempting to induce, an officer or employee in the service of the county to committing an unlawful act or to act in violation of any lawful or official regulation or order;
- M. Taking for personal use from any person any fee, gift, or other valuable thing in the course of work or in connection with it, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons, or accepting any bribe, gift, token, monies, or other official acts, or engaging in any action of extortion or other means of obtaining money or other things of value through the employee's position in the County;
- N. Divulging or discussing any County business not having previously been made public or disclosing confidential information to any person unless directed to do so by his department head, or granting interviews or making public speeches concerning information not previously made public;

- O. Willfully falsifying County records (including time records, leave records, job applications, or pay or reimbursement vouchers);
- P. Violating any workplace rule;
- Q. Engaging in any action of extortion or other means of obtaining money or other things of value through the employee's position in the County; and
- R. Unsatisfactory attendance, excessive absences, or excessive tardiness.

#### 7.4 SUSPENSION AND MINOR DISCIPLINARY MEASURES

The appointing authority may suspend without pay for a period not exceeding thirty (30) days, or reprimand, or apply other less drastic disciplinary measure to any employee under his control for any violation of these rules or for insubordination or willful neglect of duty. Any suspension that would have the effect of making the total amount of pay lost, by reason for suspension during any twelve (12) month period, greater than the pay for the thirty (30) days, shall be considered a removal. When a suspension is effected pending completion of investigation or court action for alleged violation of rules or statutes, the limitation of thirty (30) days shall not apply; also, if the employee is found not guilty of such alleged violation, he may, upon request of the appointing authority, be paid for the period of suspension as if it had not occurred. As a "less drastic disciplinary action" the appointing authority may withhold annual and sick leave accrual from an employee found to have made incorrect reports concerning leave. Such action shall not apply to leave accrued prior to the finding and shall not be effective for more than six (6) calendar months for any one (1) period of incorrectly reported absence.

#### 7.5 DISCIPLINARY PROCEDURE

##### A. INVESTIGATION

Upon receiving a report of a violation of the law, or a violation of a department or disciplinary regulation as set forth in Section 7.3, from an official or an employee of the County or from any citizen, the department head, or County Administrator will investigate. The investigation will be made for the purpose of ascertaining the true facts relative to the circumstances surrounding the alleged offense.

##### B. REPORT

Disciplinary action taken by any department head including suspension, demotion, or termination shall be reported in full immediately to the Human Resources Manager prior to initiating such discipline. In cases of dismissal for any reason noted in these or future published regulations, the department head must give the employee a written notice of said disciplinary action including in detail the reason or reasons therefore. The following steps should be taken leading up to disciplinary action (see Section 7.2):

1. **Oral Reprimand** - For a minor violation of policies or a first-time offense, the employee may be given an oral reprimand. The purpose of the reprimand is to draw the infraction or deficiency to the employee's attention so that the problem may be corrected. Employees who violate a rule are not problem employees unless they are habitual offenders. A consultation between the employee and the supervisor is desirable. An oral reprimand is a discussion whereby the supervisor and employee try to reach an understanding of the causes for the offense, and to outline and impress upon the employee the need for corrective action. It can eliminate misunderstandings immediately, and set the desired standards of conduct and performance. For minor offenses, it is not necessary to describe in detail the reason for such an action; however, it is necessary to indicate in a memorandum to file the date and nature of the warning and a copy of the memorandum shall be forwarded to the Human Resources Manager for subsequent consideration in the event of further disciplinary action.

2. **Written Reprimand** - If an oral reprimand fails to correct the problem or if the offense is more serious in nature, a written reprimand may be issued, which will detail the nature of the offense and efforts taken previously to correct it, if applicable. The employee may write a response to be attached to the reprimand if he desires. A copy of the reprimand and response by the employee will be given to the Human Resources Manager for filing in the employee's personnel record see Section 7.2.

## 7.6 RESIGNATION

An employee may leave County service voluntarily by resignation, by stating his reasons in writing to his department head. In accordance with section 7.1 herein, to resign in good standing, an employee must give at least fourteen (14) days advance notice for non-department heads, or thirty (30) days for department heads. If special circumstances exist, the notice requirement may be waived by the County Administrator. Failure to return to work at the expiration of an approved leave of absence shall be interpreted as a resignation. If the County Administrator finds that a reported resignation was not voluntary, he shall treat the separation as a removal under these rules. A resignation submitted on an undated, pre-dated, or otherwise not bona fide form, shall be regarded as not voluntary. An employee who has submitted his resignation may, with the approval of the County Administrator, be continued in his position as though the resignation had not been filed, or his written request for authorization to withdraw the resignation, filed before the effective date thereof, or within thirty (30) days thereafter if his position has *not* been filled. If an employee fails to work their agreed upon resignation notice, the director may withhold accrued vacation, or banked holiday leave proportionate to the days of notice the employee fails to work. Banked holidays only applies to departments that operate on holidays, otherwise holidays are not payable upon resignation.

## 7.7 LAYOFF

The County reserves the right to lay off employees for lack of available work or funds. The order of layoff is hereby declared to be as follows:

- A. The order of the layoff shall be *based on* the relative value of the employees to the County as determined by the Board of Supervisors on the recommendation of the County Administrator. Constitutional Officers have sole authority to determine order of layoffs in their Office.
- B. No permanent employee shall be laid off from any position while any temporary employee continues in that capacity.
- C. Each employee laid off shall be given a written notice. Whenever practicable, this notice should be given at least 14 days prior to the effective date and should include reasons for the layoff, the effective date, and any other information deemed necessary by the County Administrator.

## 7.8 RETIREMENT

**When an employee-initiated retirement is undertaken, the employee should notify the department head and central accounting, as far in advance as possible with a minimum 60-90 day notice provision suggested.**

When an employee subject to the provisions of the Retirement Plan in effect has become physically or mentally incapable of performing the duties of his position satisfactorily, or has reached an age at which retirement is mandatory, it shall be the duty of the appointing authority to recommend his retirement, or in cases in which retirement is not mandatory, his demotion or transfer to any position for which he is eligible, the duties of which he is capable of performing satisfactorily. Effective October 1, 2017 all current retirees under age 65 enrolled in the group health plan will be removed from the County's group health plan once Medicare eligible.

## **7.9 EXIT INTERVIEW AND RE-EMPLOYMENT**

Upon departure of a County employee from County service, an exit interview of the separating employee shall be completed between the departing employee and the Human Resources Manager or designee. The interview is encouraged in all separations and an appointment for the interview will be scheduled by the Human Resources Manager or designee.

During the exit interview, the employee may give his reason(s) for leaving County employment and be informed about re-employment opportunities, reinstatement privileges, and retirement benefits, if applicable. The informational session is not intended as a counseling or grievance interview. The information gained from the employee's viewpoint on subjects such as pay, benefits, training, and working conditions provides important feedback, which ultimately can result in more satisfying employment for other personnel.

If, for some reason, an employee voluntarily separates from County service and later decides he would like to rejoin the County, he shall be considered for re-employment. Re-employment possibilities depend upon the individual's past record of performance, current position vacancies, and the recommendations of the previous immediate supervisor and department director. Consideration for interview and/or re-employment is at the discretion of the hiring department, see Section 5.7.

## **7.10 EMPLOYEE TERMINATION PROTOCOL**

- A.** Prior to involuntary termination of employment, the department head, in consultation with the County Administrator, will assess the employee's potential demeanor in deciding how and when to terminate said employee. This assessment will determine whether the act of termination has the potential to subject other employees or bystanders to physical or verbal abuse or other disruptions in the workplace.
- B.** In the event there is a potential for disruption, the Sheriff's Office will be contacted. A determination will be made as to whether or not law enforcement personnel will be present or on standby at a nearby location.

## **7.11 EARLY RETIREMENT INCENTIVE PROGRAM**

The Early Retirement Incentive Program ("ERIP") provides supplemental retirement benefits to qualified employees. ERIP's objectives include a reduction in salary/wage and benefit costs for the County and the alleviation of the financial strain of retirement that may prevent some employees from retiring.

### **7.11.1 Employee Eligibility**

- A.** To be eligible for the ERIP, one must be an employee of the County, and be a vested member in the Virginia Retirement System ("VRS").
- B.** Employee must have a minimum of twenty (20) years of service credit under VRS and be employed on a full-time basis by the County for five (5) consecutive years immediately preceding the effective date of retirement and at least fifty percent (50%) of credited VRS service with the County.
- C.** Employee must be at least fifty-five (55) years old with twenty-five (25) years of creditable service, or sixty (60) years old with twenty (20) years of creditable service on his/her effective date of retirement
- D.** Employee must complete an ERIP application at least sixty (60) days before the effective date of retirement. The employee is responsible for the documentation of prior employment or VRS service credit.

- E. Participation in the ERIP is completely voluntary. Applicants may revoke their application at any time and up to seven (7) days after signing the agreement and release. Eligible employees who decline to participate or who revoke an application to participate will not be treated any differently than any other similarly situated employee.
- F. Employees in the following circumstances are not eligible for participation in the ERIP:
  1. Those who are over the age of 65.
  2. Those who retire on disability.
  3. Those who have received notice of termination, or notice of suspension during the previous twelve months.
- G. The County Administrator, or his/her designee, reserves the right to deny any ERIP request if he/she deems that such retirement is not in the County's best interest.

**7.11.2 Incentives**

- A. ERIP pay is eight thousand dollars (\$8,000) annually. The County reserves the right to change this rate annually. A change in the percentage will not affect participants already in the ERIP.
- B. ERIP's first (1<sup>st</sup>) payment period will begin sixty (60) days after retirement date.
- C. ERIP payments are available for not more than five (5) years, or to age 65 whichever comes sooner.

**7.11.3 Payment**

- A. Payment will be made in twelve (12) equal installments.
- B. Retirement payments will only be made on a direct deposit basis to an approved institution that appears on the County's bank choice form. Retirees under ERIP will be required to complete a bank choice form prior to the issue of any payments.
- C. Employee's share of Social Security, Federal Income Tax, and State Income Tax will be deducted from retirement pay. Participants may continue group health insurance by paying the full premium.

**7.11.4 Application**

- A. Eligible employees must complete and submit an application form. When the application is submitted, the applicant is indicating a desire to voluntarily separate from the County in exchange for the ERIP separation incentive.
- B. Applications that have been submitted and approved by the County Administrator, or his/her designee, will require the employee to sign an Agreement and Release effective the date of retirement.

**7.11.5 Work Responsibilities**

- A. Each retiree under ERIP will be required annually to work four (4) days, or thirty-two (32) hours, per month to remain eligible, unless other schedule is approved by the County Administrator, or his/her designee. Failure to work results in termination.
- B. The nature of the work to be performed and the time shall be determined by the County Administrator, or his/her designee.

