Human Resources
Policies

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SECTION 1: GENERAL PROVISIONS

1.1 Adoption and Application of Policies:

A. The Hanover County Human Resources Policies set forth in this document supersedes all previous Human Resources Policies. These Policies have been approved by the County Administrator and adopted by the Board of Supervisors of Hanover County, and shall apply to all departments, positions, and employees of the County including those of the Community Services Board. Other employees identified by resolution of the Board of Supervisors may be included in the coverage of these policies.

B. Severability: If any part of these policies is held to be unconstitutional, illegal or otherwise unenforceable, that part shall be deemed severable, and the holding shall not affect the validity and enforceability of the remainder.

1.2 Purpose of Policies:

A. To provide equitable conditions of employment for employees of the County.
B. To establish and maintain uniform standards of employment and compensation.
C. To aid supervisors in dealing with personnel issues.

1.3 Amendment of Policies:

These rules may be changed or amended by resolution of the Board of Supervisors.

1.4 Compliance:

Department heads shall take necessary and prompt action to insure compliance with these Policies within their respective departments.

1.5 Availability of Policies:

The Human Resources Policies shall be maintained by the Director of Human Resources and an electronic copy shall be maintained on the County's website. A hard copy will be maintained in the office of each department head who has employees without computer access. These Policies will be available for review by any employee during normal work hours.

1.6 Human Resource Terms/Definitions

Accident: An unpredictable event in which damage/injury is sustained to equipment/employees.

Active Status: Earning a paycheck through hours worked, or taking approved paid leave, such as Paid Time Off (PTO) leave, Frozen Sick Leave Bank (FSLB), bereavement leave and compensatory leave. It does not include employees on short-term or long-term disability or on leave without pay status.

Administrative Leave: Leave approved by the County Administrator and not covered by any other leave provisions. This leave may be with or without pay.

Applicant: An individual who indicates a specific interest in a current job vacancy or a type of work for which the County hires; and who provides all essential information on a Hanover County Employment Application.

Appointing Authority: The Board of Supervisors is the appointing authority for the County Administrator, the County Attorney, the Chief Assessor, and the Director of Internal Audit. The Executive Director of Mental Health/Intellectual Disabilities/Substance Abuse is appointed by the Community Services Board and the County Administrator. Department heads and deputy and assistant county administrators are appointed by the County Administrator after consultation with the Board of Supervisors. All other County employees shall be appointed by their respective department heads. The appointing authority is also the terminating authority.

Appointment: The placement in or hiring for a specific open position. The appointment may be in any of the following categories: probationary, seasonal, temporary, part-time, or full-time.

Authorized Absence: An absence approved by the employee's supervisor after proper notification is given to the supervisor of the reason for absence and estimated length of absence.

Authorized Position: A position listed in the Personnel Complement approved by the Board of Supervisors and assigned a unique position number.

Benefit-Eligible: A position whereby the employee works at least 20 hours/week for a 40 hour position.

Bullying: Deliberate, disrespectful, repeated behavior by one or more people, directed toward another person or persons, and always for the gratification of the bully. The behavior is premeditated and intended to hurt the other person or persons. It may be aggressive or passive-aggressive behavior and can be described as humiliating, intimidating and/or undermining.

Career Development: A plan developed within a department or organization that provides for career advancement within a class of position titles.

Class/Classification: A group of jobs or positions sufficiently similar in duties performed, degree of supervision exercised or required, minimum requirements of education, experience or skill, and such other characteristics that the same class title, the same tests of fitness, and the same schedule of compensation may be applied. There may be times when a single position classification is warranted.

Class Specification: A formal written statement of the class, which defines the general character and scope of the duties and responsibilities of positions in the class. This statement is usually supplemented by examples of work, enumerates knowledge, skills, abilities and other requirements for successful performance of the work and states minimum education and experience requirements for positions in the class.

Close Family Member: An employee's parents, grandparents, grandchildren, spouse, children, brothers and sisters or the spouse's parents, grandparents, children, grandchildren, brothers, sisters or other persons living in the employee's household. This includes step, in-law and half-relatives or a person who is legally acting in one of the preceding capacities.

Compensation Plan: A written plan of salary progression, containing the grade placement of positions, the exempt or non-exempt status, and the annual rate of pay for each grade.

Complement: The official authorized list of positions approved by the Board of Supervisors and maintained by the Department of Human Resources.

Conditional Status:

a. The 12-month period following an employee's appointment to a new position; or
b. The period following notification to a full or part-time employee that improvements must be made in certain areas of the performance of his or her job to avoid further action which may include suspension, demotion or dismissal. This status typically lasts 90 days.
c. The period coinciding with a Corrective Action Plan is typically 90 days.

Continuous County Employment: The total length of time an employee has been employed with the County. Continuous County employment is defined as beginning with the employment date as defined below and continues until the employee's retirement or separation from County employment. See Reemployment and Reinstatement.

Contractual Employment: See Independent Contractor.

Controlled Substance: Any drug or substance listed in Section 54.1-3401 and Schedules I through IV of Sections 54.1-3446 through 54.1-3456 of the Code of Virginia, as amended, and Section 202 of the Controlled Substances Act (21 U.S.C. § 812), as amended, whose manufacture, distribution, dispensation, use, or possession is controlled by law. The use of any prescription drug prescribed for another person is also the illegal use of a Controlled Substance.

Demotion: Movement from one class of position to another of a lower pay grade in which the employee meets the minimum qualification standards.

Department: An administrative unit designated by the Board of Supervisors under the supervision of the County Administrator; or a constitutional office, the Department of Social Services, or the Office of the County Attorney.

Department Head: The individual responsible for the management and supervision of the department.

Director of Human Resources: The Director of the Human Resources department, or the designee of the Director.

Discipline: Action taken against an employee ranging from oral reprimand to dismissal depending on the severity and frequency of the employee's offenses.

Dismissal: An involuntary termination of an individual's employment with the County.

Drug: Any substance, including any controlled substance, but excluding alcohol, taken into the body, which may impair one's mental faculties and/or physical performance.

Dual Position: Employment in any capacity within the County other than the employee's primary job. An exempt employee is prohibited from working in a non-exempt dual position with the County without authorization from the department head and Human Resources.

Educational Requirements: Any college degree, coursework, or credits required for a position, including hiring, promotions, transfers, and career development advancements and placements, shall be from a college or university appropriately accredited by one of the accrediting associations recognized by the Council for Higher Education Accreditation (CHEA) or high school equivalency program or correspondence courses approved by the Commonwealth of Virginia and accepted by Hanover County Public Schools for home schooling.

Employee: An individual who is employed by Hanover County.

Employment: Placement in a funded vacant position using established recruitment processes.

Employment Date: The effective date of hire. The employment date is used for the purposes of determining years of service and for calculation of leave accrual. An employee who moves from the School System or another County department retains the original employment date provided there is no break in service in excess of 90 days.

Essential Employee: An employee, as determined by the department head and specified in the position description, whose function is considered essential to the operation of County services and who is required to report to work during adverse conditions. Adverse conditions are declared and defined by the County Administrator.

Exempt Employee: Employees in positions identified by the Director of Human Resources whose compensation is not subject to the overtime requirements of the Fair Labor Standards Act.

Flexible Work Schedule: Any non-standard work day or work week granted to an employee by his/her immediate supervisor that benefits both the County and the employee.

Full Time: Employees in positions that are greater than or equal to 0.8 FTE are considered full time.

Holiday Supplemental Pay: When a non-exempt benefit-eligible employee is required to work on a holiday, the employee shall be compensated at an additional half of their hourly wage for the hours worked.

Immediate Family: An employee's spouse, mother, father, child, sibling, brother-in-law, sister-in-law, mother-in-law, or father-in-law and any other person who is a dependent of the employee.

Independent Contractor: A person performing services under contract for a specified period of time for a fixed fee or hourly fee to perform a specific function.

Job Description: A detailed written description of the duties, essential functions, operation, methods, working conditions, equipment and/or material used, line of authority and other essential facts about a particular job or position.

Liberal Leave: Less restrictive approval of chargeable leave authorized by the department head under extenuating circumstances (i.e. adverse weather, death, etc.) Generally denotes unplanned leave.

Non-essential employee: An employee of a department, determined by the department head, who is not required to work during adverse conditions. Adverse conditions are declared and defined by the County Administrator.

Non-Exempt: Employees, in positions identified by the Director of Human Resources, whose compensation is subject to the overtime requirements of the Fair Labor Standards Act.

Non-probationary Employee: Employees who have completed their probationary period. Continued employment is contingent on acceptable job performance and compliance with these Policies.

Paid Time Off (PTO) Leave: Leave which may be used for any purpose when scheduled in advance, or at times when unforeseen circumstances can cause an unscheduled absence.

Part-time Employee: Persons employed to work for less than the standard workweek.

Pay for Performance Appraisal: The procedure for determination of an employee's level of performance in relation to applicable job performance standards.

Pay Grade: The rate of pay assigned to a group of positions and referred to by number. Classes of positions and pay grades are established by the Board of Supervisors.

Pay Period: Pay Periods begin on the first of the month, extend through the fifteenth; begin on the sixteenth of the month and extend through the last day of the month.

Performance Appraisal Date: The date on which the job performance of an employee is evaluated. The annual appraisal date is July 1 of each year. In addition to the annual performance appraisal date, performance may be formally evaluated at the end of the probationary period. Special performance appraisal dates may be established for employees whose probationary period is extended for cause, or for employees placed in conditional status.

Personnel File or Record: File including all information pertaining to each employee. This file is maintained in the Human Resources Department.

Position Number: A unique number assigned to each position authorized by the Board of Supervisors.

Probationary Period: When initially employed, employees are required to satisfactorily complete a period of 12 months in a probationary status. During that period of time, the supervisor evaluates the individual's performance in the position. A formal evaluation may be conducted but it is not required unless an extension is requested. Probationary periods may be extended in unusual circumstances with prior approval of the department head and the Director of Human Resources. During the probationary period, the employment may be terminated at any time without employee recourse through the grievance procedure. Continued employment following the probationary period is contingent on acceptable job performance and compliance with these Policies.

Reclassification: The change of a position from one classification to another based on a significant change in the function of the position or a reorganization. This change must be approved by the Board of Supervisors if the resulting grade change is more than 4 grades. Reclassifications within 4 grades may be approved by the County Administrator.

Re-employment: When a former employee is rehired more than 90 calendar days after the employee's separation date.

Reinstatement: When a former employee is hired within 90 calendar days of the employee's separation date.

Resignation: An employee's voluntary separation from employment.

Secondary Employment: Employment in any capacity outside of the County other than the employee's primary job.

Senior Management: The County Administrator, Deputy and Assistant County Administrators, department heads, assistant department heads and attorneys

Separation: The cessation of employment of an employee, by the employee or the County for any reason.

Separation Date: The date an employee leaves County employment. If an employee is on approved leave of absence or Workers' Compensation leave when separated, the effective date will be the actual date of separation notice, and not the last day physically on the job. When the effective separation date immediately precedes a holiday, the employee shall not be paid for the holiday.

Standard Work Day: A regularly scheduled duty day for an employee. It is generally defined as an 8.0 hour day, Monday through Friday, 8:30 a.m. to 5 p.m. for a 40 hour position, with an allowance of 30 minutes for lunch, unless otherwise specified in these rules or approved by the department head.

Standard Work Week: The County standard workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight.

Supervisor: An employee who has the responsibility for directing and evaluating the work of other employees, including but not limited to: scheduling work, recommending disciplinary action, providing on-the-job training, approving leave requests and recommending hiring or dismissal.

Suspension: A disciplinary action which results in loss of pay and possible loss of benefits depending on length of suspension.

Temporary Employee: A full-time or part-time employee hired for a designated time period not to exceed six months. Temporary employees are not eligible for benefits.

Transfer: An employee's movement from one position to another of the same pay grade. Following a transfer the employee may be required to serve in a conditional status.

SECTION 2: ADMINISTRATION

2.1 Supervision of County Employees:

A. The County Administrator and the County Attorney report directly to and are supervised by the Board of Supervisors. The Board of Supervisors is responsible for making all decisions pertaining to the hiring, supervision, performance appraisal and termination of these positions. The Board of Supervisors appoints and terminates the Chief Assessor and Director of Internal Audit. The Chief Assessor is supervised by a deputy county administrator. The Director of Internal Audit is jointly supervised by the Finance Committee of the Board of Supervisors and a deputy county administrator. Performance appraisals, both in person and in writing, shall be performed at least annually.

B. The Executive Director of Mental Health/Intellectual Disabilities/Substance Abuse Services is appointed, evaluated and terminated by the Community Services Board and the County Administrator. The compensation of the Executive Director shall be determined by the County Administrator, in consultation with the Community Services Board.

C. All employees in the County Attorney's Office shall be hired, supervised, evaluated and terminated by the County Attorney.

D. Employees of the constitutional offices are hired, supervised, evaluated and terminated by the appointing constitutional officer.

E. The general registrar, assistant registrars and officers of election are appointed and supervised in accordance with the Constitution of Virginia, Article II, Section 8 and Title 24.2 of the Code of Virginia, as amended.

F. All other employees report to and are supervised by the County Administrator, deputy county administrators, assistant county administrators, and department heads. The County Administrator is responsible for the hiring, supervision, performance appraisal and termination of department heads, the deputy county administrators and the assistant county administrators; provided, however, that the County Administrator shall hire and terminate department heads, deputy county administrators and assistant county administrators only after consultation with the Board of Supervisors in Closed Session. All other County employees shall be hired, supervised, evaluated and terminated by their respective department heads.

2.2 Chief Personnel Officer

The County Administrator shall be the Chief Personnel Officer for the County and shall direct the administration of the Human Resources Policies. He/she may delegate to the Director of Human Resources and to others such of his or her duties as he or she may deem appropriate in connection with the administration of these Policies.

2.3 Responsibilities of the Director of Human Resources

The Director of Human Resources is the representative of the County Administrator charged with the responsibility of assisting in the administration of the Human Resources Policies and all other personnel responsibilities imposed by policy and by law.

A. The Director of Human Resources shall have full authority to interpret and apply these Policies to provide fairness and equity among all employees. This authority shall not extend to the amendment of these rules nor to the suspension of these rules. The Director of Human Resources shall establish procedures necessary for the administration of these Policies.