- C. It shall be the retiree's responsibility to ensure that he/she works the required number of days each year.
- D. An ERIP participant who returns to non-covered employment with the County, must have a bona fide break in service of at least one full calendar month from the effective date of retirement.

**7.11.6 Termination of Retiree's Eligibility**

- A. Any retiree failing to meet any of the above-requirements shall be subject to termination from ERIP.
- B. ERIP is deemed to be terminated at the end of the month of death, should the retiree die before any or all payments are made.

**7.11.7 County's Right to Amend and Terminate ERIP**

- A. The County reserves the right to amend or terminate ERIP when it appears it is in the County's best interest to do so.
- B. The County reserves the right to immediately terminate or amend ERIP, if any legislative enactments are signed into law which change the benefits provided by VRS to retirees.

**7.11.8 Staffing Vacant Positions Due to ERIP**

- A. Compensation Board funded positions that are left vacant due to ERIP and need to be backfilled will be subject to the following:
  1. Starting salary for new hire(s) will be within ten percent (10%) of the minimum for applicable pay grade for the position; and
  2. County expenses shall be reduced by an amount at least equivalent to the net County cost of ERIP enrolled retiree.
- B. County positions that are left vacant due to ERIP and need to be backfilled will be subject to the following:
  1. Starting salary for new hire(s) will be within ten percent (10%) of the minimum starting pay for the applicable pay grade for the position; and
  2. Duties/position is reclassified to a lower pay grade.

**8. EMPLOYEE BENEFITS**

The County offers a comprehensive benefits package. Benefits and employee eligibility include:

BENEFIT	FULL TIME	PART TIME	WHO PAYS PITTSYLVANIA COUNTY(PC); EMPLOYEE ( E)	WHEN ELIGIBLE	WHAT YOU RECEIVE
Vacation Leave	X	See 5.1C	PC	After six months	After completion of probationary period; see Policy Section 6.1.

Sick Leave	X		PC	As Accrued	see Policy Section 6.2.
Personal Day	X		PC	When employed	See Policy Section 6.6.
Civil Leave	X		PC	When employed	When employee leave
Family Medical Leave (FMLA)	X			After 1 year	Up to 12 weeks paid/unpaid leave during a 12-month period
Employee Assistance Program	X	X	PC	When employed	Confidential way of working through work and family life situations by employees and their families
Medical Coverage	X		PC & E	Upon Employment	Voluntary participation in County's Group Medical Plan through payroll
Other Insurance Coverage	X		E	Upon Employment	Voluntary participation(i.e. Cancer, Intensive Care, Accident & Disability
FSA (Flexible Spending Accounts )	X		E	Upon Employment	Voluntary participation eligible healthcare/dependent costs reimbursement
Deferred Compensation Plan	C		E	Upon Employment	Voluntary participation 457 annuity retirement plan
<b>BENEFIT</b>	<b>FULL TIME</b>	<b>PART TIME</b>	<b>WHO PAYS PITTSYLVANIA COUNTY(PC); EMPLOYEE ( E)</b>	<b>WHEN ELIGIBLE</b>	<b>WHAT YOU RECEIVE</b>
Virginia Retirement System (VRS)	X		PC & E	Upon Employment	Mandatory participation-5% monthly deduction from employee  Plan I-persons hired prior to 7/1/10; Plan II-persons hired after 7/1/10 Hybrid Employees after 1/1/14

Term Life Insurance	X		PC	Upon Employment	Minnesota Life-term life insurance face value double annual salary paid by County
Optional Life Insurance	X		E	Upon Employment	Additional term life insurance available through Minnesota Life based upon employee annual salary for options up to 4 times annual salary. Coverage available for employee & spouse,
United Way Participation	X		E		Voluntary participation deduction made
Educational Assistance	X		PC & E	After Probation	Reimbursement up to \$400 per semester with a grade of C or better for a pre-approved job related course. (Per Budget approval)

**9. IN-SERVICE ACTIVITIES**

**9.1 JOB RELATED TRAINING**

The Human Resources Manager and/or individual department heads shall be responsible for developing job-related in-service training programs for employees of the County and for investigating outside training programs.

**9.2 EDUCATIONAL BENEFITS (Per Budget Approval)**

All active full-time employees of Pittsylvania County may request educational benefits when an employee elects to further his/her education at an accredited institution.

The employee must have worked a minimum of one year with satisfactory performance. Pittsylvania County will reimburse up to \$400 per semester, not to exceed two semesters, within the fiscal year. Consideration will be given for specific coursework directly related to the employee's position, which will improve their knowledge and skills, and will increase their job performance. Reimbursement will be based on budget availability, and approval, provided that the employee successfully completes the coursework with a grade of C or better.

In order to apply for educational benefits the employee must notify the department head in writing of the request as soon as possible, and meet one of the following criteria:

- It will enable the employee to assume and perform more difficult responsibilities and tasks;
- It will improve the quality of the employee's work and bring additional skills to the job; or
- It will enhance the employee's opportunity for promotion to a higher classified position within the employee's related field.

The employee must submit proof of coursework completion, and grade attained to the Human Resources Department to confirm eligibility requirements are met, before

reimbursement is authorized. Requests will be reviewed and approved on a first-come, first-serve basis.

An employee agrees to repay the educational assistance received by continuing employment with the County for a minimum of one (1) year after all coursework is completed. If the employee's employment is terminated for any reason, before completing the minimum period of service, the employee agrees to repay, on a prorated basis, the dollar amount not repaid by service. For example, if the employee leaves after six (6) months, 50% of the County cost will be refunded by the employee.

#### **10. EMPLOYEE ASSISTANCE PROGRAM POLICY STATEMENT**

The Employee Assistance Program (EAP) is administered by the County Administrator, and managed by the Human Resources Manager through an EAP agreement. The EAP is operated both as a personal management function and as an employee benefit. Participation in the program is through referral by an employee's supervisor or County Administrator when job performance has declined or through self-referral when an employee feels personal problems may interfere or are interfering with job performance.

The overall objective of the EAP is to reduce problems in the work force and to retain valued employees. Administration recognizes that problems of a personal nature can have an adverse effect on an employee's job performance. It is also recognized that most personal problems can be dealt with successfully when identified early and referred to appropriate care. The purpose of the EAP is to provide these services through special arrangements with an outside counseling resource. The program is designed to deal with the broad range of human problems such as emotional, behavioral, family and marital, alcohol and/or drug, financial, legal, and other personal problems. The program will provide problem assessment, treatment planning and referral. Costs for these services are covered by the employer. If costs are incurred for other services that are not covered by insurance or other benefits, those costs will be the responsibility of the employee.

The guidelines for use of the EAP are:

- A.** Management is concerned with an employee's personal problems, how they affect him as a person as well as how the employee's well-being influences work performance. **B.** The program applies to all employees and their families.
- C.** The program is available to all employees and their families as specified in the EAP agreement on a self-referral basis since problems at home can affect the job. If eligible employees or family members have personal problems that may benefit from assistance, they are encouraged to use the program.
- D.** Participation in the program will not jeopardize an employee's job security, promotional opportunities, or reputation. EAP participation will not immunize an employee against discipline for an infraction of work rules or the rules of conduct.
- E.** All records and discussions will be handled in a confidential manner as with other medical records. These records will be kept by the designated counseling resource and will not become part of the employee's personnel file. Except as set forth herein and in situations of dangerousness or as otherwise required by law, no information, oral or written, will be disclosed without the express written permission of the employee. If an employee is referred by the County to the EAP because of performance-related issues, the only information the EAP will disclose to the referring person is whether the employee has followed through.
- F.** When network related performance problems are not corrected with normal supervisory attention, employees will be encouraged to seek assistance to determine if personal problems are causing unsatisfactory performance. If performance problems persist, the employee will be subject to normal corrective procedures.

- G. It is the responsibility of all levels of management to utilize this program when appropriate to assist in resolving job performance problems resulting from personal problems. Early recognition of the troubled employee through application of job performance standards is a proper function of management.
- H. Sick leave may be granted for treatment of rehabilitation on the same basis as is granted for other health problems. Consideration will also be given for the use of annual leave, leave without pay if sick leave is not available, and disability policies.
- I. The EAP does not alter or replace existing County policy or contractual agreements but serves to assist in their utilization.
- J. In the case of a job-performance-related referral, the supervisor will do all of the following:
  - Consult with Human Resources.
  - Document, as part of a performance improvement plan, that the employee was made aware of the EAP as a resource.
  - Notify the EAP that a referral has been made.
  - Complete an EAP referral form in order to provide relevant documentation of the performance problem to the EAP.

## **11. DRUG-FREE WORKPLACE**

### **11.1 PURPOSE**

The County is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. The County encourages employees to voluntarily seek help with drug and alcohol problems.

### **11.2 COVERED WORKERS**

Our policy includes, but is not limited to executive management, managers, supervisors, full-time employees, part-time employees (minors and interns working short term assignments may be exempted from pre-employment screening), off-site employees, and applicants offered conditional employment and are thus covered by our drug-free workforce policy.

### **11.3 APPLICABILITY**

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the County. Therefore, this policy applies during all working hours, whenever conducting business or representing the County, while on call, paid standby, while on County property and at County-sponsored events.

### **11.4 PROHIBITED BEHAVIOR**

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.

### **11.5 NOTIFICATION OF CONVICTIONS**

Any employee who is charged with a criminal drug violation must notify the County in writing within five calendar days of the offense. The County will take appropriate action.

### **11.6 SEARCHES**

Entering the County's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Search is subject to approval of County Administrator and Department Head.

## **11.7 DRUG TESTING**

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, will be required to participate in preemployment, pre-duty, periodic, random, post-accident, reasonable suspicion, return-to-duty and follow-up testing upon selection or request of management.

The substances that will be tested for are: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone and Propoxyphene.

Testing for the presence of alcohol will be conducted by analysis of breath, saliva and/or blood. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine, blood, hair, saliva and sweat.

Any employee who tests positive may be immediately removed from duty, suspended without pay for a period of 30 days, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care, required to pass a Return-to-Duty test and sign a Return-to-Work Agreement, subject to ongoing, unannounced, follow-up testing for a period of five years and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

## **11.8 CONSEQUENCES**

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may not reapply.

If an employee violates the policy, he or she will be subject to disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

## **11.9 RETURN-TO-WORK AGREEMENTS**

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

## **11.10 ASSISTANCE**

The County recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of qualified community professionals.
- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

## **11.11 CONFIDENTIALITY**

All information received by the County through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

## **11.12 SHARED RESPONSIBILITY**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Use the Employee Assistance Program.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.

- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Refer employees to the Employee Assistance Program.  Clearly state consequences of policy violations.

### 11.13 COMMUNICATION

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- The policy and assistance programs will be reviewed at safety meetings.
- All employees will receive an update of the policy annually with their paychecks.
- Employee education about the dangers of alcohol and drug use and the availability of help will be provided to employees.
- Every supervisor will receive training to help him/her recognize and manage employees with alcohol and other drug problems.

## 12. TOBACCO USE POLICY

### 12.1 POLICY.

It is the general policy of Pittsylvania County that there shall be no tobacco use (smoking, chewing, or dipping) as defined herein in any building or vehicle owned or leased by the County at any time except in approved designated smoking areas. In establishing this policy, it is the intent of County Administration to provide a safe workplace.

### 12.2 DEFINITIONS

- A. Public place shall mean any enclosed, indoor area used by the general public including, but not limited to, any building owned or leased by the Commonwealth or any agency thereof or any county, city or town, public conveyance or public vehicle, restaurant, educational facility, hospital, nursing home, other health care facility, library, retail store of 15,000 square feet or more, auditorium, arena, theater, museum, concert hall, or other area used for a performance or an exhibit of the arts or sciences, or any meeting room. (Ref. Code of Virginia, Section 15.2-2820).
- B. Smoke or smoking shall mean the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling or exhaling of smoke from a pipe, cigar, or cigarette of any kind. (Ref. Code of Virginia, Section 15.2- 2820).

### 12.3 AUTHORITY

- C. The County Administrator, or, in the case of buildings not under the direct control of the County, the person in charge, is authorized to establish one (1) or more designated smoking areas outside of each county owned or leased facility provided that the designated smoking area shall be separate to the extent reasonably possible and practicable from those areas or rooms entered by the public or employees during the normal course of business. (Ref. Code of Virginia, Section 15.2- 2827). **These areas are only available during lunch and break periods.**

## 13. SOLICITATION

Non-business related solicitation is not permitted on County property with the following exceptions: local, civic, charitable and non-profit organizations, fundraisers, and persons associated with Pittsylvania County employee benefit programs. County email may not be used

to solicit others for commercial ventures, religious or political causes, outside organizations or other non-business matters.

#### **14. ANTI-FRATERNIZATION**

The Pittsylvania County strongly discourages employees from dating or entering into romantic relationships with a co-worker. These relationships have the potential to cause serious problems in the workplace. Such relationships may cause morale problems, lead to claims of favoritism, discrimination, and sexual harassment, and affect the work routine and workload of co-workers. Employees that choose to date or have social relationships with co-workers are expected to maintain their professionalism. Their level of productivity cannot be affected, and public displays of affection are not acceptable while on duty, or attending County functions of any description. Employees should also review a copy of the County's Sexual Harassment Policy. Manager/subordinate relationships, or any relationship between County employees that constitutes a crime in the Commonwealth of Virginia will not be permitted, and will result in disciplinary action up to and including termination of one or both parties involved.

#### **15. HARASSMENT**

The County shall not condone any form of sexual or racial harassment of any employee. All allegations of any form of harassment shall be investigated and the county will just as aggressively investigate any situation where unfounded complaints are lodged and will view that situation just as seriously.

The County is committed to having a diverse workforce with all employees being valued for their individual capabilities and contributions, complying with all federal, state, and local laws on equal employment opportunity, and providing a workplace free from tensions involved in conduct that does not relate to the County's business. In particular, the hostile atmosphere created by non-work related conduct including ethnic, racial, sexual, or religious remarks, animosity, unwelcome sexual advances, request for sexual favors, or other similar conduct is not permitted.

Harassment based on race, sex, color, national origin, religion, age, or disability will not be tolerated. Harassment arises from the dynamics of the workplace and can be based on nuances, subtle perceptions, and implicit communications. Conduct that may rise to the level of harassment includes verbal remarks (epithets, derogatory statements, slurs, jokes), physical contact (assaults, physical interference with movement or work, touching), visual displays (displaying of printed or photographic materials, objects), and other actions that are demeaning or hostile.

##### **15.1 SEXUAL HARASSMENT**

Sexual harassment is unwelcome advances, request for favors, or other verbal or physical conduct of a sexual nature when:

- A. submission to such conduct is either explicitly or implicitly made a term or condition of employment;
- B. submission or rejection of such conduct is used as a basis for employment decisions;
- C. the conduct is severe or pervasive enough to create an intimidating, hostile, or offensive work environment.

Examples of sexual harassment are:

- A. physical assaults;
- B. subtle or overt pressures or direct requests for sexual favors;
- C. inappropriate displays of sexually suggestive objects, pictures, electronic pictures, or other materials that are sexually suggestive, sexually demeaning, or pornographic; or
- D. a pattern of unwelcome conduct of a sexual nature that would be offensive to a reasonable person such as unnecessary touching, abusive or demeaning language or gestures (including remarks about another's clothing, body or body movements, or sexual activities), or teasing or joking.

No supervisor or coworker shall intimate either explicitly or implicitly that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other conditions of employment.

## **15.2 VIOLATIONS**

An employee who believes that this policy is being violated should (1) inform the offending person(s) that the conduct is unwelcome and (2) should report it immediately to the department director; if the complaint is against the department director, then a report goes to the next person in the chain of command. The report should be made in writing; however, a report will also be accepted by phone or in person.

Charges will be promptly and thoroughly investigated and corrective actions taken if the charge is founded. If it is determined that a violation has occurred, appropriate relief for the employee(s) bringing the complaint and appropriate disciplinary action, up to and including discharge, against the person(s) who violated the policy will follow.

A non-employee who subjects an employee to harassment in the workplace will be informed of the County's policy and appropriate action will be taken to protect the employee from future harassing conduct.

In all cases, the County will make follow-up inquiries to ensure that the harassment has not resumed.

An employee violating this policy will be subject to disciplinary action, including termination. The employee who brought the complaint will be provided information on the outcome of the investigation.

## **15.3 RETALIATION**

Retaliation is illegal and contrary to the County policy of providing a work place free from harassment.

Employees who bring complaints of discrimination or who identify potential violations, witnesses interviewed during the investigation, and others who may have opposed discriminatory conduct are protected from retaliatory acts.

If an employee believes that he is being retaliated against, a written report should be made to his manager unless the manager is the subject of the matter. If such is the case, the next level supervisor shall be contacted. Those who are found to be acting in a retaliatory manner will be disciplined for such conduct.

## **15.4 VIOLENCE PREVENTION**

The County does not tolerate employee violence or threats on County property or on County time. The County strives to provide each employee with a safe working environment and to provide our customers with a comfortable business climate. Employees who jeopardize this safe atmosphere by engaging in violent behavior will be disciplined, up to and including discharge for a first offense. Any employee with knowledge of any violation of this policy should report to his or her supervisor, department head, or the County Administrator without delay. The unauthorized possession of firearms, illegal knives, blackjacks, explosives, or other weapons on County property or on County time is absolutely prohibited. Violation of this rule warrants discharge for a first offense.

Violent behavior includes fighting, threats, harassment, verbal assault, and other aggressive or intimidating behavior that places another individual in discomfort or fear for his or her well-being. If an employee is subjected to violent behavior, the employee should inform his or her supervisor instead of responding with violence. An employee should not escalate a potentially hostile situation.

## **16. GRIEVANCE PROCEDURE**

The purpose of this procedure is to provide a prompt, fair, and orderly method for the resolution of employee grievances initiated by eligible employees of the County, when the problem has not been successfully resolved through informal efforts. (Constitutional Officer appointees are exempt from this section of the policy, according to the Code of Virginia Section 15.2-1507, since they serve at the will and pleasure of the Constitutional Officer and the Cooperation Agreement between the County and Constitutional Officers.)

### **16.1 GRIEVANCE**

#### **A. Definition of Grievance**

A grievance is a complaint or dispute by an employee relating to his employment, including but not necessarily limited to:

1. Disciplinary actions, including disciplinary demotions, suspensions, and dismissals provided that such dismissals result from formal discipline or unsatisfactory job performance.
2. Acts of retaliation as the result of the use of or the participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth of Virginia, has reported any violation of such law to a governmental authority, has sought any change in law before the United States Congress or the General Assembly of Virginia, or has reported an incident of fraud, abuse, or gross mismanagement.
3. Discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, or sex.

#### **B. Management Rights and Prerogatives**

The County reserves to itself the exclusive right to manage the affairs and operations of County government. Accordingly, complaints involving the following management rights and prerogatives are not grievable:

1. Establishment and revision of wages or salaries, position classification, or general benefits.
2. Work activity accepted by the employee as a condition of employment, or work activity which may reasonably be expected to be a part of the job content.
3. The contents of ordinances, statutes, or established personnel policies, procedures, rules, and regulations.
4. The methods, means, and personnel by which work activities are to be carried on, including but not necessarily limited to:
  - a) The provision of equipment, tools, and facilities necessary to accomplish tasks.
  - b) The scheduling and distribution of manpower/personnel resources.
  - c) Training and career development.
5. The hiring, promotion, transfer, assignment, and retention of employees in positions within the County's service.
6. Failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly.
7. The relief of employees from duties, or taking action as may be necessary to carry out the duties, of the County in emergencies.
8. Direction and evaluation of the work of County employees.

9. Termination, layoff, demotion, or suspension from duties because of lack of work, reduction in force, or job abolition, except where such action affects an employee who has been reinstated within the previous six (6) months as the result of the final determination of a grievance. In any grievance brought under the exception to this paragraph, the action shall be upheld upon a showing by the County that:
  - a) There was a valid business reason for the action, and
  - b) the employee was notified of the reason in writing prior to the effective date of the action.

## 16.2 COVERAGE OF PERSONNEL

All non-probationary full-time employees are eligible to file grievances under this procedure except the following:

- A. Key officials of the County. For purposes of this procedure, a key official is defined as the head of any County department.
- B. Members of boards and commissions.
- C. Employees whose terms of employment are limited by law.
- D. Officials and employees who serve at the will or pleasure of an appointing authority.
- E. Appointees of elected individuals or elected groups.

Temporary, part-time and probationary employees may, however, use this procedure if there is a claim of unlawful discrimination or retaliation. An employee who has voluntarily resigned may not have access to the grievance procedure after the effective date of the resignation.

## 16.3 STEPS OF THE GRIEVANCE PROCEDURE

- A. **Step 1.** An employee who believes he has a grievance and wishes to utilize this procedure shall **discuss the grievance informally with his immediate supervisor** within twenty (20) calendar days of the occurrence of the incident giving rise to the grievance, or within twenty (20) calendar days following the occurrence of the incident, given the employee reasonably should have gained knowledge of its occurrence, or twenty (20) calendar days after the disciplinary process. A response to the grievance shall be communicated, either orally or in writing, to the grievant within ten (10) calendar days.