B. The Director of Human Resources shall advise the County Administrator in matters concerning personnel administration and shall recommend to the County Administrator appropriate amendments. The Director of Human Resources shall review all requests for amendment to these policies, new classifications, changes in scales of pay for classes of positions, and reclassification of positions and shall present recommendations to the County Administrator for action or referral to the Board of Supervisors.

C. The Director of Human Resources shall maintain all personnel records and personnel files relating to County employees and positions.

D. The Director of Human Resources shall advise department heads to insure that personnel administration is done in accordance with these Policies.

E. The Director of Human Resources may be assigned additional duties by the County Administrator.

SECTION 3: PERSONNEL COMPLEMENT

3.1 Authorized Established Positions:

The County Administrator, through the Director of Human Resources, shall maintain a record of all positions (Personnel Complement), which have been established under the provisions of these Policies for their respective departments.

3.2 Establishment of Positions:

Additional positions may be established with the approval of the Board of Supervisors. Additionally, the County Administrator may authorize the establishment of an additional position if the Board of Supervisors has approved funding for it. When requesting a new position or reclassification of an existing position, the department head shall submit the request to the Human Resources Department. The request to the Human Resources Department shall include a completed Position Request form and Job description describing the duties and responsibilities of the proposed position. The Human Resources Department shall examine the proposed position and recommend the proper classification. Any new classifications shall require recommendation of the Human Resources Department. No person shall be appointed, demoted, transferred, or paid in any position until the position has been first established. Once positions are established as part of the Board of Supervisors' adopted budget, such positions may be filled prior to July 1 upon approval of the County Administrator.

3.3 Position Classification and Review:

Positions are placed on the Classification and Compensation Plan based on a comprehensive job description and a continuing salary range survey of the market value of similar positions in a predetermined job market area. This review process is completed annually for all positions. Each position title shall be reviewed through the market survey process annually. Adjustment of salary ranges for position titles is approved by the County Administrator.

3.4 Discontinuance of Authorized Positions:

Department heads shall report to the County Administrator, through the Director of Human Resources, any authorized position within their respective departments which they desire to discontinue. After approval, the position shall be removed from the list of approved positions.

3.5 Unfunded Positions:

The Board of Supervisors may rescind funding of authorized positions for all or part of a fiscal year. The County Administrator may require that a funded position remain vacant. In either case, the Human Resources Department must be notified of such decision for budgetary reasons and for purposes of maintaining position control.

3.6 Independent Contractors:

There may be times when the County enters into a contractual agreement for certain work to be performed by a specialized company (i.e. construction, consulting, etc.). Persons who are performing those duties on a contractual basis are considered employees of the contracting company and are not covered by any benefits of Hanover County.

3.7 Intern Program:

A. Participants:

Paid Interns: Positions authorized by the County Administrator through the annual budget process will be placed on the County payroll in an hourly status. All paid interns are considered employees and are subject to the same pre- and post-employment requirements and must adhere to County Policies and Procedures.

The Human Resources Department will maintain a personnel file for the Intern. The intern is responsible for completing all of the necessary employment forms on or before his or her first day with the County. A resume, application form or other statement of the student's qualifications should be contained in this file.

Non-paid Interns: Participation in this program is limited to students using this program to meet academic requirements.

Non-paid internships must be authorized by the Human Resources Department and meet operational needs of the department making the request, and must meet the academic requirements of the student. Once approved by Human Resources, the department head will work with the school to determine the available work hours. These interns may not perform work that others in the department perform but can shadow others in the department. Non-paid interns are not considered employees by the County but are required to adhere to County policies. Unpaid interns will need to fill out an application, have a complete background check and other checks that are applicable to the department they are doing the internship in.

Guidelines to determine if an internship can be unpaid, based on six factors developed by the U.S. Department of Labor's Wage and Hour Division for the private sector:

1. The training, even though it includes actual operation of the facilities of the employer, is similar to what would be given in a vocational school or academic educational instruction.

2. The training is for the benefit of the interns.

3. The interns do not displace regular employees, but work under their close observation.

4. The employer that provides the training derives no immediate advantage from the activities of the interns; and on occasion the employer's operations may actually be impeded.

5. The interns are not necessarily entitled to a job at the conclusion of the training period.

6. The employer and the interns understand that the interns are not entitled to wages for the time spent in training

If the internship does not meet these qualifications, it must be a paid internship. Interns, regardless of paid or unpaid, must complete a county application and have a background investigation conducted by Human Resources. An internship that is paid must be placed in a position number.

B. County Responsibilities:

Department heads accepting a student placement shall comply with all requirements of the educational institution from which the student will receive class credit. Department heads must explore these requirements and the qualifications of the student to complete the desired projects for the County before accepting placement.

Department heads must develop a work plan for the student that will meet the class criteria as well as the needs of the County. This is not a "make work" project. Students are expected to provide a needed service to the County. The department will establish the hours to be worked by the intern.

C. Performance Appraisal:

The department head may complete a narrative performance appraisal at the end of the placement and should include a description of the assigned project(s). This may be in addition to performance appraisal documents required by the educational institution. The purpose of the internal performance appraisal is to determine the quality and value of the service rendered to the County by the student intern.

D. Stipend:

Projects completed by unpaid interns determined to be of significant value to the County or which have been conducted or completed by the student in an exceptional manner shall be referred to the County Administrator.

At the discretion of the County Administrator upon recommendation of the department head, the County may pay to the student a stipend not to exceed $1,000.00, provided the funds are available from the departmental appropriation. To establish the level of payment the student must have met the following schedule or hours worked in addition to the performance appraisal.

75% - 100% of available work hours-eligible for 100% ($1,000)
50%-74% of available work hours-eligible for 50% ($500)
less than 50% of available work hours-eligible for 25% ($250)

SECTION 4: CLASSIFICATION OF POSITIONS

4.1 Classification Plan:

The Classification Plan for the authorized positions in the services of the County provides for the grouping of all positions in classes based upon the respective duties, authorities, and responsibilities.

4.2 Amendment of Classification Plan:

The Classification Plan may be amended by resolution of the Board of Supervisors.

4.3 Class Specifications:

The Director of Human Resources shall maintain and may amend from time to time, the written specifications of the classes in the Classification Plan. Specifications shall be provided by the department heads. Each class specification shall describe the essential nature of the work, characteristics of positions of the class, with examples where appropriate, and also shall include a statement of minimum qualifications and the knowledge, skills and abilities necessary to perform the duties assigned. The class specifications shall be considered as descriptive rather than restrictive. They shall be used to indicate the kinds of positions which should be allocated to the respective classes and not to prescribe the duties or responsibilities of any position, nor to modify the power of a department head or supervisor to assign duties to, or direct, control, or evaluate the work of any employee.

4.4 Class Title:

The class title of a position shall be used as the official title of the position wherever such position is designated in any payroll, budget estimate, or other official records or reports. The official class title is assigned by the Human Resources Department.

4.5 Maintenance of Classification:

The County Administrator shall periodically investigate the duties, responsibilities, and qualification requirements of all classified positions. Whenever there are significant changes in the job itself it is the responsibility of the department head to request a reclassification study of that position on the appropriate form provided by the Human Resources Department. It is the responsibility of the department head to notify the County Administrator and the Human Resources Department whenever a position is no longer needed (see Section 5.4). Reclassifications within 4 grades and deletion of positions may be approved by the County Administrator. All requests for other classification action must be reviewed by the Human Resources Department prior to final action by the Board of Supervisors.

SECTION 5: FILLING VACANCIES

5.1 Equal Opportunity Employer:

It is the policy of the County to obtain the best-qualified applicants available for each vacancy, without regard to sex, race, color, religion, creed, national origin, political affiliation, age, disability, or other non-merit, or non-job-related factors. Hanover County will take measures to emphasize the recruitment of qualified minorities, women, persons with disabilities, and older persons. Hanover County will take into consideration or give preference to an individual's status as an honorably discharged veteran of the armed forces of the United States provided that such veteran meets all of the knowledge, skills and eligibility requirements for the available position.

5.2 Recruitment, Hiring and Appointment to New Position Practices:

A. The Human Resources Department is responsible for centralized recruitment for Hanover County. Any tests administered as a condition of employment or to aid in making a selection shall be approved by the Human Resources Department prior to use. No selection device will be used without the prior approval of the Human Resources Department. No person will be hired or appointed into a position unless that position is a vacant funded position. Final commitments of a job offer, appointment to new position, beginning salary and starting date are made only by the Human Resources Department. An appointment to a new position is not effective until approved by the Human Resources Department and must begin at the beginning of a pay period unless otherwise approved by the Director of Human Resources.

B. Any interested individual (including County employees) may apply for a posted job vacancy in accordance with normal procedure. Job announcements will be posted as well as appear in paper and electronic newspapers and/or professional and trade magazines, and on other websites as approved by the Director of Human Resources. Positions may be posted for internal consideration only, open to the general public, or filled through a non-competitive process as approved by the department head and Director of Human Resources or designee.

C. Departments having a need to fill an existing position on a temporary basis, or augment staff on a temporary basis, shall (1) recruit for the positions; (2) contact the temporary services agency under contract with the County; or (3) contact the Purchasing Office to assure compliance with procurement requirements in temporary hiring outside of the contract agent (Section 6.11).

5.3 Role of the Director of Human Resources in Recruitment and Selection Activities:

A. The Director of Human Resources shall be responsible for receiving, processing and maintaining applications for County employment.

B. The Director of Human Resources will determine the methods by which recruitment is conducted for approved vacant positions.

C. The level of compensation for all new appointments shall be established in accordance with Section 4.3.

5.4 Procedures for Hiring:

For the purposes of this section, a vacant position is defined as any Board approved position which is not presently filled by an incumbent.

A. Each time a vacancy occurs and the department head supports the need for filling such a vacancy, the original Requisition, approved by the department head, will be submitted to the Human Resources Department. The department head, in authorizing the position to be filled, is certifying the availability of funding for the position.

B. The Director of Human Resources will determine the appropriate method of attracting a qualified pool of applicants for the vacant position. For positions filled through a competitive process, the Director of Human Resources is not required to conduct open competitive recruitment programs for those classes of positions for which recruitment programs have already been conducted within the last 90 days. Sufficient qualified applicants for employment consideration in that class of position must remain in that applicant pool.

C. The department head shall review the qualifications of all applicants. It shall be the responsibility of the hiring department to maintain supporting documentation on the methodology used to determine those applicants to be given further consideration for the vacant position. This process shall be reviewed and approved by the Director of Human Resources

D. The department head shall submit a list of the applicants interviewed, a recommendation as to an offer of employment, and shall indicate whether the applicant is subject to pre-employment tests or other procedures. The department shall maintain appropriate documentation of the screening and interview process.

E. Should post selection, pre-employment information, including criminal records check, DMV driving record, drug test or physical examination results be required, a provisional offer of employment will be made to the applicant. Execution of a provisional employment contract may be required.

F. The department head shall also recommend the entrance pay rate for the preferred applicant. Appropriate pay rate approval shall be obtained prior to the offer of employment.

5.5 Employment of Relatives:

It is the policy of the County not to employ immediate family members of present employees in a supervisory-subordinate relationship, or in any other relationship which the department head considers to be detrimental to the functioning of his or her department.

The State and Local Government Conflict of Interest Act (Virginia Code §2.2-3109) allows the employment of immediate family members of County officers or employees, only if the officer or employee does not exercise any control over the employment or the employment activities of the family member and the officer or employee is not in a position to influence those activities.

5.6 Fixing Employment Date:

Employment shall become effective as of the date on which the employee officially begins the performance of the duties of the position. This shall include new employee orientation and training. So far as is practical, effective dates shall be established at the beginning of regular pay periods.

5.7 Probation and Conditional Status:

A. All County employees must satisfactorily complete a probationary period immediately following initial employment, or re-employment after 12 months. Current employees who move from one position classification to another, other than by career development program move, may be placed in a conditional status for 12 months. Probationary periods may be extended in unusual circumstances.

B. The probationary period is an opportunity to determine whether or not the employee is suited for the job. During this period of employment, employees may be terminated at any time if the department head determines that the employee is not suited to the position. The department head shall consult the Director of Human Resources prior to action in such cases. Current employees in a conditional status, after a move from one position to another or re-employed within 12 months to the same position, have no right to an expectation of continued employment in that position unless satisfactory performance in the position continues.

   Should the probationary or conditional period be insufficient to determine whether or not the employee can handle his or her new position, this period may be extended with approval of the Director of Human Resources. A request should be submitted by the department head specifying the length of extension and the justification. A Corrective Action Plan may be used in conjunction with any extension.

   The conditional period for performance and disciplinary related concerns typically lasts 90 days. Continued employment following the conditional or probationary period is contingent on acceptable job performance and compliance with these Policies.

5.8 Re-employment and Reinstatement:

When an employee has separated from County employment, later seeks employment again with the County, and is hired, his or her employment status is determined as follows:

A. Re-employment:
An employee who is re-employed will be required to complete all new hire paperwork. An employee who is re-employed within one year of the employee's separation date will receive the same benefits as those given to a new hire and will receive credit for prior years of service when the employee's Paid Time Off (PTO) leave accrual and service awards are calculated. If the employee is re-employed within one year to the same position, they will be placed on conditional status for 12 months.

B. Reinstatement:
Employees who return within 90 days of separation will retain their original service date. The accrual rate for PTO leave will be reinstated to the accrual rate that existed at the time of the employee's separation. If PTO and compensatory leave balances had not been paid out to the employee after separation, then those balances will remain upon reinstatement. If leave balances were paid out upon separation, then fifty percent (50%) of the uncompensated FSLB balance and any unused floating holidays will be will be restored upon reinstatement, however no PTO leave or compensatory leave will be reinstated.

5.9 Transfers Between Hanover Entities:

Employees hired into positions with Hanover County Government from employment with other Hanover County entities, including Hanover County Public Schools, Pamunkey Regional Jail, and the Pamunkey Regional Library, will retain their original hire date with those entities for service

purposes and leave accrual, and they will retain applicable leave balances up to the maximum for County employees. Leave balances over the County maximum will be paid out upon transfer.

5.10 Seasonal Hiring:

This section covers employees who are hired for seasonal positions. Once they compete for initial employment and are employed they may remain on the payroll until such time as the seasonal assignment is concluded. The department, if the performance of the employee has been acceptable and the employee wants to remain as a seasonal employee, may place the employee in leave without pay (LWOP) status (see Section 8.7) until such time as the services are again required for the previous position or similar position in the same classification. Such LWOP status shall not exceed 12 months. While a seasonal employee is in such a LWOP status the department may reactivate the payroll status of the employee.