**Note:** If the complaint is alleging discrimination or retaliation by the immediate supervisor the grievance may be presented at Step 1 to the department head or, if there is no department head above the immediate supervisor to the County Administrator. If Step 1 is with the County Administrator, Step 2 is omitted, and the written grievance is presented to the County Administrator. The grievance proceeds immediately to Step 3.

- B. **Step 2.** If the grievant is not satisfied with and does not accept the Step 1 response, or if a response is not provided within the required time frame, the grievant may proceed by **putting the grievance in writing** on the Grievance Form which follows this procedure. The Grievance Form shall be delivered, by mail or in person, to the department head within ten (10) calendar days of receipt of the supervisor's response or the deadline for that response, whichever occurs first. If the immediate supervisor is the department head, the written grievance should be presented to the County Administrator and it will proceed as if it were at Step 3.

The grievant shall specify the relief that he expects to gain through the use of this procedure. The department head shall promptly meet with the grievant. Normally, the only persons who may be present at the meeting or hearing shall be the agency head, the grievant, and the appropriate witnesses. The department head shall render a written response to the grievance within ten (10) calendar days following receipt of the completed request form with a copy of

the response being sent to the County Administrator. By mutual consent of the grievant and the department head, the grievant may skip Step 2 and proceed directly to Step 3.

- C. Step 3.** If the grievant does not accept the response at Step 2, or if the department head fails to respond within the required time frame, the grievant shall indicate his desire to advance the grievance to Step 3 on the Grievance Form. The Grievance Form shall be delivered by mail or in person, directly **to the County Administrator within** ten (10) calendar days following receipt of the Step 2 response or immediately after the deadline for that response, whichever occurs first. If the County Administrator determines (or has previously determined) that the complaint is grievable, a meeting with the grievant, the grievant's representative (if there is one), a representative of the affected department

and the County Administrator, will be held within five (5) calendar days. The County Administrator will render a written response to the grievance within ten (10) calendar days following receipt of the completed request form.

In the event that the County Administrator determines that the complaint, or a portion of the complaint, is not grievable, the grievant may appeal that decision to the Circuit Court.

- D. Step 4.** If the grievant does not accept the Step 3 written response, or if the County Administrator fails to respond within the required time frame, and the grievant wishes to advance to a **state hearing officer** (as appointed by the Executive Secretary of the Supreme Court or by the Department of Human Resource Management) the grievant shall complete Step 4 of the Grievance Form.

The Grievance Form shall be delivered, by mail or in person, directly to the County Administrator within ten (10) calendar days following receipt of the Step 3 response, or the deadline for that response, whichever occurs first.

#### **16.4 GRIEVABILITY AND ACCESS**

- A.** Grievability and access are determined by the County Administrator generally after the grievance reaches Step 3. Only after the County Administrator has determined that a complaint is grievable and/or the grievant has access to the procedure may a grievance be advanced through Steps 3 and 4. Should the question of grievability or access arise at Step 2 the grievant or the department head may request a ruling on grievability and/or on access by the County Administrator. The County Administrator shall render a decision within ten (10) calendar days of receipt of the ruling request and shall send a copy of the decision to the grievant and the department head.
- B.** The County Administrator's decision on grievability and/or access may be appealed to the Circuit Court of the County. Such appeals shall be instituted by the grievant by filing a notice of appeal with the County Administrator within ten calendar days from the date the grievant received the decision. Within ten (10) calendar days after the filing of the notice of appeal, the County Administrator or his designee shall transmit to the Clerk of the Circuit Court a copy of the County Administrator's decision on grievability or access to the procedure, a copy of the notice of appeal, a copy of the grievance record, and copies of all exhibits. A list of the evidence furnished to the Court shall also be furnished to the grievant. The appeal will be heard by the Court as provided by law. The decision of the Court is final and is not appealable.

#### **16.5 GENERAL TERMS**

Except as otherwise noted, the following rules apply to all levels of grievance hearings:

- A.** Time intervals specified in Steps 1 through 4 may be extended by mutual consent of the parties.
- B.** When a deadline falls on a Saturday, Sunday, or County holiday, the next calendar day that is not a Saturday, Sunday, or County holiday shall be considered the last calendar day.
- C.** All grievance meetings shall be held during normal County working hours unless both the grievant and the County Administrator should mutually agree otherwise.

- D. County employees who are necessary participants at grievance hearings shall not lose pay for time necessarily lost from their jobs and will not be charged leave because of their attendance at the grievance proceedings.
- E. At the Step 3 meeting, the grievant, at his option, may have present a representative of his choice. If the grievant is represented by legal counsel, the County likewise has the option of being represented by counsel.
- F. The use of recording devices or a court reporter is not permitted at Step 1, 2, and 3 meetings.
- G. Both the grievant and the County may call appropriate witnesses. All witnesses, including the grievant, shall be subject to examination and cross-examination. Witnesses shall be present only while actually providing testimony.
- H. Where a grievant has obtained partial relief at one level of this grievance procedure but decides to appeal to the next higher level, the filing of a request form to the next higher level shall constitute rejection of, and relinquishment of any claim to, any and all relief granted at the previous level.
- I. Each party shall bear the costs and expenses, if any, of his legal counsel or representative.

## **16.6 COMPLIANCE**

- A. Except as noted in paragraph 16.5 (B), after the initial submission of the grievance to the immediate supervisor, the failure of either party to comply with all substantial procedural requirements of this procedure without just cause shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) work days of receipt of written notification by the other party of the noncompliance. Such written notification by the grievant shall be made directly to the County Administrator.
- B. If one of the management respondents in Steps 1, 2, or 3 does not respond to the grievance, the grievant at his option may move the grievance to the next level by submitting it without the response to the next Step or the grievant can provide the County Administrator notice of the non-compliance.
- C. The County Administrator shall determine compliance issues. Compliance determinations made by the County Administrator or his designee shall be subject to judicial review, which shall be initiated by the grievant filing a petition with the Circuit Court of the County within thirty (30) calendar days of the compliance determination.

## **17. EMPLOYEE EVALUATION**

### **17.1 FORM**

County employees are evaluated annually using the standardized form approved by the County Administrator. Probationary employees shall be evaluated thirty (30) days before the end of their probation.

## **18. TRAVEL AND EXPENSE POLICY**

### **18.1 PURPOSE**

The County's policy regarding reimbursement for travel or business-related expenditures includes a variety of practices to provide the employee with fair and equitable compensation for travel expenses related to the conduct of County business. Normal home-to-work and work-to-home travel time is not normally considered work or paid time. This is true whether the employee works at one location or many. Travel time between different work sites during the day is considered work time. When an employee is sent to work or attend a meeting requiring an overnight stay, only the travel time that falls within the regular scheduled work hours is compensable time unless the employee is working while traveling, in which case all the hours are compensable. Time spent traveling on off days during the employee's regular working hours is compensable time. As an enforcement policy the Department of Labor will not consider as work time that time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile. However, time spent working while traveling as a passenger must be paid.

## **18.2 GENERAL**

Requests for county employees in state travel must be preapproved by the department head or Constitutional Officer designee. Request for county employee out of state travel must be preapproved by the County Administrator or Constitutional Officer. Travel allocations shall normally be included in departmental/Constitutional Officer operating budget requests.

Requests for travel and other expense reimbursement must be made on an approved County reimbursement form, and must be accompanied by receipts and other documentation.

Each expense for which reimbursement is sought must be itemized.

Each employee seeking reimbursement must sign his or her request. Each request must be signed and approved by the department head.

Reimbursements will be made only to the employee seeking the reimbursement and not to a second party.

## **18.3 MEAL ALLOWANCE**

Reimbursements for meals shall not exceed the amount approved by the Finance Director or designee. Information concerning the current amounts may be obtained from Central Accounting. Itemized receipts must be attached when requesting reimbursements.

## **18.4 MILEAGE REIMBURSEMENT**

It is expected that employees traveling out-of-town on County business will use only the most direct route to and from the location of that business. The use of personal vehicles for County business will be reimbursed after a determination is made by the respective department head. Mileage shall be reimbursed at the prevailing rate per mile as published by the Internal Revenue Service for business use of personal vehicles. Mileage will be calculated to and from job sites. Normal travel time from work-to-home, and home-to-work will be deducted from out-of-town travel reimbursement.

## **18.5 NON-REIMBURSABLE TRAVEL EXPENSES**

Ineligible expenses include but are not limited to the following: purchase of alcoholic beverages, personal recreation-related expenses, and entertainment costs. Expenses for spouses/guests are not allowed.

## **19. HEALTH AND SAFETY**

### **19.1 OCCUPATIONAL SAFETY AND HEALTH**

Pittsylvania County attempts to provide a safe and healthy working environment for all employees by providing the necessary safety education and training. Employees shall follow all prescribed safety procedures when performing their daily activities and shall further exercise all reasonable and prudent judgment to ensure safety.

Each supervisor has the responsibility for ensuring that the various work centers are free from any recognized hazards that might lead to death or injury. Further, it is the responsibility of each employee to perform all work in a safe manner. All hazards, deaths, injuries, and illnesses that occur on County property must be reported to the manager within the same day of the discovery or occurrence.

Employees are directed to utilize all applicable safety procedures and equipment, and to perform all work in a safe manner. Employees are responsible for bringing to their supervisor's attention any potential hazards that might exist within their workstations. Supervisors are responsible for developing and maintaining work safety rules and for providing these rules in writing to their subordinates. Specifically, employees shall:

- A.** Report all injuries, regardless of severity, to the supervisor immediately, but no later than twenty-four (24) hours. If the supervisor is not available, the injury should be reported to the

manager before medical treatment is sought; Employee and Immediate Supervisor shall follow the County's Procedure for reporting Worker's Compensation Claims.

- B. Report and, if possible, correct all unsafe conditions or acts;
- C. Avoid horseplay and mischief which could cause injury;
- D. Take all standard safety precautions to prevent injury;
- E. Follow all safety rules.

## **19.2 SELF- INSPECTION SAFETY PROGRAM**

### **A. Purpose**

Hazard prevention and control may be the most cost effective aspect of the County's safety program. Self-inspections will allow identification of most hazards. Some hazards will be physical while others will be procedural. All must be identified and addressed in some way.

### **B. General Policy Statement**

In an effort to create a safe and healthy workplace, the County has established a policy to conduct regularly scheduled self-inspections of the County's premises, job sites, and procedures by which all work is completed. All necessary steps will be taken to assure the safety of employees, the public, and any contractors.

### **C. Management Responsibilities**

1. Department heads will conduct or support self-inspection training for supervisors and/or employees that may have a part in this activity.
2. Department heads will monitor the implementation of the Self-Inspection Program in order to evaluate the overall effectiveness.
3. Each supervisor will provide the means and support necessary to ensure compliance with all applicable regulations and responsibilities outlined herein.
4. A Safety Committee, appointed by the County Administrator, shall have developmental and audit duties to be certain the safety policy is written, firmly established, and maintained.
5. The Safety Committee will be responsible for working with department heads to delegate activities to committee members or other supervisors to complete the self- inspections.

### **D. Employee Responsibilities**

1. To make the Self-Inspection Program as productive as possible, all County employees are expected to cooperate by answering any safety or work procedural questions asked by inspectors.
2. Employees are encouraged to volunteer ideas about how facilities, equipment or work procedures can be changed or improved to make them safer.
3. Report all hazardous conditions dangerous work procedures and near misses (an unplanned event that could have caused injury or damage).

### **E. Self-Inspections**

1. Written Program. Will be reviewed and evaluated annually.
2. Safety Committee. Will establish the types of inspections to be conducted and will determine the frequency of completion. Once an initial inspection is completed, the frequency of further inspections will be determined. This will be based on the number and severity of hazards identified. Many OSHA programs require an annual inspection/survey. Along with management, the committee will decide which self-inspections safety committee members would conduct and which are to be delegated to supervisors, equipment operators or specially trained engineers or maintenance personnel. All self-inspections required to be conducted more often than monthly will be completed by non-safety committee members.

3. **Inspection Procedures.** Previous inspection reports and any incident investigation reports will be reviewed prior to initiating an inspection to determine what items have been corrected, modified, completed, etc. The new inspection is then completed. A copy of the completed inspection form(s) will be forwarded to the designated inspection program coordinator, with recommendations for corrective action if deficiencies are noted. Department heads will take immediate corrective action to eliminate or minimize hazards. Management will then initiate permanent corrective action where possible.
4. **Observations of Procedures and Actions.** Observations of work practices and procedures will be conducted in addition to the established checklists. Comments will be offered on the inspection form and reported to the appropriate supervisor(s). This component of the inspection process will be kept professional and positive, not punitive. These inspections will accompany/be conducted independently of the checklist portion of the inspection process. Observation inspections will be conducted every two months.
5. **Forms.** Forms to guide investigators will be produced and modified as needed. Other forms will be generated and used as deemed necessary and may need to be specifically designed for some departments. Some forms will require descriptive observations made about how employees perform specific tasks, to determine work methods and actions that may contribute to hazards.
6. **Inspector Training.** Training on how to conduct effective self-inspections will be coordinated by the safety committee. Classroom training may be followed by site inspections with instruction from an experienced inspector who is able to answer questions relating to the inspection process and the inspection forms themselves.
7. **Inspection Results/Corrective Actions.** All items noted as needing improvement, modification, or action will be communicated to the appropriate manager or supervisor for the department(s) affected. Response to the deficiency will depend on the action as indicated by the nature of the shortfall. A response from the manager/supervisor will be sent to the safety committee indicating action(s) taken.
8. **Follow-up.** If necessary, the safety committee will review and act on all lack of progress in addressing self-inspection items noted for improvement.

### **19.3 ACCIDENT OR INJURY INCIDENT INVESTIGATION PROGRAM**

#### **A. General**

Learning from previous undesired incidents is a key element in the prevention of future similar incidents. The County through this policy addresses procedures to be followed for all incidents or near misses resulting in employee injury or property damage, and those incidents that might have had the same results. The depth of investigation will vary with the result of the incident and the potential for future consequences.

#### **B. Management Responsibilities**

All supervisors and department heads will be trained in how to conduct and report thorough incident investigations. The immediate supervisor of the employee(s) involved in the incident will conduct the majority of investigations. Reports generated will be routed through the Assistant County Administrator, the Safety Committee and the insurance carrier(s). Management will ensure that both immediate and long-term corrective actions are taken to prevent re-occurrence. Incident investigation reports will be kept permanently on file.

#### **C. Employee Participation**

Employees will be instructed to report all incidents, including near misses to their supervisor at their earliest opportunity and will assist as requested in the investigation process. Employees are encouraged to volunteer ideas that may help to prevent similar incidents in the future.

#### **D. Prompt Investigations**

Investigations should be conducted immediately or at least within twenty four (24) hours. Providing first-aid and other medical treatment for injured employees will take precedence

over initiating the incident investigation. The purpose of prompt investigations is to gather all the facts before the scene can change and witnesses are influenced. The lead investigator may elicit the assistance of others in the process of investigating the incident. These could include other department heads, safety committee members, maintenance workers or the Risk Management Coordinator.

#### **E. Investigative Procedures**

The actual procedures used in a particular investigation depend on the nature and results of the incident. Incident investigation is primarily a fact-finding procedure; the facts revealed are used to prevent recurrences of similar incidents. The focus of incident investigation will be to prevent future incidents and injuries to thus increase the safety and health of all employees. The site shall be secured to preserve the incident evidence unless hazards within the site must first be controlled. Some preliminary information gathered will include:

1. Witness Interviews

Witnesses include those present at the time of the incident and also those who were in the area just before or after the incident as well. They should also be questioned about whether they have discussed the incident with others.

2. Corrective Actions

Corrective actions will be determined for each and every cause identified during the investigation process. The minimum corrective action will be a brief retraining session for all department employees that conduct the same task as employee(s) involved in the incident. It may be possible to yield greater benefits by including procedural and physical changes in the environment where the incident occurred.

3. Follow Up of Corrective Actions

The lead investigator will report to the Risk Management Coordinator at the end of 6 (six) months as to how effective the corrective actions have been. If corrective actions resulted in the creation of new hazards, this will be included in the report as well.

#### **19.4 WORKERS' COMPENSATION**

The immediate supervisor is responsible for setting a good example for employees.

Supervisors should encourage safe work practices and make safety an integral part of the day-to-day activities. Employees are required to comply with safety policies, including proper operation of machinery and use of safety equipment. The employee must report any work-related accident to the supervisor, no matter how insignificant. In case of a life or limb threatening emergency, the employee's supervisor should call 911. Disciplinary action may be taken where unsafe practices are observed.

State law allows the County to designate physicians that will treat Workers' Compensation illnesses/injuries. The supervisor will provide the employee with a copy of the Panel of Physicians list and appropriate paperwork and instructions. If an employee chooses to be treated by a physician other than one on the County's panel of physicians, the employee may be responsible for medical expenses related to the treatment. If the injury is determined to be compensable, the injured employee will receive their regular salary according to Section 6.5, Injury Leave. The County will be reimbursed the 66 2/3 percent from Workers' Compensation for the wages the County pays directly to the employee. If the injury is determined to be non-compensable, all absences will first be charged to accrued sick leave and/or other leave as approved by the supervisor.

Under the Virginia Workers' Compensation Act, a disability of over seven (7) days is required before payment of Worker's Compensation salary benefits can be made. If the disability exceeds twenty-one (21) days, Workers' Compensation will be provided, retroactively for the first seven (7) days (Ref. Code of Virginia, Section 65.2-509).

During the first seven (7) calendar days that an employee is absent from work because of a job-related illness or injury, the County will place the employee on Injury Leave with pay. Absences away from work because of an accident on the job should be recorded on

employee time records as a "Workers' Compensation" credit. Should the absences continue for more than seven (7) days, the employee will be placed on leave according to the Injury Leave policy (see section 6.5, Injury Leave).

If the employee is not paid wages for the entire day on which the injury occurred, the seven day waiting period shall include the day of the injury regardless of the hour of the injury. All days or parts of days when the injured employee is unable to earn a full day's wages due to injury, shall be counted in computing the seven-day waiting period even though the days may not be consecutive.

The immediate supervisor will periodically monitor the employee's progress and keep lines of communication open so that the employee will feel part of the work group.

The Family and Medical Leave Act requires that the County provide up to 12 weeks of unpaid, job-protected leave to eligible employees when a serious health condition makes an employee unable to perform his or her job. Any Workers' Compensation injury or illness that qualifies as a serious health condition will be designated as FMLA and counted against the employee's annual FMLA entitlement. For the duration of the FMLA leave, the County will maintain the employee's health and life insurance coverage. The employee must pay for other benefits that are usually deducted from his or her salary.

If an injured employee is unable to return to work at the conclusion of the 12 weeks, the employee will remain on leave of absence until a determination is made by management.

Should an employee believe he/she is eligible for disability retirement under the Virginia Retirement System, he/she should discuss this with the department head.

## 19.5 RETURN-TO-WORK POLICY

***The medical provider will notify the employer of any changes in the injured worker's physical restrictions, in writing, and will specify the employee's ability to return to work with or without restrictions or reasonable accommodation.***

### **A. Statement**

The County will make every effort to return injured employees to productive employment as early as possible, compatible with physical restrictions and good medical practices.

A strong return to work effort yields several benefits including:

- acceleration of the injured employee's recovery;
- maintenance of an experienced workforce;
- reductions in claims costs; and
- improved employee relations.

The County's first responsibility is the prevention of occupational injury and illness. The County is committed to providing transitional work, on a temporary basis. The employee will continue to receive pay at his regular pay scale and receive job-related benefits of his original position.

Transitional work is defined as:

- Appropriate work to allow the resolution of the injury and to prevent re-injury.
- Modification of the job according to the medical limitations and needs of the department where the employee may be assigned.
- A meaningful job.
- Temporary transitional work assignments will be reviewed every fourteen (14) days.

## **B. Procedure**

1. Pittsylvania County shall receive a workers' compensation follow-up form which identifies specific employee restrictions.
2. The County shall review these physical restrictions and plan tasks for the employee on a temporary transitional assignment.
3. The employer and employee will meet to discuss the temporary transitional work assignment and complete a temporary transitional work form.
4. The employer will re-evaluate all temporary work assignments every fourteen (14) days.
5. Every effort shall be made within the employee's department or if necessary within another department to find a suitable modified work assignment for an employee unable to perform his/her regular duties.
6. The modified work assignment shall be based upon the treating physician's medical evaluation (including information on required medical treatments, recovery prognosis, work restrictions, and time frames). The department head, Human Resources Manager and/or the Safety Committee, when needed, shall carefully consider the medical report(s) and the availability of suitable modified duty prior to initiating a modified work assignment. The Safety Committee may also provide assistance when needed in identifying modified work.
7. An injured employee, who refuses any suitable employment, shall not be entitled to any compensation at any time during the continuance of such refusal, unless in the opinion of the Virginia Workers' Compensation Commission the refusal was justified.