If, at the end of the original appointment or any subsequent appointment the department no longer requires the services of the employee, the employee's performance was unacceptable, or the employee no longer desires seasonal employment, the department may dismiss the employee. Thereafter, the separated employee would need to submit a new application for future employment consideration with the County.

Employees in seasonal positions are not eligible for employee benefits and do not earn leave.

5.11 Emergency Hiring:

There may be instances where the orderly operation of government may necessitate the hiring of personnel outside of the normal procedure for filling vacancies. Authority from the County Administrator to hire on an emergency basis shall be requested in writing by the department head, stating the circumstances and the process to be followed in the emergency hire. To the extent practicable, the usual employment procedures shall be followed. No employment under this provision can be committed prior to the approval of the County Administrator.

5.12 Provisional Hiring:

The Director of Human Resources shall review any proposed provisional hiring. The hiring of personnel on a provisional basis may be accomplished with the recommendation of the department head in writing to, and approval of, the Director of Human Resources. A provisional hire is the employment of an individual with certain provisions spelled out as a condition of employment that may or may not adhere strictly to the County Human Resources Policies regarding employment, classification and compensation. A provisional agreement may be required pending receipt of physical evaluations, drug screening or criminal records information.

5.13 Temporary Employment Agencies:

There may be times when a department has a need for additional or replacement staff for a short duration. The County maintains an annual contract for certain temporary services. An authorized department representative should contact the contract provider of temporary services for the County and request the appropriate level of temporary staff needed by the department. All expenses for temporary services will be billed directly to the authorizing department. No temporary salary is to be paid from the regular payroll line items. Payment shall be made by payment voucher from the "Temporary Services" budget line item.

There may be occasions where the County has not contracted for the level of position required by the department. In such instances, depending on the estimated cost of the temporary services, outside vendors may be contacted to secure telephone quotes. The Purchasing Department should be contacted in such instances to determine compliance with procurement policies.

5.14 Redeployments:

When a department needs to fill a vacant position, but is unable to recruit and fill the position due to budget restrictions, the Director of Human Resources and County Administrator may redeploy, or temporarily reassign, an employee from one department to another department, or from one position to another position within the same department.

5.15 Criminal Records Check:

The Board of Supervisors has found it necessary, in the interest of public welfare or safety, for all applicants to be subject to a pre-employment criminal records check.

Following a provisional offer of employment, the Director of Human Resources will request a criminal records check of the prospective employee from the Department of State Police. Upon receipt of information which indicates a prior criminal conviction, the Director of Human Resources will consult with the County Administrator and appropriate department head to determine if there is a connection between the crime involved and the job sought. In cases where the County Administrator determines that the criminal record is incompatible with the nature of employment, the provisional employment offer shall be withdrawn. The decision of the County Administrator shall be final. An explanation shall be provided to the applicant that is denied employment. Criminal history records shall be kept confidential.

SECTION 6: COMPENSATION OF EMPLOYEES

6.1 Compensation Plan:

A. The Compensation Plan for the authorized positions of the County shall be approved and amended by the County Administrator and shall consist of: (1) the assigned pay grade and (2) rules providing for application of the scales and fixing the rates of pay for individual employees within the pay grade.

B. Persons employed in an authorized position on a part-time basis will be paid at a rate equal to a full-time employee in the same or similar classification.

C. The salary scales set forth in the Compensation Plan represent the total salary for a position without regard to participation by any other entity. In cases where the salary allowance set forth by such entity is lower than that allowed by the Compensation Plan, the salary allowed by the Compensation Plan shall govern. An employee in a position funded by the State Compensation Board shall be compensated at no less than the minimum of the Compensation Board salary range for that position classification.

6.2 Interpretation and Effect of the Scales of Pay:

A. Entrance Rate:

The entrance rate payable for any position of any class shall be the lowest or minimum rate in the pay grade for the position, unless training or experience would qualify the employee for a higher entrance rate and the higher rate is approved pursuant to this section. Department heads may hire no more than 10% above the minimum with approval of the Director of Human Resources. Hiring above midpoint of the salary range (greater than 35% above the minimum) requires concurrence of the Director of Human Resources and approval of the County Administrator.

B. Appointment to New Position:

When a current employee is appointed to a new classification with a higher pay grade, salary shall be established as if the employee was a new hire. The employee will be placed in a conditional status for a period of twelve months. An acceptable performance appraisal at the end of this twelve-month period will provide for continuation in that position, subject to continued acceptable performance, and the release from conditional status. The annual performance appraisal date and any salary increase shall be prorated based on the effective date of the appointment to new position. No employee shall be eligible for more than one performance-based salary increase in any twelve-month period.

No employee may be appointed to a position where he/she will exercise any control over the employment or employment activities, or influence the employment activities of another employee who is an immediate family member.

C. Demotion:

1. **VOLUNTARY DEMOTION**

If the demotion is voluntary, placement at the appropriate level within the new salary grade would be based on experience and prior performance and must be approved by the department head and Director of Human Resources. In a voluntary demotion, the performance appraisal date remains unchanged.

2. **INVOLUNTARY DEMOTION**

If an employee is involuntarily demoted as a result of disciplinary action, for example, or action related to unacceptable job performance, the rate of pay may be reduced by at least 2.5% per grade reduction or by a minimum of 5%, and the employee will be placed on conditional status for a period of twelve months. There will be no salary increase at the end of the conditional period. The salary is established in the same manner as for voluntary demotion. A performance appraisal must be completed within twelve months of the date of the demotion. A proficient performance appraisal will result in release from conditional status and continuation in the position subject to continued satisfactory performance. There will be no salary increase at the end of the conditional period. The performance appraisal date shall be established one year from the effective date of the demotion.

D. Transfer:

When an employee transfers from one position to another of the same pay grade, there will be no change in salary unless an exception has been requested by the department head and approved by the Director of Human Resources. The transferring employee may be placed on conditional status and will retain non-probationary status. All transfers shall be approved by the Director of Human Resources. Transfers to a position at a higher pay grade will be considered an appointment to a new position. Transfers to a position at a lesser pay grade will be treated as a voluntary demotion.

E. Reclassification of Position:

If a position is reclassified upward and the incumbent is assigned to the higher pay grade, the incumbent's adjusted salary shall reflect a 2.5% increase per pay grade advanced or at least to the minimum of the new grade, whichever is greater, with the exceptions granted by the County Administrator (i.e. no salary adjustment or an adjustment greater than 2.5% per grade); however, the performance appraisal date is not changed. If a position is reclassified downward and the incumbent is assigned to the lower level position, salary is established as for voluntary demotion.

An incumbent in a position which is reclassified must meet all minimum qualification requirements for that reclassified position.

F. Career Development Advancement:

Employees participating in a career ladder program must follow the procedures as specified in the position career ladder. A career ladder advancement is not considered as an appointment to a new position. A career ladder advancement is based on an advanced

skill or credential level of the individual, not on a functional change in duties or responsibilities.

The Career Development Ladder Program Guidelines, see APPENDIX C, outline the requirements for the consistent development, implementation and practice of career development plans. Changes to the guidelines require approval by the Board of Supervisors.

The establishment of all Career Development Plans for career ladder programs requires approval of the County Administrator. Each plan presented must meet the following criteria:

1. Review for advancement in a career development plan can occur anytime during the year. The effective date will be the next available pay cycle following approval.
2. The department must submit to Human Resources written documentation that the employee has met all of the requirements for advancement to the higher level of the career development plan, including educational requirements. This must include copies of all professional certificates and/or licenses required.
3. To advance in the career development plan, employees need an average score of 3.0 ("proficient") on the two most recent performance evaluations.
4. The employee must be in the current position for at least a year before becoming eligible to advance in the career development plan.

Nothing in any career development plan may be interpreted to imply continued employment as an employee right. Continued employment at any level in a career development plan is based on employee performance, employee qualifications, and the needs of the department.

G. Pay for Performance Salary Increases:

Employees shall be eligible for pay for performance increases when funding is available and approved by the Board of Supervisors. Pay for performance increases are prorated for any employee occupying the position for less than twelve months as of July 1 of any year, including appointment to new position or involuntary demotion. Salary increases provided for by movement within a pay grade shall not accrue solely as a result of the completion of the required period of service but shall be based on factors contained in the performance appraisal document. Employees shall receive a pay for performance salary increase calculated as a percentage of the employee's salary. The payment percentage is approved annually by the Board of Supervisors for each performance level specified on the appraisal document. (See Section 14).

H. Benchmarking:

Benchmarking is a salary comparison tool for researching the market for each position with regard to compensation and benefits. Each position is included in a salary survey that compares the County's salaries to market and regional salaries. In the absence of market data for a particular position, an internal analysis is conducted. Recommendations for adjustments in salaries are based on the survey results. If a pay grade adjustment is approved as a part of the budget process by the Board of Supervisors, the related salary increase is based on the minimum of the employee's new pay grade.

I. Rates of Pay:

Hanover County publishes a salary scale for offices that require employees to work a forty (40) hour workweek, 2080 work hours per year. All rates in the scales of pay are those authorized for a period of twelve months and include compensation for Holidays.

J. Temporary Reassignments:

Department heads, with the approval of the Director of Human Resources, may temporarily reassign any existing employee for a period not to exceed 90 calendar days to perform other duties in that department. The County Administrator shall have the authority to temporarily reassign employees to other departments.

6.3 Compensatory Leave and Overtime Pay:

A. **Non-exempt positions:** Employees in **non-exempt** positions are eligible for pay or compensatory leave at one and one-half times their regular rate of pay for any hours worked in excess of forty hours (40) during their standard workweek.

1. Overtime is computed with the workweek beginning on Sunday and ending on Saturday, unless otherwise approved by the Director of Human Resources. Hours worked up to forty (40) will be paid at the regular rate of pay.

2. Compensatory leave may be awarded in lieu of cash wage payments on a time and one-half basis at the written request of the employee with approval of the department head. Employees may change their request no more than twice per year during the months of March and September only. The maximum compensatory leave accrual is 240 hours after which cash wages, computed at time-and-one-half the hourly rate for hours worked in excess of the standard workweek must be paid. Department heads are responsible for knowing the compensatory leave balances of their employees, and must develop a plan to either reduce or maintain compensatory leave balances at or below the maximum carryover (80 hours). Department heads have the discretion to implement department specific requirements regarding compensatory leave with approval from Human Resources.

3. Up to 80 hours of compensatory leave may be carried over to the following fiscal year. Any compensatory leave in excess of 80 hours must be paid out in cash wages at the end of the fiscal year.

4. With respect to “fire protection employees” and “law enforcement employees,” as those terms are defined in Virginia Code section 9.1-700, payment of overtime compensation and/or the awarding of compensatory leave shall be in accordance with the provisions of Virginia Code sections 9.1-700 through 9.1-706.

5. Time associated with attending required and/or approved, job-related conferences, seminars, and the like, and related travel time, is compensable in accordance with the requirements of the Fair Labor Standards Act and its implementing regulations.

6. For **non-exempt** employees working on a holiday, see Section 7.2-C.

B. **Exempt positions:** Employees in **exempt** positions, with the exception of Senior Management, are eligible to earn compensatory leave for hours actually worked in excess of their standard workweek with the approval of the department head or designee.

1. Compensatory leave is earned on an hour-for-hour basis, and may not exceed 240 hours. An employee may not accrue additional compensatory leave until the employee's compensatory leave balance is less than 240 hours.

2. Compensatory leave is computed with the workweek beginning on Sunday and ending on Saturday.

3. Exempt employees may not earn compensatory leave for any hours worked for which they receive other forms of paid leave unless approved by the County Administrator.

4. Up to 80 hours of compensatory leave may be carried over to the following fiscal year. Employees will forfeit unused compensatory leave hours in excess of 80 at the end of the fiscal year.

C. Hours worked beyond the regularly scheduled workweek must be authorized and must be limited to emergency, seasonal, or occasional peak-load needs. Its use on a continued basis for accomplishing regular services is prohibited.

D. Holiday and County closing due to weather, for purposes of this section, will be considered as hours actually worked in the calculation of overtime or compensatory leave. See also 7.2.C.

E. Earned compensatory leave must be approved in advance by the department head or a designated representative. Reporting requirements are the same for **non-exempt** employees accruing compensatory leave as for **exempt** employees.

F. Termination or department transfers:

1. **Non-exempt** employees with a compensatory leave balance at the time of separation**,** or department transfer, will receive compensation for their compensatory leave balance.

2. **Exempt** employees with a compensatory leave balance at the time of separation, or department transfer, will receive compensation for their compensatory leave balance up to the 80 hour maximum.

3. **Non-exempt** and **exempt** employees who are appointed to a new position in a different department must be paid for their accumulated compensatory leave as outlined above.

G. Change in employee status:

1. If a **non-exempt** employee is moved to an **exempt** employee status that is ineligible to earn compensatory leave, their accumulated compensatory leave balance will be paid.

2. If appointment to a new position is in a different department, compensatory leave will be paid out by the employee's former department.

6.4 "On Call" Pay:

"On Call" Pay is compensation for those employees who are regularly required to be available when needed to handle exceptional situations occurring outside standard working hours. It is

available only to those employees determined eligible by the department or agency head and the Director of Human Resources.

A. "On Call" time shall be a period when an employee is not required to remain at the work station and is free to engage in personal activities, subject only to the understanding that the employee will conform to the department or agency's requirements for availability and prompt response when necessary.

B. Any department, agency or official subject to these Policies and requiring "On Call" staffing shall submit a proposed Plan including designation of positions requiring "On Call" status, response requirements, procedures for scheduling of "On Call" staff, and methods of compensation, to the Director of Human Resources, who shall forward the Plan to the County Administrator with a recommended action. The County Administrator shall then approve or disapprove the Plan. Any "On Call" pay shall conform to the Plan approved by the County Administrator.

C. In general, "On Call" pay shall conform to the following guidelines:

   a. Specific individuals scheduled to be "On Call" should be scheduled on a rotating basis.
   b. Required response periods and any other conditions applicable to "On Call" service shall be included in the Plan, and shall be communicated to affected applicants and employees in writing.
   c. "On Call" service requirements shall be included in the job descriptions for affected positions.

D. In the event State or federal laws or regulations differ from this policy, the procedures and compensation required under those laws or regulations shall be included in the Plan submitted to the County Administrator and those requirements shall govern "On Call" Pay.

6.5 Rates of Pay for Temporary and Part-Time Employees:

A. Persons employed by the County on a part-time or temporary part-time basis will be paid at an hourly rate equal to full-time employees in a same or similar classification. Persons employed for a specified period of time or for a specified task will be paid on an hourly rate. The hourly rate will be determined by the Director of Human Resources based on information received from the department head regarding the duties to be performed and the skills needed to accomplish the task.

B. No temporary appointments will be longer than 6 months without a written request and approval of the County Administrator. Time spent in a temporary status shall not be used to meet requirements for benefits afforded employees in authorized positions. Continuous temporary employment immediately preceding employment in an authorized position in the same class where duties are identical may be used in determining the level of compensation.

6.6 Pay for Serving in Acting Capacity:

Whenever an exempt or non-exempt employee is required to work in the capacity of a higher-level supervisory position for a period exceeding one (1) full pay period, such employee may be paid additionally for assuming the higher-level duties. Such assumption of duties must be approved by the department head and County Administrator. A salary supplement in an amount to be determined by the County Administrator, not exceeding 10% of the regular rate of pay, may be granted to the employee, in consideration of any additional duties or responsibilities. During the

acting period, the employee is ineligible to receive additional pay for the first full pay period. Eligibility for acting pay shall start at the beginning of the second pay period. This policy does not apply to situations where the temporary absence/vacancy is caused by the use of PTO and/or compensatory leave – unless such leave is related to the serious health condition of the employee and/or Family and Medical Leave or Military Leave. Requests for "acting pay" shall be made in writing and in advance to the Director of Human Resources who shall provide the review and necessary processing. Retroactive requests will not be considered. Exceptions to this policy may be made by the County Administrator.

6.7 Pay Periods:

For salaried employees, the pay period is not measured in work hours or workdays. The pay received on each payday is 1/24th of the annual salary amount. Part-time hourly employees are paid on the basis of authorized time sheets submitted on a schedule established in each department. Overtime is calculated for each standard workweek and is paid in the first payroll cycle following the period for which overtime is reported.

6.8 Personnel Transactions/Payroll Procedures:

A. Payroll Reporting Sheets/Paychecks

All department heads are responsible for insuring that accurate information is submitted for each employee through the Payroll Reporting process. All payroll reporting sheets must be signed by the department head or other authorized person.

Departments are required to submit documentation in a form acceptable to the Director of Finance, with appropriate signatures, to support the information submitted on the payroll reporting sheet. The exact format for this documentation may vary from department to department based on department needs; however, each system must be approved by the Finance Department.

Errors and/or omissions of time worked may be corrected through the payroll reporting process for the next pay cycle or, if necessary, through the manual check process.

All requests for manual payroll checks must be made by the department head and must be received in the Human Resources Department prior to 4:30 p.m. of payday. All requests must be submitted using a form provided by the Finance Department and should explain in detail the necessity for the request. All requests must carry an authorized signature. Requests received after the deadline may be returned to the department for the inclusion in the next regular payroll cycle.

B. Data Submission:

Any information affecting an employee's pay or personnel record must be submitted to the Director of Human Resources no later than the current payroll reporting due date. Such changes include performance appraisals, appointment to new positions, tax status, address changes, locations code changes, name changes, etc.

C. Changes in Pay:

With exception of new hires and separations, any change in the rate of pay must be effective at the beginning of a pay period. No change in the rate of pay will be made effective during a pay period.

D. Attendance Records:

Departments must submit time sheets for the current pay period. Hours worked and leave hours taken must be recorded on the time sheet, and approved by the employee's supervisor or authorized signor. Employees with questions regarding discrepancies in leave balances should first contact the department payroll fiscal contact.

6.9 Benefits:

The County offers a comprehensive benefit package to all full-time and benefit-eligible part-time employees in authorized positions. Specific plan information is available through the Human Resources Department. See Section 12.1 C for benefits available to part-time employees.

6.10 Payments Due to Deceased Employees:

The death of an active employee shall be reported to the Director of Human Resources as soon as the department is informed. Compensation for hours already worked, PTO leave, FSLB hours and compensatory leave up to allowable limits, and any refunds or reimbursements due the employee must be paid in the name of the deceased employee's designated successor, in accordance with §§64.2-601 and 64.2-602 of the *Code of the Virginia*.

6.11 Workers' Compensation:

The County provides workers' compensation insurance coverage at no cost to employees. This insurance program covers an injury (by accident) or illness (occupational disease), which arises out of and in the course of employment that requires medical, surgical, or hospital treatment. Workers' compensation coverage is provided to all regular and temporary employees, both full and part-time. With the exception of emergency treatment, in order to obtain workers' compensation coverage, the employee must use the services of the physicians' panel selected by the County.

Employees who are injured while performing their assigned work duties are required to promptly file a report of accident with their supervisor. (See Incident Reporting Program Procedures; located on the T-drive Safety/Incident Reporting Forms/Incident Reporting Program). The Human Resources Department must receive notice of injuries within 24 hours of the incident, or in the case of injury on weekends and holidays, by the next workday. The Human Resources Department will send the employee a memorandum providing instructions for submittal of medical bills, information regarding the receipt of wages and reimbursement from the insurance carrier.

Employees out due to a work-related injury and have an approved secondary employment are prohibited from working their second job if the physical functions of the job are similar in nature to their Hanover County position. Please see Section 13.4.

If workers' compensation coverage is denied by the insurance carrier, the employee has the right to appeal that decision. The Human Resources Department will provide information regarding this process.

An employee unable to work as a result of an approved work related injury or illness is eligible to receive 100% of his or her regular semi-monthly salary for a period not to exceed ninety (90) cumulative days from date of injury. Approved work-related absences greater than ninety (90) days are compensated at 66 2/3%. Payments from the Workers' Compensation Insurance Carrier for any period for which 100% salary is paid are processed through payroll and taxed, whereas payments for approved work-related absences after ninety days are paid directly by the Workers' Compensation Insurance Carrier pre-tax.

See Section 8.11 for Workers' Compensation Leave.

6.12 Deductions from Salaries of Exempt Employees

A. Circumstances in Which the County May Make Deductions from Pay:

The Fair Labor Standards Act (FLSA) permits the County to make deductions from pay –

(1) When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability;
(2) For absences of one or more full days due to sickness or disability, including work-related accidents, if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for the salary lost due to illness;
(3) To offset amounts employees receive as jury or witness fees, or for military pay; or
(4) For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

The County may also make partial-day or full-day deductions from an exempt employee's salary –

(1) In the initial or terminal week of employment;
(2) For penalties imposed in good faith for infractions of safety rules of major significance; or
(3) For weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act (FMLA).

It is the County's policy to comply with the requirements of the FLSA. Therefore, the County prohibits all County department heads or their designees from making any improper deductions from the salaries of exempt employees. The County does not allow deductions that violate the FLSA.

B. What To Do If An Improper Deduction Occurs:

If you believe that an improper deduction has been made to your salary, you should immediately report this to your direct supervisor, department head, or to the Director of Human Resources.

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

SECTION 7: HOURS OF WORK

7.1 Scheduled Hours of Work:

A. The County Administrator shall establish the scheduled hours of work. The standard workweek shall be 40 hours.

B. For calculation of overtime wages, the standard workweek begins at 12:01 a.m. Sunday and ends at 12 Midnight on Saturday.

C. In departments where normal service requires permanent work schedules other than 8:30 a.m. to 5:00 p.m. Monday through Friday, a work schedule plan shall be filed by the department head with the Director of Human Resources. Examples might be agencies requiring 24-hour coverage or 7-day coverage. Such work plan shall include the method of assigning overtime and on-call response; if applicable to that department.

D. If the employee is unable to report to work or expects to be late, he or she shall contact his or her department head or designated supervisor, no later than the beginning of his or her scheduled work period, giving the reason for his or her absence.

E. Absences of employees from their regular stations while attending approved meetings or to perform other duties related to their work shall not be treated as absences from duty within the meaning of this rule.

F. Scheduled hours of work of individual employees may be altered by the department head, with the approval of the Director of Human Resources, within the established work schedule of the department as conditions warrant.

G. Department heads or their designees may approve other temporary occasional work schedule adjustments, which involve some combination of altered work start and stop times, to allow employees to schedule family medical appointments or take care of personal business during work hours and avoid being charged leave.

H. Adverse Weather Conditions:

1. If adverse weather causes difficulty in employees traveling to or from work, and County offices are not officially closed, a liberal leave policy will be in effect. This policy permits non-essential employees to use PTO leave or compensatory leave to cover their absence should they not report to work or leave work early. Such absences, as in the case for all absences, require approval of the department head or his or her designee.

2. Should the County Administrator authorize the closing of County offices because of adverse weather or emergency conditions, benefit-eligible non-essential employees will be compensated based on scheduled hours regardless of hours actually worked. Should inclement weather cause early closing or late opening of County offices, the effect on employees who report to work will be the same; that is, those County employees will be compensated based on scheduled hours regardless of hours actually worked. Employees who report to work prior to the late opening of County offices will not be entitled to additional compensation.

   Should a department head require a non-essential employee to report to work when the County offices are closed, the employee will be credited with PTO leave at a rate of one hour per hour worked up to a maximum of 8 hours. Additional hours worked over 8 will be paid. This leave credit is intended for employees who must travel to a worksite during

inclement weather, and not for employees who are able to perform work at their home or place of residence. Employees who are on approved leave (PTO or compensatory leave) will not be charged leave hours during an authorized closing.

3. Employees in positions designated as essential are required to work regardless of adverse weather conditions/County emergency closings. All such employees shall report to work as scheduled. Department heads shall have the authority to require essential staff to report earlier than the scheduled shift and/or to work longer than the regular schedule.

   Departments with "essential" positions should make every effort to assist employees in reporting to the workplace under adverse conditions.

I. Flexible Work Schedule:

Non-exempt employees may not flex hours over a pay period. Non-exempt employees may only flex their hours during a work week, as approved by the employee's supervisor. Some examples are:

1. Arrive earlier in the morning and leave earlier in the afternoon.
2. Arrive later in the morning and leave later in the afternoon.
3. Work four 10-hour days.
4. Work four 9-hour days and one 4-hour day.
5. Work some other similar permanent or seasonal scheduling option(s).
6. Add time to meal break and arrive earlier and leave later.

Other temporary or occasional flexible work schedules may include some combination of altered start and stop times to allow employees to have medical appointments or take care of personal business during work hours without being charged leave. A department head may approve flexible work schedules or compressed workweeks on an ongoing basis only after consultation with the Director of Human Resources. In departments where normal service requires permanent work schedules other than 8:30 a.m. to 5:00 p.m., work schedules shall be recommended to the Director of Human Resources for his/her consideration and approval. Examples might be found in departments requiring 24-hour coverage or 7-day coverage. In all cases work schedules will adhere to the Sunday to Saturday workweek. Employees are required to accurately report hours worked on their timesheets.

7.2 Holidays:

A. All benefit-eligible employees are entitled to thirteen holidays per calendar year. Whenever a holiday falls on a Saturday, the holiday will be observed on the preceding Friday. Whenever a holiday falls on Sunday, the holiday will be observed on the following Monday. The holidays authorized to be observed are the following:

New Year's Day……..…….January 1
Lee-Jackson Day……Friday Preceding the Third Monday in January
Martin Luther King, Jr. Day…….Third Monday in January
Memorial Day…….…….Last Monday in May
Independence Day……..…….…….…….July 4
Labor Day……..First Monday in September
Veteran's Day……. November 11
Thanksgiving Day……Fourth Thursday in November
Day After Thanksgiving……. Day after Thanksgiving
Christmas Eve……. December 24

Christmas Day…….December 25
Floating Holidays……..……2 days per calendar year

Employees who are scheduled to work, but fail to do so for any reason, are considered to have observed the holiday. Scheduled work hours in excess of holiday hours must be covered by use of appropriate leave (PTO or compensatory time). Benefit-eligible employees are granted time off with pay for any days designated as holidays by resolution of the County's Board of Supervisors. In lieu of the above listed holidays, Public Safety personnel may receive additional pay, except for the Floating Holiday. Accrued leave may only be used for scheduled work hours beyond the designated paid holiday hours (8).

All full time employees are eligible for 2 eight-hour Floating Holidays per year. All benefit-eligible, part-time employees in a 26 to 34 hour position are eligible for 2 six-hour Floating Holidays. All benefit-eligible, part-time employees in a less than 26 hour position are eligible for 2 four-hour Floating Holidays. Scheduling of a Floating Holiday shall be approved in advance by the department head or designee and taken in no less than 1 hour increments, and are treated the same as PTO leave for the purpose of calculating overtime.

To the extent practical, employees shall be released from all work duties on each holiday. Employees paid on a regular salary basis shall be paid for each such day. Essential services shall be maintained on such days by necessary forces or with reduced hours.

Additional holidays may be granted on a one time basis with the approval of the Chairman of the Board of Supervisors.

B. In order to be eligible to be paid for any holiday, an employee must be in an active status. (Refer to Section 10.6 for employees who have separated from County employment.)

C. When a non-exempt benefit-eligible employee is required to work on a holiday, the employee shall be compensated at an additional half of his/her hourly wage for the hours worked. This is considered Holiday Supplemental Pay. Compensatory leave cannot be accrued in lieu of Holiday Supplemental Pay. See also Section 6.3.D.

D. If an employee separates from employment and has not used his/her Floating Holidays, the employee is not entitled to a payout for any unused Floating Holidays. There is no rollover of a Floating Holiday to the following calendar year. The Floating Holidays for each employee are to be tracked by the department via timesheets and noted in the appropriate column. New employees hired between January 1 and April 30 will be provided with two Floating Holidays. New employees hired between May 1 and September 30 will be provided with one Floating Holiday. New employees hired between October 1 and December 31 will not receive Floating Holidays until the following calendar year.

SECTION 8: LEAVE OF ABSENCE:

8.1 Grants of Leaves of Absence:

Leaves of absence may be granted by department heads unless otherwise specified in this section. Paid Time Off (PTO) or compensatory leaves of absence may be granted only up to the amount accumulated to the date of leave. Leave to be subsequently earned may not be anticipated and used. Leave shall be requested and approved in advance. However, where the need for or date of an absence cannot be predicted and where conditions warrant, the absence may be authorized by the immediate supervisor without an advance written request.