## **19.6 VEHICLE SAFETY POLICY AND DRIVER REQUIREMENTS**

County owned vehicles may be operated only by approved County employees. Prior to employment, an applicant for a County position must agree to a license check and a drug screening by executing County approved consent forms. Driver's license checks will be conducted on all employees who operate County vehicles once a year, thereafter. If operation of a County owned vehicle is a primary requirement of an employee's job, a poor driving record could result in disciplinary action including dismissal. In addition, County owned vehicles are to be used only for County sponsored activities. Drug tests may be required for vehicle operators at any time as outlined in Section 11.

### **A. Purpose**

It is the policy of Pittsylvania County to protect its employees and citizens from injuries caused by motor vehicle accidents involving vehicles owned by the County. The County will ensure compliance with County, state and federal laws and regulations and provide the most effective level of service at the least cost to citizens.

### **B. Covered Departments**

All County Departments are covered by this policy.

### **C. County Vehicle Use Policy**

Only County employees may operate County owned vehicles and other motorized equipment

### **D. Responsibility**

1. All County employees operating county vehicles shall adhere to the stipulations and requirements of this policy.
2. Seat belts are required at all times for the operator and all occupants of County vehicles.
3. Department heads shall be responsible for enforcement of this Policy in relation to their employees.
4. Employees involved in an accident while operating a County vehicle must report it, if possible, to 911 immediately.

5. An employee operating a County vehicle must report any mechanical failure, accident, traffic violation or damage sustained to the vehicle while in the employee's use to the department head or his designee. County employees shall obey all traffic laws while operating a County owned vehicle and focus on driving at all times. Operators should avoid distractions such as cell phone usage and eating while driving in a moving vehicle.
6. A file shall be kept on each vehicle owned by the County by the department to which that vehicle is assigned. This file shall contain maintenance records and other pertinent information associated with the vehicle.
7. County employees and occupants shall not use tobacco products while in a County owned vehicle.
8. County employees shall not use, purchase, or transport alcohol while driving County owned vehicles.
9. Department heads shall ensure that all vehicles assigned to their department will be inspected every two (2) months. The purpose of this inspection is to identify potential safety concerns with the vehicle and to ensure that all necessary equipment remains with the vehicle. The inspections shall be documented and kept in the vehicle file.

#### **E. Accident Review**

County drivers who are involved in an accident while operating a vehicle on County business may be interviewed by the County or Departmental Accident Review Committee. The purpose of the review is to learn ways to prevent accidents and to recommend appropriate actions to the County Administrator.

#### **F. Driver Requirements**

1. Acceptable Driving Record
 

For the purposes of this policy, the following constitutes an acceptable driving record: a)

A valid Virginia driver's license with a score of -4 or better.

  - b) No license revocations or suspensions within the past three (3) years.
  - c) No record of conviction of a felony while operating a motor vehicle.
  - d) No Driving under the Influence ("DUI") Driving while Intoxicated ("DWI") convictions in the past three (3) years.
2. Driver Eligibility
  - a) In order to operate County owned vehicles, an employee must be twenty-one (21) years of age or have a minimum of three (3) years of acceptable legal driving experience. If the employee's job requires transporting non-County employees in County vehicles, the employee must be at least twenty-one (21) years of age and have a minimum of three (3) years of acceptable, licensed driving experience.
  - b) All County employees whose jobs may include driving responsibilities will have their Department of Motor Vehicles ("DMV") driving record reviewed annually by their department head.
  - c) A County employee is eligible to operate a vehicle for County business purposes if their DMV driving record is determined to be satisfactory upon review by the department.
  - d) The Department will utilize the Virginia Department of Motor Vehicles Driver Improvement Program to assess driver eligibility.
  - e) Employees must inform their Supervisor of the following:
    - i. That the operator's DMV driver's license being restricted, suspended, or revoked.

- ii. Charges for moving violations while operating a vehicle.
  - iii. Legal charges or convictions while operating a vehicle.
  - f) Employees who fail to report such offenses outlined may be subject to disciplinary action up to and including termination.
3. Disciplinary Actions Related to Poor Driving Performance:
- a) If a County employee incurs violations while operating a County vehicle the employee may receive the following disciplinary actions:
    - i. Revocation or suspension of their driver's license will result in loss of driving privileges for County vehicles.
    - ii. Failure to report a moving violation while driving on County business will result in disciplinary action as defined by County policy.
    - iii. Failure to report an accident while driving on County business will result in disciplinary action as defined by county policy.

An employee who is charged with a DUI/DWI while on or off the job is prohibited from operating County owned vehicles until a decision on the charge is rendered in Court. If the employee normally operates a County owned vehicle, an assignment to a non-driving position may be required. If a non-driving assignment is not available, the employee may be required to take appropriate leave, or be placed on administrative leave without pay pending the outcome of the court decision.

## 20. ELECTRONIC COMMUNICATIONS EQUIPMENT

The County may provide electronic, digital, and wireless communications equipment for county business purposes. Any communication received, sent, and stored on this equipment will be subject to monitoring and in the course of this monitoring may be read for content. **There should be no expectation of privacy in any communications received, sent, or stored on any equipment or service provided by the County.** County provided telephones and radios are for work related purposes. While occasional personal calls may be permitted, the number and duration of such calls should be limited. Failure to follow this guideline is a performance issue and will be addressed by the employee's department head. Other than in emergency situations, use of personal cell phones/personal electronic devices should be limited to lunch time or breaks.

### 20.1 COUNTY COMPUTER USAGE

The IT policy for the County of Pittsylvania establishes guidelines for the proper and acceptable use of all information systems including e-mail by county employees, elected officials, volunteers, interns, and any other affiliates who may be authorized to use or perform work on hardware, software, devices, and/or network connections provided by the County of Pittsylvania. All electronic data created with, received by, or stored within any of the systems mentioned above, administered by the County of Pittsylvania, are the property of the county, and therefore, are not considered private to an individual, except where legally stated. Employees do not have personal privacy rights in using the county's e-mail system, internet, nor any other hardware or software owned and operated by the county. The County Administrator or Director of Information Technology reserve the right to restrict or remove access or availability of electronic tools for any employee or user of our network or connections as provided by the County of Pittsylvania that violates appropriate use and/or security policies and practices. Refer to the Information Technology Policy you were given at the time of employment, as well as any revisions that may apply, for more specific information as to what is and is not permissible for the systems owned by and administered by the County of Pittsylvania.

Because the public library also provides computers and internet access to the public, its internet requirements meet federal and state requirements and are dictated by the acceptable use policy required by the Commonwealth of Virginia and approved by the Board of Trustees.

## **21. POLITICAL ACTIVITY**

All County employees are encouraged to exercise their right to vote and to express private opinions on candidates and issues. However, to ensure and maintain each employee's individual rights free from interference or solicitation by fellow employees, supervisors or officials, political activities during working hours or when officially representing the County are prohibited. General statements of County policies and practices include:

- A. An employee shall not be coerced to support a political activity or to sign petitions for office.
- B. An employee shall not engage in political activity on work premises during work hours.
- C. An employee shall not use County resources, including but not limited to County vehicles, for political activities.
- D. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on political activities.
- E. An employee shall not use the employee's title or position while engaging in political activity.
- F. Constitutional Officers and their appointees will conform to the State Board of Election Laws.

## **22. SEVERABILITY AND MODIFICATIONS**

### **A. Conflicting Policies Repealed**

All prior policies that conflict with the provisions of this policy are hereby repealed.

### **B. Severability**

Should any section, subsection or provision of this Manual be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Manual as a whole or any part thereof, other than the part so declared, to be invalid and unconstitutional.

### **C. Right to Amend**

The County reserves the right to modify all or any part of this Manual as may become necessary.

### **D. Violation of Policy Provisions**

An employee violating any of the provisions of this policy shall be subject to disciplinary action, suspension, and/or dismissal, in addition to any civil or criminal penalty.

### **E. Effective Date**

This policy shall become effective upon adoption.

## **23. CREDIT CARD POLICY**

### **23.1 PURPOSE**

The purpose of this policy is to establish guidelines for Pittsylvania County to be able to issue credit cards to officers and employees for the purpose of covering expenses related to authorized travel and other authorized purchases. This policy will provide guidance to enable a cost effective, convenient and streamlined method of purchasing items for Pittsylvania County. Reports on cardholder activity will enable the County of Pittsylvania to capture information necessary to better manage Pittsylvania County purchasing activities. This policy replaces Section 3 of the Travel Training and Education Policy adopted by the Board of Supervisors on August 5, 2013.

### **23.2 GENERAL REQUIREMENTS TO USE CREDIT CARDS**

#### **A. Under this policy a credit card may be issued to an individual who is:**

1. An employee or elected constitutional officer for the County of Pittsylvania who demonstrates a need to use a County credit card either for authorized travel or an authorized purchase or
  2. A member of the Board of Supervisors only for travel outside of the County of Pittsylvania on an "as needed" basis.
- B.** Authorized employees or elected officials may use a county credit card to purchase merchandise or services required as a function of his/her duties for Pittsylvania County. Unauthorized and/or inappropriate credit card use is addressed in Section V of this policy. Disciplinary actions related to unauthorized and/or inappropriate credit card use is addressed in Section VI of this policy.
- C.** An authorized credit card purchase may be made in-store, by telephone, fax, internet or U.S. mail.

**23.3 CARD ISSUANCE:**

Credit cards for the County are maintained by the Purchasing Manager. Employees or elected county officials who have been authorized to utilize a County credit card must check out a credit card from the Purchasing Manager and sign an employee agreement concerning credit card purchases. Only one agreement is necessary per employee not per card use. A sample of the employee agreement form is attached. Cards must be returned to the Purchasing Manager within five (5) business days of the employee's return to work for authorized travel and within one (1) business day when the card is used for other authorized purchases.

**23.4 SECURITY:**

- A.** Authorized use of the credit card is limited to the employee or elected official whom the credit card was issued to. The credit card shall not be loaned to another employee or elected official but should first be returned to the Purchasing Manager to be reissued.
- B.** It is the responsibility of authorized credit card user to safeguard the credit card and the credit card account number at all times by keeping the card in a secure location at all times. Lost or stolen credit cards must be reported immediately to the Finance Director of Pittsylvania County.
- C. The Finance Director will notify the County Administrator and the credit card agency of this lost or stolen card.**

**23.5 UNAUTHORIZED AND INAPPROPRIATE USE:**

**A.** Credit cards must never be used to purchase items for personal use, even if the employee or elected official intends to reimburse the County of Pittsylvania. Purchases for non-Pittsylvania County purposes include but are not limited to cash advances, food not previously authorized, alcoholic beverages, recreation, entertainment and any other expense considered personal.