Leaves of absence shall be granted at the times desired by the employee subject to the needs of the department.

An employee will be allowed to change leave which has already been approved and taken, to sick leave or bereavement leave, as appropriate.

8.2 Kinds of Leaves of Absence:

The following types of leaves of absence may be granted:

Administrative Leave
Bereavement Leave
Civil Leave
Compensatory Leave
Dock Leave
Educational Leave
Family and Medical Leave
Leave Without Pay
Military Leave
Paid Time Off (PTO) Leave
Workers' Compensation Leave

8.3 Paid Time Off Leave

Policy Statement

The Paid Time Off (PTO) Leave plan is a comprehensive program that recognizes and serves the many diverse needs of employees for time off from work, and also provides disability benefits that offer income protection to cover periods of extended illness or injury. Hours of leave accrued in the PTO Leave plan may be used for any purpose when scheduled in advance, or at times when unforeseen circumstances cause an unscheduled absence.

Procedures

A. Participation:

Effective July 1, 2016, all new hires into full-time or benefit eligible part-time positions will participate in the PTO Leave plan and all current full-time and benefit eligible part-time employees will be transitioned to the PTO Leave plan. Section E (Frozen Sick Leave Bank) below provides details on the transition from the current sick leave plan to the PTO Leave plan for persons employed on or before June 30, 2016.

The Annual Leave balances of those employed on or before June 30, 2016 will be transferred to their PTO Leave account effective June 30, 2016. PTO leave accruals will be based on the employee's years of Hanover County service (see tables below). The Accrued Sick Leave

balances of those employed on or before June 30, 2016 will be transferred to the employee's Frozen Sick Leave Bank (FSLB).

B. Paid Time Off Accruals:

Under the PTO Leave plan full-time and benefit-eligible part-time employees will accrue leave based on their years of County Service, with benefit-eligible part-time employees accruing leave in proportion to their part-time work schedule (for example, a part-time employee with 1-5 years of service who works a 20-hour week would accrue 124 hours of leave per year). PTO leave is accrued each pay period (semi-monthly) according to the tables below:

Years Of Service	Accrued Hours Per Pay Period/ Total Days Per Year	Maximum Annual Hours Carryover
Less than 1 year	168 hours up front (21 Days)	168 Hours/21 Days
1 but less than 5	7 Hours/21 Days	248 Hours/31 Days
5 but less than 10	8 Hours/24 Days	288 Hours/36 Days
10 but less than 15	9 Hours/27 Days	328 Hours/41 Days
15 but less than 20	10 Hours/30 Days	368 Hours/46 Days
20 years or more	11 Hours/33 Days	400 Hours/50 Days

PTO Leave for Eligible Full-time Firefighters/Medics on a schedule of 48-hours or more per week:

Years Of Service	Accrued Hours Per Pay Period	Maximum Annual Hours Carryover
Less than 1 year	360 hours up front	360
0 but less than 5	15	518
5 but less than 10	16	518
10 but less than 15	18	518
15 but less than 20	19	560
20 years or more	21	605

PTO Leave for benefit-eligible Part Time employees:

Years of Service	PTO Accrual .70 FTE	Max Carryover .70 FTE	PTO Accrual .60 FTE	Max Carryover .60 FTE	PTO Accrual .50 FTE	Max Carryover .50 FTE
Less than 1 year	117.6	173.6	100.8	148.8	84.0	124
1 but less than 5	4.9	173.6	4.2	148.8	3.5	124
5 but less than 10	5.6	201.6	4.8	172.8	4.0	144
10 but less than 15	6.3	229.6	5.4	196.8	4.5	164
15 but less than 20	7.0	257.6	6.0	220.8	5.0	184
20 or more years	7.7	280.0	6.6	240.0	5.5	200

At the time of hire, the first year's PTO Leave is available immediately to new employees. The amount of PTO Leave that is immediately available for new benefit-eligible part-time employees is based on the full-time equivalent percentage designated for the employee's position. The amount of PTO Leave that is immediately available to eligible full-time Firefighters/Medics is 360 hours. Eligible Firefighters/Medics who work at least 48 hours per week earn PTO Leave at a factor of 1.4 the 40-hour accrual, to include holidays (see first chart above). When 40 hour and 48 hour or greater Firefighters/Medics change shifts, a conversion rate of 1.4 will be used to factor leave, based on shift change. In addition to leave accrual changes, if a Firefighter's/Medic's shift changes from 40 hours to 48, the current PTO Leave balance will be multiplied by 1.4, and if a Firefighter/Medic's schedule changes from 48 hours to 40, the current PTO Leave balance will be divided by 1.4

Employees may carry forward to a new calendar year PTO Leave balances of no more than the applicable Maximum Annual Hours Carryover per Year. A PTO Leave balance in excess of the applicable Maximum Annual Hours Carryover, which has not been used by the pay period ending August 31, is forfeited, beginning in 2017. It is the employee's sole responsibility to monitor his/her PTO balance. Employees may request in writing an extension of PTO Leave hours that will be lost which must be approved by the department head, Director of Human Resources, and the County Administrator. Department heads must provide written requests to the Director of Human Resources no later than August 15th of the current year. Requests must include justification for the extension, to include requests for leave that were denied due to staffing challenges or critical project assignments.

The County Administrator, at his or her discretion, may authorize PTO Leave accruals that exceed those reflected in this chart, up to a maximum of 27 days, for any new employee hired to a Senior Management position, or for a current employee appointed to a Senior Management position. An employee newly hired to a Senior Management position who negotiates a leave accrual greater than the PTO Leave accrual reflected in this chart will be entitled to have the negotiated leave frontloaded.

Employees who exhaust their PTO Leave and, if applicable, any FSLB hours, will be placed in Leave-Without-Pay (LWOP) status. Employees will not accrue PTO Leave during any pay period in which they are in a LWOP status, including while in an unpaid status for Family and Medical Leave Act (FMLA) reasons.

Any County holiday that falls during the employee's PTO Leave will not be charged as PTO but as Holiday Leave. Refer to Holidays (Section 7.2) and Use of Other Leave (Section 8.8.A.4) in the Human Resources Policy Manual.

Full-time and benefit-eligible part-time employees of Hanover County Public Schools (HCPS), Pamunkey Regional Jail (PRJ), and Pamunkey Regional Library (PRL) hired into a benefit-eligible County Government position, with no break in service between the two positions, will be assigned a PTO accrual rate that credits their service with HCPS, PRJ, or PRL, commensurate with the table above. Any Accrued Sick Leave such new hires earned with HCPS, PRJ or PRL will be credited to the employee's Frozen Sick Leave Bank (FSLB).

In the event of separation within the first year, the employee must re-pay the County for all PTO Leave taken but not earned according to the accrual for employees between one year and five years. For example, if an employee separates from employment after six months and has taken 14 days, then he or she will have to repay 3.5 days. This amount will be deducted from the employee's final pay deposit. Details about an employee's final deposit are discussed in an exit interview with Human Resources.

C. Scheduling/Use of PTO Leave

PTO Leave may be granted only if the employee has an adequate PTO Leave balance. Employees are responsible for maintaining adequate PTO Leave balances to ensure that leave taken does not exceed the existing balance.

Although PTO Leave is a benefit provided for employees to self-manage their time off, it must be scheduled with the supervisor to ensure the needs and objectives of the department will continue to be met. PTO Leave may be used for any purpose, and an employee's request to use such leave should be submitted to his or her supervisor as far in advance as possible.

If a department requires that leave requests be submitted more than three days in advance, the department head or supervisor will inform department employees.

When an unforeseen need for PTO Leave occurs, the employee must notify his or her supervisor as soon as possible, but no later than the beginning of the shift. In some departments, a longer notification period may be required. A physician's statement verifying the employee's illness or injury will be required in cases of an employee's frequent use of unscheduled PTO leave or when the employee's pattern of unscheduled PTO usage indicates potential abuse of PTO leave privileges. Failure to provide such documentation or the excessive use of unscheduled PTO leave shall be grounds for disciplinary action.

PTO Leave may be taken in quarter-of-an-hour (15 minute) increments and is available for use by the employee only when the employee has an adequate PTO leave balance.

PTO Leave may be used to cover the waiting period before Short Term Disability begins. PTO Leave may also be used to cover the difference between the employee's Short Term Disability benefit and the employee's normal gross pay. VRS Hybrid Plan participants' use of PTO to cover these differences is subject to the terms of their Short Term Disability Plan.

D. Payment of Accrued PTO Leave After Separation

Employees that separate from County employment are entitled to payment for accrued PTO leave up to the maximum annual carryover amount listed in the Tables in Section B (Paid Time Off Accruals) above. Separation includes retirement, voluntary resignation, death, or dismissal. Accrued PTO leave will be paid at the employee's regular hourly rate at the time of separation. Payment is subject to applicable required payroll deductions, for any outstanding amounts owed to the County for benefits received, and for uniforms, keys or other County property not returned by the employee at separation. The employee may request the PTO Leave payment be directed to the County-sponsored 457(b) plan, in accordance with the requirements of the 457(b) plan, if the employee is a participant.

An employee may use PTO leave during a notice period, after tendering his or her resignation, if approved in advance by the employee's supervisor, so long as the employee's absence during the notice period does not interfere with the operations of the employee's department.

E. Frozen Sick Leave Bank (FSLB)

Effective July 1, 2016, the County will transfer the current accumulated Sick Leave balances of all employees to a Frozen Sick Leave Bank (FSLB) to be maintained for use as described in this section.

FSLB hours are to be used for personal sick leave or family sick leave, in accordance with the terms of Human Resources Policy 8.4. When three or more consecutive days of FSLB hours are used for personal sick leave, the maximum number of hours to be used by the employee must be approved by the treating physician. For example, an employee who is absent for the birth of a child may only use FSLB hours for the days/weeks projected or subsequently extended by her treating physician. Any additional leave the employee would like to use would need to be taken from his/her PTO leave balance.

Each calendar year, an employee must use the equivalent of an employee's average hours worked each week (i.e. 40 hours for full-time employee, 56 hours for a 24-hour FF/Medic), <u>before</u> the employee may access the employee's FSLB.
<u>For employees who are absent for more than one week due to a work-related injury and have been approved for workers' compensation</u>: If the employee has not used five (5) PTO days and does not have an adequate PTO Leave balance to cover the first seven (7) days of absence (a standard work week), the employee may use available FSLB hours. If the employee does not have an adequate PTO Leave balance or FSLB hours available, the employee will be placed in a leave-without-pay status for the first seven (7) days of absence only.

For employees who are absent for a reason other than a work-related injury: If the employee does not have an adequate PTO Leave balance, the employee must use all available PTO hours before using available FSLB hours.

The rules governing a Medical Leave of Absence, including absences covered by the Family and Medical Leave Act, as outlined in the Human Resources Policy Manual, will continue to apply whenever an employee requests to use hours from their FSLB.

For employees who are not VRS Hybrid Plan participants, FSLB hours may be used to cover the difference between the employee's benefit from Short Term Disability and 100% of his/her gross pay or if the employee has no PTO hours available. VRS Hybrid Plan participants' use of FSLB hours to cover this difference is subject to the terms of their Short Term Disability plan.

Employees who separate from employment and/or file for VRS retirement benefits will be eligible to be paid a portion of any unused FSLB hours as outlined below:

Number of Years of County Service	Maximum Payout of Frozen Sick Leave Balance
5 but less than 10	12.5% up to $1,500
10 but less than 15	25% up to $3,000
15 but less than 20	25% up to $5,000
20 years and over (with VRS retirement)	25% up to $10,000

F. Short Term Disability (STD)

As of July 1, 2016 employees who are Virginia Retirement System (VRS) Plan 1 or 2 members will participate in the short- and long-term disability plans offered by the County. Employees who are VRS Hybrid Plan members participate in short- and long-term disability plans through a third party administrator (please see a Human Resources representative for details).

The County's STD plan, during the initial weeks of an employee's disability, provides a weekly benefit of 60% of the employee's pre-disability income for up to 180 days. The plan is administered by the County's Human Resources Department in accordance with the terms of the County's STD plan document. Employees are required to file a claim for STD benefits with the Human Resources Department. A claim must be approved before any STD benefit will be paid.

PTO Leave, if accrued, may be used during periods of STD to cover the initial waiting period of seven (7) calendar days, and to cover the difference between the employee's benefit from STD and 100% of the employee's gross pay. (VRS Hybrid Plan participants' use of FSLB hours to cover these differences is subject to the terms of their Short Term Disability plan, however). FSLB hours may be used to supplement PTO balances for this purpose in accordance with FSLB guidelines above. When combining the STD benefit and PTO or FSLB pay, an employee may not receive more than 100% of the employee's normal base compensation. The County's STD plan is 100% funded by the County, and any benefits payments made under the plan are subject to applicable payroll deductions.

The STD benefit period may last longer than the period established under the Family and Medical Leave Act. Nothing in the PTO Leave Policy or STD plan extends FMLA benefits beyond those provided by law.

G. Long Term Disability (LTD)

Eligibility for long term disability benefits under the County's LTD coverage or under the LTD coverage available to VRS Hybrid retirement plan members is determined according to the terms of those plans. Approval of LTD benefits rest solely with the LTD insurance provider.

8.4 Paid Time Off and Frozen Sick Leave Bank for Sick Absences:

A. Paid Time Off (PTO) Leave and Frozen Sick Leave Bank (FSLB) hours, when approved, may be used to authorize absences necessitated by reason of:

1. PERSONAL SICK ABSENCES
   Personal sick absences are absences for reasons of illness or injury incapacitating the employee from performing assigned duties; doctor or dental appointments during working hours; and exposure to contagious disease such that the employee's presence on duty would jeopardize the health of fellow workers on the job. Once PTO Leave and FSLB hours are exhausted, it is acceptable to use available compensatory leave to cover absences due to illness.

2. FAMILY SICK ABSENCES
   Family sick absences are absences for reasons of illness or injury of a close family member or any children of an employee requiring the attendance of the employee. Use of PTO Leave and FSLB hours by the employee for this purpose may not exceed 48 hours per calendar year. The close family of an employee is defined in Section 1.6.

   Firefighter/Medics may use up to 6 days per calendar year for family sick absences since their work days are composed of a variety of hours.