**23.6 DISCIPLINARY ACTION:**

- A.** An employee or elected official who makes unauthorized or inappropriate purchases with the county credit card will be subject to disciplinary action including but not limited to restitution to the County of Pittsylvania for the unauthorized or inappropriate purchase, possible inability to utilize county credit cards in the future, possible termination of employment at Pittsylvania County and possible criminal prosecution. Restitution for unauthorized/inappropriate purchases shall be paid by the employee or elected official by check or salary deduction.
- B.** Unacceptable or unauthorized purchases MUST be reported immediately to the County Administrator. The Board of Supervisors will subsequently be made aware of these charges by the County Administrator even if the affected employee/elected official has made arrangements to make restitution for these unauthorized/unacceptable purchases.
- C.** Improper use of the issued credit card may result in prosecution of embezzlement under section 18.2-112 of the Code of Virginia.

**23.7 CREDIT CARD ACCOUNTABILITY:**

In order for spending limits to be monitored and purchasing activity reconciled to the monthly charge card statements, authorized credit cards users must maintain a separate log of purchases made with the credit card. A Credit Card Log Sheet (see attached) should be established with each credit card issuance and submitted to the Accountant in the Finance Department when the card has been turned in to the Purchasing Manager. This must be done within five (5) business days after the employee returns to work for authorized travel and after one (1) business day when the card is used for authorized purchases. To use the card, the authorized user must:

- A. Identify the vendor that accepts VISA and sells the required goods and services.
- B. Call or go to the vendor's place of business and place an order.
- C. Give the vendor the account number and expiration date of the credit card. The vendor will verify the account number with VISA. The spending limit will be checked electronically for compliance with applicable limits. Inform the vendor that the County is tax exempt.
- D. Be sure there is NO SALES TAX applied to any purchases. Pittsylvania County is tax exempt from sales tax, but must pay meals tax.
- E. Retain all documents pertaining to the purchase. When the vendor delivers the order, documentation of the purchase, such as sales receipt or packing slip should accompany the order. Detailed receipts must be retained for ALL purchases including meals. Detailed receipts will list individual items purchased. This documentation must be attached to the credit card log sheet and submitted to the Accountant in the Finance Department so that these charges can be reconciled to the monthly credit card statement.

### **23.8 DOCUMENTATION, RECONCILIATION, AND PAYMENT PROCEDURES:**

- A. Documentation: Any time a purchase is made with the credit card, the authorized user must obtain a customer copy of the charge slip, which will become the accountable document (make sure all carbons are destroyed). The charge slip MUST provide a detailed list of each item purchased including cost. When used to pay for meals, employees may have to specifically request detailed receipts that list each item purchased.
- B. Telephone Orders: The authorized user must obtain an invoice from the vendor after the order is placed.
- C. Missing Documentation: If the authorized user does not have documentation of the transaction to send with the credit card transaction log (sample log attached) for any transaction other than telephone orders as described above, he or she MUST contact the vendor to get a duplicate receipt. If the purchase cannot be documented you will be responsible for paying the purchase from your own personal funds. Recurring abuse of this provision may result in an employee/elected official's inability to utilize County credit cards in the future.

### **23.9 PERIODIC REVIEW:**

The credit card statement will be audited monthly and reconciled with the credit card log sheets and receipts received by the Accountant in the Finance Department. Monthly reports will also be submitted to the Board of Supervisors for review. This report will show the item purchased, amount spent and the name of the individual making the purchase.

## **24. RECORD KEEPING POLICY**

The Human Resources (HR) department retains and destroys personnel records in accordance with the Library of Virginia policies on business records retention as well as federal and state laws governing records retention. Below is an outline of the HR department's operating procedures for personnel records retention and destruction of documents when such retention periods have passed.

The HR department maintains both employee record information and government compliance reports. Both are subject to the following retention requirements and destruction procedures.

## **Maintenance of Employee Records**

The following employee information records are maintained in segregated personnel files:

- 1) Pre-employment information.
- 2) I-9 forms.
- 3) Benefits plan and employee medical records.
- 4) Health and safety records.
- 5) General employee personnel records.

Government compliance reports are maintained in reverse chronological sequence and filed separately from the above employee information records.

## **Destruction of Employee and Applicant Records**

All paper personnel records and confidential employee data maintained by the HR department will be destroyed by shredding after retention dates have passed; this procedure pertains to all personnel records, not just those governed by the Fair and Accurate Credit Transactions Act (FACTA).

Application materials submitted by applicants for employment who were never employed are also to be shredded.

Personnel records include electronic as well as paper records. The HR department will work with the IT department periodically, but no less than twice annually to review and ensure that the HR department's electronic records relating to employee information and compliance reports are properly purged.

## **Retention of Terminated Employees' Records**

The retention periods for terminated employees' and applicants' records and compliance reports are as follows:

### ***Pre-employment records:***

Résumés, applications and related employment materials, including interview records and notes, for applicants not hired: 3 years.

Résumés, applications and related employment materials, including interview records and notes, for employees: 4 years after date of termination.

Background checks, drug test results, driving records, company employment verifications, letters of reference and related documents: 5 years.

### ***Employee records:***

Terminated employee I-9 Forms: *The later* of 3 years from date of hire or 1 year following termination of employment.

Compensation, job history and timekeeping records: 4 years after termination.

FMLA and USERRA and related leave records: 3 years after termination.

Performance appraisal and disciplinary action records: 4 years after termination.

Benefit records: 6 years after the filing date of the documents, based on the information they contain, or 6 years after the date on which such documents would have been filed but for an exemption or simplified reporting requirement.

Disputed issues (records relating to issues 2 years after resolution of dispute involving external agencies or parties, wage-hour investigation by DOL, EEOC charge, arbitrations, court actions, etc.), OSHA and employee safety records: 5 years after termination.

Employee personnel records: Long Term – 50 years after separation.

Workers' compensation claims: 30 years after date of injury/illness.

Employee health records: 30 years after separation.

### ***Compliance reports and records:***

State New Hire reports: 1 year after report was filed.

EEO-1: 2 years after report was filed.

Annual Affirmative Action plans: 2 years after close of AAP year.

OSHA 300/300A: 5 years after posting.

Form 5500: 6 years after report was filed.

Federal/state tax reports: 4 years after report was filed.

## **25. EMPLOYEE SERVICE AWARDS & RECOGNITION**

Subject to available funds, regular full-time and part-time employees who meet specific eligibility requirements may be considered for programs which recognize continuous employment or other special employee contributions that the County from time to time develops.

Service awards shall generally be in recognition of continuous employment for five-year increments of time, and as follows:

- A. An employee's service shall be considered continuous so long as his/her name remains in an uninterrupted way on the County's payroll, and/or
  1. The employee is on an approved leave of absence under the terms of the County's Employee Manual.
  2. The employee has been laid off involuntarily.
  3. The employee enters military service and returns to work within ninety (90) days after his/her honorable discharge.
- B. No credit for prior service shall be considered in the award program in a case where an employee is terminated by reason of voluntary resignation or discharge, and then re-hired.
- C. An employee whose service terminates for any reason prior to his/her appropriate employment anniversary date shall not be eligible to receive an award, with certain exceptions as follows:
  1. The employee shall receive an award if he/she retires voluntarily or is required by reason of physical disability to retire within ninety days of the appropriate anniversary date.
  2. The employee's family shall receive the award if he/she dies within ninety days of the appropriate anniversary date.

## **26. INTERNSHIPS**

Departments within Pittsylvania County have the option of using interns to assist in meeting their goals and objectives. It is important the selection and use of interns is consistent among each department. The framework of our internship administrative policy and procedure is outlined below.

### **I. Policy**

Pittsylvania County supports internship programs sponsored by colleges, universities, local government or affiliated entities. In addition, if there is a specific department need, a department, upon notification to the Human Resources Department, may advertise for interns to assist with special projects. The County may provide for paid or unpaid internship opportunities. Internships are designed to provide a hands-on learning experience for the participant and, if paid, should meet the following criteria outlined by the Fair Labor Standards Act:

- The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
- The internship experience is for the benefit of the intern;

- The intern does not displace regular employees, but works under close supervision of existing staff;
- The employer that provides the training derives no immediate advantage from the activities of the intern; and on occasion its operations may actually be impeded;
- The intern is not necessarily entitled to a job at the conclusion of the internship; and
- The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

If these criteria cannot be met, then the internship must be a paid internship. Departments must work with the Director of Finance to ensure they have funding available in their budget for paid interns.

Interns utilized by the County must be at least 18 years old, currently enrolled in a degree program that is relevant to the internship, be in good academic standing, and be registered for courses during the internship period. Summer interns must be enrolled in the upcoming Fall semester. Interns are required to complete a County application and submit an official transcript. Interns must also be lawfully authorized to work in the United States and are required to provide proof of authorization. The Human Resources Manager must approve all interns prior to their start date. **II. Responsibility**

**Department Directors:** Department Directors are responsible for ensuring their department can meet the specific objectives of the student and educational institution when utilizing a sponsored internship. Department Directors are also responsible for managing interns and completing all necessary recordkeeping related to the performance and experience of interns in their department. This includes completing any required reports and providing feedback to the sponsoring agency. In addition, Department Directors are responsible for ensuring interns are selected and utilized within the framework of this administrative policy and procedure.

**Human Resources:** Human Resources is responsible for oversight of the hiring and use of interns.

### III. **Procedure**

#### A. Special Projects

- 1) If a department has a need for an intern to assist with a special project, then the Department Director should provide written justification to the Human Resources Manager for approval. The justification must include the need for an intern, how the intern will be utilized, length of time required, and whether or not the intern will be paid.
- 2) If approved, the department will create a request to the Human Resources Manager to advertise for an intern on the company website.
- 3) Human Resources will accept applications and monitor the recruitment process. The department is responsible for screening applications received for internships and conducting interviews with guidance from the Human Resources Manager.
- 4) Once an intern is selected, the recommendation should be sent to the Human Resources Department for approval and necessary screenings. Interns must satisfactorily complete a back ground check prior to their first work day with the County.
- 5) Human Resources will alert the department when their interns are able to begin their assignment.

#### B. Sponsored Internships

- 1) The Human Resources Department will notify Department Directors of internship opportunities available to them through colleges, universities, or other government or affiliated entities.
- 2) Department Directors wishing to participate should notify the Human Resources Manager.
- 3) The Human Resources Manager, or designee, serves as the liaison between the organization providing the intern and the department, and is responsible for oversight of the process.
- 4) Department Directors will interview interns provided by the organization and make a final selection.

- 5) Once a selection is made, the Human Resources Department will conduct necessary screenings. Interns must satisfactorily complete a back ground check prior to their first work day with the County.
- 6) Human Resources will alert the department when their interns are able to begin their assignment.

# APPENDIX

---

**This appendix is not part of the personnel policy but is to be used in accordance with the policy. Forms found here may be modified or changed without approval of the Board of Supervisors.**

**Appendix A**

**Receipt of Pittsylvania County's Personnel Policies Manual.....A-1**

**Appendix B**

**Determination of Grievability Form.....B-1**

**Appendix C**

**Grievance Form**

**Step One.....C-1**

**Step Two.....C-3 Step**

**Three.....C-5 Step**

**Four.....C-6**

**Appendix D**

**Employee Performance Evaluation.....D-1**



## RECEIPT OF PITTSYLVANIA COUNTY'S PERSONNEL POLICIES MANUAL

I, \_\_\_\_\_, have received a copy of the Personnel Policies Manual of Pittsylvania County on the date shown below. I agree to comply with the provisions of the Manual. This manual is not and shall not be construed as an explicit or implied contract of employment for a specific period of time, shall not modify any existing "at will status" of any County employee, and shall not create any due process requirement in excess of Federal or State Constitutional or Statutory requirements. In addition, I specifically agree to the following:

I consent to monitoring of electronic communications as described in the Manual.

Signed, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ .

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Employee's Signature

*This receipt will be kept in the employee's personnel file.*

**COUNTY OF PITTSYLVANIA  
DETERMINATION OF GRIEVABILITY FORM**

---

This request is being made at the request of:

Employee \_\_\_\_\_

Department Director

\_\_\_\_\_  
Name of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department

\_\_\_\_\_  
Name of Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department

**PROBLEM, AS STATED BY EMPLOYEE OR DEPARTMENT DIRECTOR**  
(Specify the relief expected)

---

---

---

---

---

---

---

---

---

---

**COUNTY OF  
PITTSYLVANIA  
GRIEVANCE FORM**

---

**Step**

---

---

---

---

---

---

---

---

---

---

After review of the above complaint and in accordance with Section 15 of the Pittsylvania County Personnel Policies Manual, I have determined that it is:

\_\_\_\_\_ **Grievable**

\_\_\_\_\_ **Non-Grievable**

\_\_\_\_\_  
Signature of County Administrator

\_\_\_\_\_ **One:**

\_\_\_\_\_  
Date





**COUNTY OF  
PITTSYLVANIA  
GRIEVANCE FORM**

---

**Step**

**One (Continued):**

\_\_\_\_\_  
Name of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department

\_\_\_\_\_  
Name of Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department

**FINDING OF IMMEDIATE SUPERVISOR**

---

---

---

---

---

---

---

---

---

---

---

**COUNTY OF  
PITTSYLVANIA  
GRIEVANCE FORM**

---

**Step**

---

---

---

---

---

---

---

---

---

---

DECISION OF GRIEVANT:

         **Accept**                               **Reject**

\_\_\_\_\_  
Signature of Immediate Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Grievant

\_\_\_\_\_  
Date

**COUNTY OF  
PITTSYLVANIA  
GRIEVANCE FORM**

---

**Step**

**Two:**

Name of Employee

Date

Department

Name of Department Director

Date

Department

PROBLEM,  
STATED BY EMPLOYEE (Specify the relief expected)

AS

---

---

---

---

---

---

---

---



**COUNTY OF  
PITTSYLVANIA  
GRIEVANCE FORM**

---

**Step**

---

\_\_\_\_\_  
Signature of Grievant

\_\_\_\_\_  
Date

Appendix C-3

**Two (Continued):**

\_\_\_\_\_  
Name of Employee

\_\_\_\_\_  
Department

I hereby request a meeting with my Department Director in accordance with the provisions of the Complaint and Grievance Procedure (Step Two) of the Pittsylvania County Personnel Policies Manual.

\_\_\_\_\_  
Signature of Grievant

\_\_\_\_\_  
Date

**FINDING OF DEPARTMENT DIRECTOR**

---

---

---

---

---

Appendix C-6

**COUNTY OF  
PITTSYLVANIA  
GRIEVANCE FORM**

---

**Step**

---

---

---

---

---

---

---

---

---

---

DECISION OF GRIEVANT:

           **Accept**

           **Reject**

\_\_\_\_\_  
Signature of Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Grievant

\_\_\_\_\_  
Date

**COUNTY OF  
PITTSYLVANIA  
GRIEVANCE FORM**

---

**Step**





---

---

DECISION OF GRIEVANT:

           **Accept**

           **Reject**

\_\_\_\_\_  
Signature of County Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Grievant

\_\_\_\_\_  
Date

           **Four:**

Name of Employee

Date

Department

Date of Step One Filing

GRIEVANCE (Explain in your own words, why you are requesting a Hearing Officer.)



---

---

---

Signature of Grievant

---

Date

**PITTSYLVANIA COUNTY, VIRGINIA EMPLOYEE PERFORMANCE EVALUATION**

**NAME:** \_\_\_\_\_ **FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**DEPARTMENT:** \_\_\_\_\_ **JOB TITLE:** \_\_\_\_\_

**CHECK ONE:**     **Annual**      **6 Month**     **Other** **DATE OF HIRE:** \_\_\_\_\_

**Performance evaluations should measure both the employee’s activities and the results. Concentrate on the actions of the individual, not the person. Evaluate performance as compared to the requirements of the job / position description. The interview should cover plans for improvement and allow feedback.**

Ratings: (3) Excellent = Exceeds expectations (2) Good = Meets all expectations (1) Needs improvement = Meets most expectations (0) Unacceptable = Falls short of expectations

	(0) Unacceptable	(1) Needs Improvement	(2) Good	(3) Excellent
<b>Job Knowledge:</b> Technical experience, possesses skills to accomplish job, familiar with procedures and objectives, understands scope and interrelationship to others.	___ Lacks sufficient knowledge to perform the job.	___ Knowledgeable in some aspects of the job. Needs training. Often requires guidance to apply procedures to new situations.	___ Knowledgeable in most aspects of the job. Guidance required to apply procedures to new situations.	___ Knowledgeable in all aspects of the job. Applies knowledge to new situations with minimal guidance.
<b>Quality of Work:</b> Accurate, thorough, neat, careful.	___ Does not meet minimal quality expectations for the job.	___ Occasionally does not complete work accurately and neatly. Needs to check work more carefully. Occasionally falls short of quality standards.	___ Completes work accurately and neatly. Meets quality standards.	___ Frequently demonstrates high degree of accuracy and neatness. Frequently exceeds quality standards.
<b>Quantity of Work:</b> Productive.	___ Produces volume of work that does not meet minimum expectations.	___ Produces the volume of work necessary to meet minimum standards. Occasionally misses assigned deadlines.	___ Produces the volume of work necessary to meet standards. Meets assigned deadlines.	___ Produces high volume of work. Frequently exceeds assigned deadlines.
<b>Need for Supervision:</b> Works independently; organizes and plans work; recognizes priorities.	___ Requires constant supervisory follow-up in order to get scheduled work done.	___ Work is completed with repeated supervisory observation or control.	___ Works on own assignment under normal, prearranged supervisory follow-up.	___ Requires little supervision; is reliable.
<b>Dependability:</b> Accepts responsibilities; meets deadlines; perseveres; follows instructions.	___ Requires close supervision; is unreliable	___ Sometimes requires prompting	___ Usually takes care of necessary tasks and completes with reasonable promptness.	___ Reliable in job. Regularly completes work on schedule.
<b>Initiative:</b> Acts independently; able to originate and develop useful ideas; self-starter, resourceful.	___ Shows little initiative. Never volunteers. Sticks closely to job routine.	___ Shows some initiative. Should do more without having to be told.	___ Does not shirk. Voluntarily attempts to solve non-routine job problems as they occur.	___ Above average. A self-starter. Will generally volunteer.

<b>Adaptability:</b> Quick to learn new practices; adjusts to changes in assignments or working conditions; applies job knowledge.	___ Does not retain instructions. Does not adjust well to change. Does not apply job knowledge.	___ Learns new practices after much instruction. Accepts change with hesitancy; minimum application of job knowledge.	___ Routinely learns new practices, adjusts well to change. Good application of job knowledge.	___ Quickly learns new practices. Has a positive attitude about change. Exceptional application of job knowledge.
<b>Judgment:</b> Capacity to make reasonable decisions.	___ Frequently makes irrational decisions; poor judgement.	___ Too often selects wrong alternative.	___ Usually exercises sound judgement.	___ Above average reasoning, seldom errs in judgement.
<b>Interpersonal skills:</b> The ability to interact in a positive manner with internal and external customers; includes ability to communicate.	___ Does not interact well with others, frequent conflicts, uncooperative.	___ Sometimes has difficulty interacting with others. At times is uncooperative.	___ Generally gets along with others with only occasional conflicts.	___ Gets along with others. Very infrequent conflicts. Often shows strong interpersonal skills.
<b>Attendance and Punctuality:</b> Adheres to schedule and reasonable time frames.	___ Often absent without good excuse and/or frequently reports to work late.	___ Lax in attendance and/or reporting for work on time.	___ Satisfactory Attendance record, generally accepts overtime if requested.	___ Rarely tardy or absent, almost always accepts overtime work, if requested.
<b>OVERALL RATING (CHECK BOX)</b>				

General comments concerning performance and employee strengths and weaknesses:

---



---



---

Did employee reach previous improvement/development objectives:

---



---



---

Plans for improvement/development objectives:

---



---

---

**RATED BY IMMEDIATE SUPERVISOR:**

**Signature: Date:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EMPLOYEE COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_

**Employee Signature: Date:**

**APPROVED BY DEPARTMENT HEAD:**

**COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

---

**Received by Human Resources Manager:** \_\_\_\_\_

**Date Evaluation Received:** \_\_\_\_\_

**PERFORMANCE RATINGS**

All ratings must be factually based on the employee's current performance in conjunction with the requirements of the position description, not based on employee's potential nor performance on previous job(s). It is inappropriate to allow a performance rating on one fact or color the ratings on other factors.

**RATINGS**

**DEFINITIONS**

Unacceptable	Achieves far less than results expected from job requirements. Requires more assistance and supervision than is acceptable on a continuing basis. Overall performance is not acceptable.
Needs Improvement	Achieves results which fail to meet job requirements. Requires more than normal assistance or supervision. Exhibits potential to become fully satisfactory performer with coaching and establishment of improvement objectives.
Good	Achieves results which meet or occasionally exceed all standards and job requirements. Demonstrates effective working knowledge, judgement and control of the position. Requires no more than normal assistance and supervision. This rating reflects performance that meets all standards and requirements of the position.
Excellent	Achieves results which generally exceed most job requirements. Demonstrates a high degree of initiative, application, or significant depth to knowledge in the field. Contributes worthwhile new ideas and continuous sound judgement. Is highly effective and produces work of high quantity and quality. Requires less than normal assistance and supervision.