B. An employee absent from work for medical conditions which require absence in excess of three (3) days may be required to submit to the department head a written statement from the attending physician outlining the general nature of the medical condition, stating the earliest approximate date of return to duty and advising on the ability of the employee to perform his or her regular duties. The department head may require a physician's letter with the above content prior to an absence of three or more days, if in the department head's judgment, this information is necessary. Before returning to work from an extended absence, the employee may be required by the department head to obtain a written statement from the attending physician advising that the employee may return to regular duties. See Section 8.16.

C. All medical and psychological information submitted by an employee's medical provider will be treated as confidential.

D. If an employee has exhausted all available PTO Leave and FSLB hours, accumulated compensatory leave may be charged for the excess and, if necessary, the employee will be placed on leave without pay by the department head.

E. In physically demanding and hazardous positions, modifications for the position, such as light duty, to the extent available, may offer an alternative to using PTO leave. Employees who are eligible for leave under the Family and Medical Leave Act (FMLA) should follow the provisions of Section 8.8. Should an employee desire to take leave beyond the date the employee is cleared to return to work by his or her medical provider, the absence will be charged to PTO Leave, compensatory leave, or leave without pay, all of which require pre-approval of the department head. The final decision must be determined based on policy and legal requirements and the effect the absence would have on the daily operation of the particular workforce. The employee should consult the Human Resources Department to take the necessary steps for continuation of applicable benefits while absent.

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F. Employees will not be assigned modified work or light duty, even if authorized by the attending physician, without review and approval in writing by the department head and by Human Resources.

8.5 Extended PTO Leave:

A. A non-probationary employee incurring a non-service connected injury or illness or a service-connected injury or illness which is not compensable under the Workers' Compensation Act may apply for extended PTO leave, if current leave balances are not sufficient to cover absences or to supplement short-term disability, when approved. Extended PTO leave, if approved, provides an employee with additional PTO by borrowing up to 75% of the PTO leave balance at the onset of the injury or illness. The employee must be away from the job due to an injury or illness for ten consecutive workdays and have exhausted all other leave balances before the extended PTO leave benefit is available. Extended PTO leave may be granted if the following criteria are met:

1. The employee must have a minimum PTO leave balance of 40.0 hours.
2. An Extended PTO Leave Agreement must be completed by the employee and submitted to the employee's supervisor.
3. The supervisor will submit the Extended PTO Leave Agreement to the department head for department head approval no later than the 16th day of the employee's absence from the job.
4. The department head will submit the Extended PTO Leave Agreement to Human Resources for approval by the Director of Human Resources.
5 The County Administrator may grant up to 40 hours of extended PTO leave when an employee has exhausted all available leave due to an unforeseeable circumstance. The employee will be required to submit an Extended PTO Leave Agreement.

Any extended PTO leave granted shall be repaid in one of the following manners:

1. The employee will earn one-half of the employee's monthly PTO leave accrual until the balance of the extended PTO leave granted is fully restored. The other half of the employee's monthly PTO leave accrual will be applied to reduce the extended PTO leave balance.

2. If the employee should terminate employment prior to full repayment of the extended PTO leave granted, a cash payment equal to the remaining balance, multiplied by the employee's rate of pay when the extended PTO leave was granted will be deducted from the employee's final paycheck or will be repaid by the employee. Conditions of repayment shall be determined by the Human Resources Department.

8.6 Bereavement Leave:

A full-time employee may use up to 24 hours (for example, three 8-hour workdays) of bereavement leave for the death of a close family member. An employee may augment bereavement leave with available PTO Leave and/or FSLB hours with the approval of his or her supervisor. Bereavement leave does not accumulate. Firefighters/Medics may use up to 3 days of bereavement leave for the death of a close family member. Benefit eligible part-time employees may use bereavement leave on a pro-rated basis.

8.7 Civil Leave:

An employee shall be granted leave with full pay for any absence necessary for serving on a jury, as a subpoenaed witness in court, or taking required tests for fitness including required physical

exams, internal recruitment interviews, tests for County required certification, and tests associated with appointment to new positions, demotions or transfers within the County.

If any employee is summoned to serve on jury duty or is subpoenaed to court to appear as a witness or who, having appeared, is required in writing by the court to appear at any future hearing, except if the employee is a defendant in a criminal case, civil leave with full pay is applicable, so long as the employee gives reasonable notice of the jury duty or court appearance to the department head. On the other hand, if the case is one in which the employee is a criminal defendant, the time off from the job is of a personal nature and PTO or compensatory leave must be taken.

8.8 Medical Leave of Absence:

Hanover County offers two broad types of unpaid leave of absence; Family and Medical Leave and Leave Without Pay. Some policies apply equally to both types of unpaid leave, while other policies are specific to the type of unpaid leave taken.

A. Leave Pursuant to the Family and Medical Leave Act of 1993 ("FMLA Leave")

The County provides eligible employees up to twelve work weeks of unpaid job protected leave annually (the annual period shall be a rolling twelve-month period) for certain family and medical reasons. Employees are eligible if they have worked for the County for at least one year, which must include 1250 hours of work during the twelve months preceding the commencement of the FMLA period of leave. Unpaid leave will be granted for any of the following reasons:

- For the birth of a son or daughter of the employee, or to care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition which makes the employee unable to perform the employee's job.
- For a qualifying exigency (as defined in 29 CFR Part 825) arising out of the employee's spouse, son, daughter or parent's covered active duty status (or notification of an impending call or order to covered active duty status) in the National Guard and Reserves, and the Regular Armed Forces. This includes leave for any of the following reasons: 1) short notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (up to 15 calendar days); 7) post-deployment activities; 8) additional activities; and 9) parental care - eligible employees may take leave to care for a military member's parent who is incapable of self-care when the care if necessitated by the member's covered active duty.

In addition, eligible employees are provided up to 26 workweeks of leave to care for a covered servicemember or covered veteran with a "serious injury or illness," as defined in CFR §825.127, during a single 12-month period. If an employee is eligible for both FMLA Leave and Qualifying Exigency Leave within a 12-month period, the leave periods will run concurrently and no more than 26 workweeks of FMLA leave may be taken within a 12-month period. This policy shall be interpreted and administered in accordance with the Family and Medical Leave Act and applicable federal regulations. An employee using FMLA leave who has secondary employment and continues to work for the secondary employer while using FMLA leave may be required to obtain a second medical opinion.

1. Notice and Certification:

The employee is required to provide thirty days advance written notice when FMLA leave is foreseeable. If the employee fails to provide such notice, the employee may be required to provide an explanation of the reasons why notice was not practicable. The employee must provide medical certification to support a request for leave because of a serious health condition of the employee or relative. The Director of Human Resources may request recertification at any reasonable interval, but not more often than every 30 days, unless:

(a) The employee requests an extension of leave;
(b) Circumstances described by the original certification have changed significantly
(c) The employer receives information that casts doubt upon the continuing validity of the certification.
(d) When an employee is unable to return to work after FMLA leave because of the continuation, recurrence, or onset of a serious health condition.

For leave due to a serious health condition of the employee, certification of the fitness of the employee to return to job duties is required prior to the return to employment. This does not apply to Intermittent Leave.

For FMLA Leave taken because of a qualifying exigency the employee may be required to provide additional information in accordance with 29 CFR Section 825.309.

2. Intermittent Leave:

FMLA leave may be taken intermittently or on a reduced leave schedule for the reasons set forth above for which FMLA leave is available.

3. Benefit Continuation:

During any FMLA leave, the County will maintain the employee's coverage in the County's group health plan under the same conditions as coverage would have been provided if the employee had been continuously employed during the entire leave period. Payments for the employee's portion of the premiums for health insurance coverage shall be submitted to the Human Resources Department, payable to the Treasurer of Hanover County. All employee premium payments must be submitted by the 20th of the month for the following month's coverage (i.e. June coverage must be paid by May 20th). In the event of non-payment by the employee, the County will advance the employee premium cost for one payment, providing a grace period of thirty days. Coverage will terminate for non-payment if the employee fails to submit the employee's costs by the end of the thirty-day grace period. The employee must reimburse the County immediately upon request for any payments made by the County for the employee's portion of the premiums. The County will collect from the employee any amounts the employee does not reimburse.

Employees on FMLA leave who are enrolled in benefit programs in which the County pays no portion of the cost will be required to remit the full payment for those benefits to the Human Resources Department in the same manner as for the employee's share of the premiums for health care coverage. There will be no thirty-day grace period on any benefit program, in which the County pays no portion of the cost. If the employee fails to remit the full payment within the required time frame, the benefit will terminate.

4. Use of Other Leave:

An employee may be required or may request to use accrued compensatory hours after exhausting available PTO leave and FSLB hours for FMLA leave. During periods of

FMLA Leave an employee may, but is not required, to use other appropriate accumulated paid leave while on FMLA leave. If an employee is on FMLA leave and a holiday occurs, then the holiday is counted as FMLA Leave.

5. Forms:

Certification, recertification, and return to duty forms are available from the Human Resources Office and shall be completed by the physician of any employee applying for and participating in FMLA leave as a result of a serious health condition of an eligible relative or of the employee.

6. Secondary Employment while on FMLA

Employees out due on an approved medical leave and have an approved secondary employment are prohibited from working their second job if the physical functions of the job are similar in nature to their Hanover County position. Please see Section 6.11.

B. Leave Without Pay (LWOP)

1. If an unpaid absence is required for reasons other than the birth, adoption or placement of a child, the serious health condition of a spouse, child or parent, or the serious health condition of the employee, a written request for LWOP may be made to the department head. Unlike the provisions of the FMLA, there is no job protection in LWOP. The department head must give first consideration to the needs of the department. Department heads may recommend LWOP subject to the approval of the Director of Human Resources. Approval of LWOP is not guaranteed.

2. If a department is unable to retain the position for the employee on LWOP, that employee may be considered for any similar position for which the employee is qualified, vacant or anticipated vacant, at the time the employee desires to return. Although every effort will be made to assist the employee, there is no employment guarantee in LWOP.

3. Except in emergencies, the written request for LWOP should provide as much notice as possible, preferably thirty days.

4. Benefit Continuation:

a. During the period of LWOP, the County will maintain the employee's coverage under the County's group health plan, at the direction of the employee and with the remittance of the premium by the employee. The employer paid portion of the group health care plan premium will continue for a period not to exceed ninety days. After a ninety day absence, the employee on LWOP must pay the full premium cost in order to maintain health care coverage. In LWOP there is no thirty-day "grace" period. Remittance for the premium payments shall be made in the same manner as for FMLA leave. (Section 8.7 A 3) If the employer has paid the employer share for a 90 day period under the FMLA leave, the 90 day employer paid contribution will not be repeated if the employee continues on regular LWOP.
b. Any other non-employer paid benefits that the employee on LWOP wishes to remain in effect, must be paid in full by the employee by the 20th of each month for the following month.
c. Retirement service credit will not increase during a period of LWOP unless the employee is on Military Leave. Group life insurance may continue in force during a period of LWOP for a period not to exceed twenty-four months unless the employee is on Military Leave for which the period of coverage continues while on active duty Hanover County pays for this benefit in its

entirety and will continue that payment for a period of ninety days, except in the case of Military Leave. After ninety days, the employee on LWOP must pay the full cost of the insurance premium for the balance of the LWOP period or 24 months. Should the coverage lapse, the employee will be re-enrolled at the same coverage amount upon return to paid status.

5. The employee will be required to exhaust all compensatory leave hours before beginning a period of LWOP. The employee may, but is not required to use accumulated PTO leave or FSLB (if applicable) balances prior to requesting an unpaid period of leave.

C. Provisions Applicable to Both FMLA Leave and LWOP:

1. Unpaid FMLA leave and LWOP shall not be considered workdays for purposes of leave accrual or for the calculation of compensatory or overtime pay. No PTO leave shall be accrued while in an unpaid status.

2. An employee on administrative leave without pay will have leave balances restored in full if the employee is reinstated.

3. As it relates to pay for performance salary increases, employees on FMLA leave and LWOP will retain their original anniversary date. Therefore, if returning to a prior position, they will enter the position in the same pay grade and salary that they held when they began their FMLA leave or leave without pay. The employee will be eligible for the pay for performance increase upon his or her regularly scheduled review date. Should that date fall during the period of absence, the department head may request that it be extended until the employee returns to work and is evaluated. As with any performance appraisal, the department head may also extend the review date if it is felt that sufficient time has not lapsed to adequately evaluate the employee's performance.

4. Although an employee may be considered for appointment to a new position while on a FMLA leave or LWOP status, the date of the appointment cannot become effective while on FMLA leave or LWOP.

8.9 Military Leave

A. 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 leave of absence not to exceed fifteen work days, up to a maximum of 168 hours, per Federal fiscal year with pay and without loss of seniority or accrued leave. Fifteen workdays is normally meant to be consecutive, but may be fragmented or non-consecutive if supported by military orders. This paid military leave may be taken for not only active duty training but also for periods of inactive duty training as long as the sum of paid military leave does not exceed 15 work days per Federal fiscal year (October 1-September 30).

If more time is needed beyond what is allowed under these policies, then the employee must use leave without pay or elect to use PTO and/or compensatory leave balances.

Employees must be in a paid status to be paid for military leave.

B. Allowances for paid or unpaid military leave shall be made for all employees. However, there is no right to reemployment rights and benefits if the position the employee leaves to serve in the uniformed services is for a brief, nonrecurrent period and there is no reasonable expectation that the employment would have continued indefinitely or for a significant period.

C. Any person employed in an authorized position as defined in Section 1.6 who receives orders or who elects to report for active duty in any of the Armed Forces of the United States shall be placed on military leave without pay assuming the following actions have taken place:

1. The employee has used 15 days paid military leave in the current Federal fiscal year.
2. The employee requests military leave without pay.
3. The employee or an appropriate officer (commissioned, warrant, nor non-commissioned officer authorized by the military service concerned) submits to the department head verbal or written notice that the employee intends to leave the employment position to perform service in the uniformed services. When feasible, the employee should provide advance notice to the County at least 30 days prior to departure for uniformed service. The notice may be informal and does not need to follow any particular format.
4. Upon completing service in the uniformed services, the employee must notify the County of his or her intent to return to his or her position by either reporting to work or submitting a timely application for reemployment. Whether the employee is required to report to work or to submit a timely application for reemployment depends upon the length of service, as follows:

   a. If the period of service in the uniformed services was less than 31 days, or the employee was absent from his or her position for a period of any length for a purpose of an examination to determine his or her fitness to perform service, the employee must report back to the County not later than the beginning of the first full regularly-scheduled work period on the first full calendar day following the completion of the period of service, and the expiration of eight hours after a period allowing for safe transportation from the place of that service to the employee's residence.
   b. If the employee's period of service in the uniformed services was for more than 30 days but less than 181 days, he or she must submit an application for reemployment (written or verbal) with the County not later than 14 days after completing service. If it is impossible or unreasonable for the employee to apply within 14 days through no fault of his or her own, he or she must submit the application not later than the next full calendar day after it becomes possible to do so.
   c. If the employee's period of service in the uniformed services was for more than 180 days, he or she must submit an application for reemployment (written or verbal) not later than 90 days after completing service. An employee's failure to notify the County of his or her intent to return as outlined above may result in forfeiture of the employee's reemployment rights and other rights and benefits if the employee fails to meet the requirements of Section 7.1D (Scheduled Hours of Work).

5. During military leave without pay status, the same provisions governing PTO leave accrual as set forth in Section 8.7*B & C* (Leave Without Pay) shall apply. The employee may make arrangements with the Human Resources Department to continue applicable benefits by paying all premiums as required by the health and benefits contracts currently in force.
6. After release from active duty, the employee shall be entitled to reemployment in his or her former position provided the employee is qualified (i.e., able to perform the essential tasks of that position). If his or her former position has been abolished, the employee shall be given first consideration for other vacancies for which the employee is qualified. Employees selected to fill vacancies created by persons on military leave shall be employed on a temporary or provisional basis only while working in those vacancies. For all other purposes the same provision as outlined under Section 8.7B & C will govern.

D. An employee may be considered for appointment to new position or advancement on the career development ladder while in a military leave without pay status. If the employee would have been appointed to a new position had he or she been present they must be given the effective date of appointment to new position on that date.

8.10 Educational Leave:

A. The purpose for educational leave is to encourage employees to improve their job related knowledge and skill level. Educational leave is unpaid. Educational leave is limited to a maximum of up to one continuous year for pursuing a course of study in a field directly related to his or her position which will enhance an employee's knowledge and skill in his or her position as a County employee. Educational leave will be provided under the following terms and conditions:

1. The duration of such absences, up to the stated maximum, shall be determined by the department head.
2. No PTO leave shall be accrued during the educational leave period. Applicable unused leave balances may be reinstated upon return to County employment.
3. Health, hospitalization and group life insurance coverage may be continued by payment of the full premiums by the employee, but no other benefits shall accrue.
4. Although an employee may be considered for appointment to new position while in an educational leave status, the date of the appointment cannot become effective while on leave without pay.
5. Retention of a position for the employee cannot be guaranteed; however, when the employee desires to return, the County will attempt to locate a comparable position to that held by the employee as of the date of leave approval (and for which the employee meets all qualifications).

B. Department heads are authorized to adjust work schedules or implement a flexible work schedule for an employee taking a course that will be of benefit to both the employee and the County.

C. Adjusted schedules should be implemented only when it can be demonstrated that the course is not available to the employee on off duty time and shall be granted for one course period at a time. Emergency conditions may require the department head to rescind approval for attendance at a given classroom session.

8.11 Workers' Compensation Leave

Workers' compensation leave is leave occasioned by an on-the-job injury or occupational disease that arises out of and in the course of employment (see Section 6.12). It is the responsibility of the department head to assess the impact of any employee inactivated by injury or illness on the department's operations and contact the Director of Human Resources early on as to the options available.

Workers' compensation leave is specific to the incident reported to the County's Workers' Compensation provider. Until the workers' compensation claim is approved or denied by the County's insurance carrier, the employee's absence should be recorded as workers' compensation leave. Leave taken must be supported by the medical information which substantiates that the absence is related to the injury or illness documented on the Workers' Compensation report. Workers' compensation leave payments are intended to provide an injured employee with compensation until the County's insurance carrier approves or denies the employee's workers' compensation claim. These payments are not intended to reflect whether the claim is compensable or the extent of the employee's disability.

If the claim is not approved as workers' compensation, the employee will be required to pay back time/monies received from the County while on injury leave. Where the individual has appropriate leave balances (i.e., PTO, FSLB or compensatory) an adjustment will be made by the Human Resources Department to cover the time charged to workers' compensation leave. Should limited or no leave balances be available, arrangements with the Human Resources Department should be made to reimburse wages paid that are not covered by leave balances.

8.12 Compensatory Leave:

Reserved. For Compensatory Leave see Section 6.4.

8.13 Dock Leave:

Dock leave (unpaid time) is used to reflect the hours an employee does not work and does not have an appropriate leave balance to cover the time away from the job. This leave is only used when the duration is less than the standard workweek and requires only department head approval. For absences greater than five days, leave without pay is used.

8.14 Administrative Leave:

The administrative leave category is used to record all time an employee misses due to a disciplinary action or for a pending investigation. The Human Resources Office must be notified immediately of all instances of administrative leave.

Administrative leave assigned as a disciplinary suspension must always be without pay and shall not exceed 10 workdays.

In cases of administrative leave for non-disciplinary reasons (investigation), the leave period may be with or without pay. The Human Resources Department will review the status of the employee at each payroll period. Department heads will be contacted to ensure completion of the investigation in the shortest practicable time.

8.15 Transfer of Leave Balances:

PTO and FSLB leave balances for employees who move from one Hanover County department to another, or from the constitutional offices, will have those leave balances transferred in their entirety. For employees transferring from employment with Hanover County Public Schools their annual leave balances will be transferred to PTO Leave and their sick leave balances will be transferred to FSLB leave.

If an employee is transferred from one Hanover County department to another County department, and the transferred employee is terminated from their position within six (6) months of their transfer date to the new position, then the employee's previous department is obligated to incur their pro-rata share of the leave balance payout assuming all leave balances initially transferred are reduced first by any leave the employee may have taken in the new department.

Compensatory leave balances must be paid by the Hanover County department that initially authorized the compensatory leave prior to the employee being transferred.

8.16 Return to Work Program:

The purpose of the Return to Work program is to maintain Hanover County objectives and productivity, encourage safety and prevention of injury, and whenever possible, provide reasonable work opportunities for injured workers to return to work. It is also intended to avoid re-injury through work assignments and effective monitoring. The Return to Work program is intended to assist the employee in his or her return to a normal work environment in an expedient manner. Finally, this program ensures that the employee's return to work is in compliance with all Human Resources requirements.

Several forms apply to the Return to Work Process. These forms are accessible via the Human Resources department and/or the Safety/Risk Manager (for work-related injuries). The injured employee, the supervisor, the employee's Health Care Provider, Human Resources and the County's Safety/Risk Manager (for work-related injuries) all have responsibilities as a part of the Return to Work Program.

This program allows the employee to work in an assignment in accordance with the doctor's restrictions and ensures that the injured employee follows these restrictions. In the event alternative assignments are not available in the injured employee's department, the County will research whether light duty assignments are available in a different department. For more information on this program's procedural details, please contact Human Resources.

Employees receiving pay through an approved Workers' Compensation claim who refuse an alternative work assignment may forfeit additional payments, which will require the employee to use PTO for absences. Alternative work assignments offered to employees who are recovering from a non-work related injury are at the discretion of the department head and are based on availability.

SECTION 9: EMPLOYEE TRAINING

9.1 Orientation of New Employees:

An orientation training program shall be conducted by the Human Resources Department with each new County employee during the first weeks of employment. The goal of this training is to introduce the new employee to County organization, benefits, rights, privileges and other matters related to employment.

Each department is responsible for orienting new employees in the department's specific issues and policies.

9.2 Training:

A. Each department head shall be responsible for developing both on-the-job and off-the-job training programs as required with emphasis on the training of new employees.

B. Department heads and supervisors shall evaluate periodically the knowledge, skills and abilities of each employee in relation to the duties assigned to the position and shall suggest informal or formal programs aimed at improvement or preparing the employee for career opportunities.

C. The department head may permit or require the employee or group of employees to attend training courses during working hours when such training is in the best interest of the County. Please see Section 6.4.A.5 for additional details.

9.3 Tuition Reimbursement:

It is the policy of the County to reimburse an employee, when funding is available and approved by the Board of Supervisors, for the cost of job-related courses toward a college degree or a college-accredited certificate up to a maximum of three courses in any fiscal year, approved by the department head and the Director of Human Resources or designee, under the following terms and conditions:

A. Employee must have successfully completed his/her probationary period prior to payment of approved course(s).
B. Employee must not have any active disciplinary notices prior to completion of approved course(s) (see section 13.3.B.2).
C. Priority will be given to employees who have not been reimbursed during the current fiscal year.
D. Courses are related to the employee's present position. The department head must be able to demonstrate that taking the course will maintain or improve the skills required for the employee's current job or meet express requirements of the department that are a condition of continued employment.
E. Reimbursement is not available or is not being paid by another source (i.e. VA benefits).
F. Reimbursement is limited to tuition and books or to those tests for certification which are required before the employee can receive a grade in the course.
G. Reimbursement is on a course-by-course basis and is available to employees in Active status. See Section 1.6. Auditing of courses does not qualify for reimbursement.
H. Reimbursement is contingent upon receiving a "C" or its equivalent, as defined by the educational institution, and credit for the course.

I. Proof of grade and payment must be received by Human Resources before reimbursement can be processed.
J. Requests must be made by completing and submitting the Tuition Reimbursement form to Human Resources at least 30 days **prior** to the day class starting.
K. The employee must remain in the employment of the County for six (6) months after course completion or will be required to reimburse the County for the full amount paid.
L. The maximum tuition reimbursement shall not exceed three courses in any one fiscal year per employee.

9.4 Personnel Records:

Upon completion of training or educational course work, the appropriate information may be recorded in the employee's personnel record. Responsibility rests with the employee and his or her Department to provide the Human Resources Department with all materials relating to training and educational accomplishments.

SECTION 10: SEPARATIONS

10.1 Resignation:

An employee desiring to resign from the County in good standing shall submit a letter to the department head setting forth the reason for leaving County service and with a period of notice of not less than two weeks. Department heads, deputies, or assistants desiring to resign from the County in good standing shall submit a letter to the County Administrator or appropriate official setting forth the reasons for leaving with a period of notice of not less than four weeks. The Human Resources Department will conduct exit interviews with employees leaving County service when agreed to by the employee. All information received during an exit interview will not be made a part of the employee's personnel file.

10.2 Dismissals:

An employee may be dismissed by the department head for neglect of duty; unauthorized absences; being under the influence of drugs or alcohol while on duty; insubordination; gross departure from acceptable behavior; misuse of County property; incompetence; falsification of information; inability to meet current position requirements; unlawful discrimination (including sexual harassment); conduct unbecoming to a County employee; conviction of a criminal offense, if the nature of the offense is related to job duties; extended absences; less than satisfactory performance; and/or for other good and just causes. Before dismissal, the department head or designee shall give the employee an explanation of the reason for the dismissal and an opportunity to present the employee's side of the story. A non-probationary employee who believes the dismissal was without cause may seek redress through the County Grievance Procedure (see Appendix).

10.3 Reduction in the work force (Layoffs):

The following procedure shall apply to a reduction in the work force of the County caused by adverse economic conditions, reorganization by and within the County, lack of sufficient work, abolishment of positions, or by other related incidents directly and solely caused by the County. Unless specific instructions to the contrary are received from the Board of Supervisors, the following will serve as the general procedure for a reduction in the work force for positions funded in total by the County.

A. A reduction in the work force will be managed on an individual department basis. The County Administrator and the department head will identify those organizational sections, job classifications, positions and individuals affected.

B. In all cases where a reduction in the work force necessitates the actual removal of personnel, upon identifying position(s) to be affected, the following order of removal will be followed within the specified position classification:

    1. Temporary or seasonal employees.
    2. Part-time employees.
    3. Probationary employees.
    4. Full-time employees.

C. Non-probationary employee performance will be used in order to provide for a uniform, fair, equitable, and effective basis for the determination of individuals to be laid off. Those employees achieving a Below Proficient rating on the last performance appraisal will be the first considered for layoff. The length of continuous County service will provide the second level of layoff priority.

Extraordinary circumstances may cause other considerations to be the basis for determining order of layoff as approved by the County Administrator. Such considerations may include, but are not necessarily limited to, the essential nature of the position.

D. In so far as is practical, all employees to be laid off will be provided with a minimum of two weeks' written notice.

E. Employees laid off due to a reduction in the work force will be entitled to all reinstatement and reemployment rights. Additionally, all such employees will be given first preference consideration in any reinstatement, reemployment or transfer to a vacant position of the same or lesser classification, provided the individual meets the minimum qualifications for that position. New hire processes must be followed for reemployment in a position of a higher classification.

F. Any employee who may be in the process of another administrative procedure (i.e. grievance, EEO complaint, disciplinary action, etc.) is still covered under this procedure. If such an employee is laid off, he or she will be entitled to continue to pursue the other administrative procedure if he or she so chooses. However, it will be done in the status resulting from the effect of the layoff policy.

10.4 Final Settlement:

The final pay will be deposited to the separating employee's direct deposit account(s) in the same manner as all regular paychecks. However, the final leave payout may be delayed until all County-furnished equipment (key, uniforms, I.D. cards, badges, safety equipment, work tools, equipment of any kind; and data files, records, or any other work related information) have been returned to or accounted for by the affected department and all financial accounts with the County have been settled.

10.5 Notice of Payroll Separation & Change:

When employment ends, regardless of reason, the employing department shall forward a Separation from Employment Form and a copy of the resignation letter, if applicable, to the Human Resources Department as soon as the separation is known. Complete information surrounding the reasons for separation should be included. A Personnel Change Form should be sent to notify the Human Resources Department of suspensions and leaves of absence. When requesting changes to acting and/or supplemental pay, a completed Personnel Change Form must be submitted.

10.6 Separation Date:

If an employee is on approved leave of absence, workers' compensation leave, or leave without pay when separated, the effective date of separation will be the actual date of separation designated by the employee, and approved by the department head and not the last day physically on the job.

When the effective separation date immediately precedes a holiday, the employee shall not be paid for the holiday.

Pay for appropriate leave balances to eligible employees shall be made on a lump sum basis. Department leave records must be reconciled with Human Resources leave records prior to authorizing leave payout amounts.

SECTION 11: PERSONNEL RECORDS

11.1 Personnel Records:

The Director of Human Resources shall maintain the County's personnel records for all County employees. All personnel information shall be placed in the central personnel file. An employee shall have the right to review his or her file during working hours by contacting the Human Resources Department. If the employee finds inaccurate information, he or she may request in writing that this be changed appropriately. If the employee gives written notice that he or she wishes to challenge, correct, or explain information about him or her in the personnel file, the procedures as outlined in the Government Data Collection and Dissemination Practices Act, § 2.2-3806 of the *Code of Virginia*, shall be followed. The Human Resources Department shall investigate and record the current status of the information in question. If, after such investigation, the information is found to be incomplete, inaccurate, not pertinent, not timely nor necessary to be retained, it shall be promptly corrected or purged. If the investigation does not resolve the dispute, the employee may file a statement not in excess of 200 words setting forth his/her position.

Department heads and supervisors may review the file of any employee or prospective employees under their direction by contacting the Human Resources Department. Files shall not be removed from the Human Resources Department.

Requests for verification of employment and requests for references for employees (*and past employees*) are generally handled by the Human Resources Department. Basic information to include dates of employment, position(s), and ending salary are provided under the Virginia Freedom of Information Act. Additional information will be provided if the employee supplies written and signed authorization for the Human Resources Department to do so. This insures employee confidentiality. With written authorization from the employee or past employee, departments are permitted to provide prospective employers with professional conduct and job performance information. Information about professional conduct might include ethical standards related to the employee's profession. Information about job performance can include the performance appraisals, attendance records, promotion and demotion records, job descriptions and disciplinary records.

11.2 Employee Identification/Uniforms & Other Equipment:

Employment in certain positions will require identification of the employee through use of an identification card provided at no expense to the employee. The I.D. card will be provided at the request of the department head as the new employee is hired and will be issued by the Human Resources Department. Amendments or changes to already issued I.D. cards shall be initiated by the Department on behalf of the employee through a memorandum to the Director of Human Resources. Upon separation the employee shall return the I.D. card to his or her supervisor who in turn shall return it to the Human Resources Department. Employees will be charged a $5.00 *replacement fee* for lost or destroyed I.D. cards.

Certain positions may require the wearing of a uniform and/or badge and the issuance of other equipment and/or tools. This equipment is provided to all employees at no cost. Upon separation or movement into another position this equipment shall be returned to the employee's immediate supervisor or appropriate person as designated by the department. Payment for such equipment may be withheld from the employee's final pay if settlement is not resolved prior to date of final pay.

Department heads must maintain accurate records of all County-owned equipment/tools, etc. issued to employees.

11.3 Personnel Information:

It is the employee's responsibility to notify the Human Resources Department of any changes in personal information. Such information as name, mailing address, telephone number, marital status, residency, name of person to contact in case of emergency, etc., must be kept up to date. If such corrections have not been initiated in writing by the employee and sent to the Human Resources Department, any problems occasioned by the County's use of out-of-date information are the responsibility of the employee.

11.4 Confidentiality:

All personnel information, including that relating to applicants, is confidential. Any employee not treating the information as confidential, or releasing the information other than as provided for by law or these policies shall be subject to disciplinary action including dismissal. Any disclosure of information shall be made only in accordance with the requirements of the Government Data Collection and Dissemination Practices Act and disclosure without employee consent may occur only when compelled by judicial or administrative process or when the information has been placed at issue in a formal dispute between the County and the employee, all as determined by the Director of Human Resources. (*See Section 13.13*)

11.5 Information System Security:

Security audit programs exist on the County computer systems in an effort to increase system security. A security violation is the attempt to access data, files, spool/printer queries, user profiles, job commands, etc., that are not your own and that you are not authorized to access. Security violations will be handled in accordance with the provisions of Section 13.3 and applicable IT policies.

SECTION 12: PART-TIME AND TEMPORARY EMPLOYEES

12.1 Part-Time Employees:

Part-time employees are persons employed to regularly work for less than the standard workweek assigned to the department.

A. Compensation:

Persons employed on a part-time basis in an authorized position as defined in these policies will be paid at an hourly rate equal to that paid to full-time employees in same or similar classifications. Hourly rates of seasonal and temporary part-time employees shall be established at a rate within the appropriate grade range based on the experience and skill level of the employee and shall be approved by the Director of Human Resources. Employees working a regular part-time schedule may be salaried at the appropriate percentage of time worked. Seasonal employees returning to the same position each season should be evaluated for above entry level pay rate based on prior performance appraisals and experience in the position.

B. Pay for Performance:

Employees in part-time positions, other than Temporary and Seasonal, are considered eligible for annual Pay for Performance salary increases based on the score obtained on the performance appraisal document.

Seasonal and temporary employees do not qualify for Pay for Performance salary increases.

C. Benefits:

Part-time employees who are regularly scheduled to work a minimum of one-half of the standard work hours per week earn PTO and holiday leave on a pro-rated basis and may elect County health and dental plan coverage. Employees in Temporary, or Seasonal positions are not benefit eligible. No part-time employee is eligible for retirement or group life insurance coverage.

D. Leave for Part-Time Employees:

1. Persons employed on a part-time basis in authorized positions, working at least one-half of the work hours in a standard work week, receive PTO leave, and holiday leave in proportion to their actual hours of duty, and the rate of accrual for PTO leave is based on years of service in the same manner as for other eligible full-time employees (see chart below). Temporary part-time or seasonal employees are not eligible for leave accrual.

2. Employees eligible for paid leave who transfer from full-time to benefit-eligible part-time status, working at least one-half of the applicable standard work week, will have leave balances transferred, with the exception of compensatory leave. Compensatory leave balances must be either paid out at the time of the change in status, or retained with the approval of the department head.

3. Employees transferring from a full-time status to a non-benefit-eligible part-time status working less than one-half of the standard workweek will be paid for leave balances according to policy, at the time of transfer, and in accordance with Section 10.6.

PTO Leave for benefit-eligible Part Time employees:

Years of Service	PTO Accrual .70 FTE	Max Carryover .70 FTE	PTO Accrual .60 FTE	Max Carryover .60 FTE	PTO Accrual .50 FTE	Max Carryover .50 FTE
Less than 1 year	117.6	173.6	100.8	148.8	84.0	124
1 but less than 5	4.9	173.6	4.2	148.8	3.5	124
5 but less than 10	5.6	201.6	4.8	172.8	4.0	144
10 but less than 15	6.3	229.6	5.4	196.8	4.5	164
15 but less than 20	7.0	257.6	6.0	220.8	5.0	184
20 or more years	7.7	280.0	6.6	240.0	5.5	200

E. Change in Job Status:

If an employee changes from temporary, hourly or seasonal status to one that provides for benefits, it is viewed as a change in job status and is not treated as an appointment to new position or voluntary demotion. The effective date for benefit eligibility is the effective date of the change in status. There is no retroactive benefit accrual.

F. Payroll Procedures:

If a temporary, hourly or seasonal employee changes job status, it is the supervisor's responsibility to see that the employee is scheduled for new employee orientation and that all proper forms are filled out (*tax forms, retirement forms, benefit forms, etc.*) and sent to the Human Resources Department along with the Personnel Change Form.

12.2 Transfer from Full-Time to Part-Time:

It is the supervisor's responsibility to inform the employee transferring from a full-time to a part-time status, of all changes in benefits and leave. This shall be done before the transfer is initiated.

SECTION 13: EMPLOYEE RELATIONS

13.1 Performance Appraisal:

Supervisors have the responsibility of assessing the performance of each employee under their supervision. The supervisor must communicate expectations for performance to the employee at the beginning of the performance appraisal period. Supervisors are encouraged to discuss performance levels with the employee during the performance appraisal period. Problems in performance levels must be documented, shared with the employee, and Counseling Records are made a part of the personnel record. The performance appraisal of the employee maybe conducted by the end of the probationary period. The annual performance appraisal will be conducted prior to July 1st of every year. Performance Appraisal forms may be obtained from the Human Resources Department. It is mandatory for employees to sign performance evaluations, counseling records and CAP's as acknowledgement of receipt. Employees are still able to dispute these documents.

13.2 Grievance Procedure:

Each non-probationary employee, except as listed in the County Grievance Procedure, shall be entitled to use the County Grievance Procedure as set forth in the Appendix of these policies.

13.3 Discipline:

A. Probationary employees:

All new employees serving a probationary period are considered to be employed in a "trial capacity." During the probation period, supervisors should take special notice of progress made in learning and performing the duties and responsibilities of the position. If the supervisor and department head determine that the employee is not performing satisfactorily or not making good progress in his or her job duties, the employee may be dismissed. Circumstances may exist which will justify the extension of an employee's probationary period. Such an extension should only be considered when there is expectation that the additional period will result in fully satisfactory performance. If an extension is to be granted, the department head must submit a memorandum to the Human Resources Department prior to the end of the 12-month period stating the length of the extension and the reason for the extension.

B. Non-probationary and conditional employees:

In the event that a non-probationary or conditional employee fails to meet acceptable standards of performance and behavior, the supervisor may choose one of several disciplinary actions, depending on the nature and seriousness of the problem. Any action other than reprimand should be taken only after consultation of the Director of Human Resources. Prior to all dismissals and in all other cases when practicable, the employee shall be given notice of the proposed action, reason for the action, and an opportunity to respond, prior to the disciplinary action being taken.

It is the responsibility of each supervisor to maintain consistent, fair and high standards of discipline. The following are several disciplinary actions which may be used in a progressive manner appropriate to the nature and seriousness of the problem. The following list of disciplinary actions includes examples of progressive actions. Depending on the nature and seriousness of the problem the appropriate level of discipline may be imposed without

consideration to the progression. For example, it is not necessary to issue an Oral or Written Reprimand if the offense is of such a nature to warrant a suspension or termination. All written documents pertaining to an employee are part of the personnel record and copies shall be given to the employee and to the Human Resources Department.

1. ORAL REPRIMAND
   The supervisor may or may not document the reprimand.

2. WRITTEN REPRIMAND
   The supervisor may issue the employee a reprimand in writing using the Counseling Record Form, signed by the supervisor, documenting the offense and stating a corrective course of action, which may be supplemented by a corrective action plan (CAP). Counseling Records are active for at least 12 months, and multiple active Counseling Records will result in progressive disciplinary action, up to and including termination. It is mandatory for employees to sign counseling records as acknowledgement of receipt. Employees are still able to dispute this document.

3. CONDITIONAL STATUS
   The department head may place the employee in "Conditional" status to coincide with a written reprimand **and** a Corrective Action Plan. The Plan must have specified time frames for review. The conditional period typically lasts 90 days. See Section 14.8 for additional details.

4. SUSPENSION
   Suspension is the removal of the employee from job duties for a determined period of time. Suspensions must be documented in writing, recommended by the immediate supervisor, reviewed and approved by the department head and Director of Human Resources. All disciplinary suspensions are without pay and require completion of an Employee Change Form submitted to the Human Resources Department. The length of time will depend on the seriousness of the offense, but may not exceed a maximum of ten workdays.

5. INVOLUNTARY DEMOTION
   Involuntary Demotion is the movement from one classification to another with a lower pay grade approved by the department head and the Director of Human Resources based on the availability of a lesser position. *See Section 4.3C2.*

6. DISMISSAL
   If an employee is dismissed, such dismissal shall be effective immediately unless there are extenuating circumstances which the department head determines require that the effective date of dismissal occur at a later date or time.

   Reasons for dismissal may include, but are not limited to the following:

   - Neglect of Duty: flagrant or repeated poor performance; non-compliance with applicable rules, laws and policies; loafing or sleeping on the job.

   - Unauthorized Absences: absences so frequent and/or irresponsible as to seriously impair the department's functioning and discipline.

   - Intoxication: reporting to work under the influence of intoxicants or drugs; possession or use of intoxicants or drugs while on duty.

   - Insubordination: refusal to perform assigned duties; refusal to comply with a direct order of a superior; use of physical violence or offensive/profane language to a superior or the public; open defiance.

- Gross violation of acceptable behavior: any activities disrupting normal work routine or creating a risk of danger to the safety of others; provoking, instigating or participating in a fight on duty or on County property.

- Fraud and/or intentional waste or misuse of County property or funds: unauthorized use of County property or equipment; intentional abuse or destruction of County property; theft of County property or of another employee's property.

- Violation: of the County's policies and procedures, motor vehicle safety policy, or security policies and procedures relating to use of information systems.

- Incompetence: failure to attain acceptable levels in the performance of required job duties.

- Falsification of information: falsification of personnel records, time records, or any other County and employee record or report.

- Conviction: of a felony, sex offense, offense involving moral turpitude, or other related offenses.

- Incapacity: unable to perform prescribed duties in an adequate manner.

- Changes in position requirements: which make it impossible for the employee to perform satisfactorily and when the Human Resources Department is unable to place the employee elsewhere in the County Service.

- Unlawful Discrimination: sexual harassment, or any other conduct inconsistent with sound merit principles.

- Conduct unbecoming a County employee: including violating the public trust.

- Civil or criminal offense: where merits of the case are reviewed and a determination is made that there is a reasonable basis to believe that the employee committed an act incompatible with employment.

- Extended absences: either with or without pay.

- Prolonged below proficient performance.

Deliberate and intentional misuse of funds will be met with the strongest disciplinary action. If an employee is criminally convicted or terminated due to misuse of County property or funds, s/he may be ineligible to receive certain benefits (health insurance under COBRA, VRS retirement benefits, etc.).

13.4 Additional Employment:

A. Secondary employment: (See Section 1.6 Definitions)

No employee shall engage in any other employment or activity either on County premises or to an extent that affects, or is likely to affect, his or her duties for the County.
An employee wishing to engage in employment, activity, business or profession secondary to his or her primary position with the County shall submit a Secondary Employment Request form to his or her department head for approval in advance of such employment. Failure to

do so may be cause for disciplinary action up to and including termination. The department head shall file approved secondary employment requests with the Director of Human Resources. Once approved, secondary employment approvals may be rescinded by the department head or Director of Human Resources for good cause.

Employees with an approved secondary employment who are absent from their Hanover County position due to a medical reason (FMLA, Worker's Compensation, Short-term Disability) are prohibited from working their secondary job if the essential functions of the job are similar in nature to their Hanover County position. This restriction is also applied to employees who are on Light/Restricted Duty.

B. Dual Position: (See Section 1.6 Definitions)

An employee who wishes to engage in employment with the County in any capacity other than the employee's primary job must submit a Dual Position Employment Request form to his or her department head for approval in advance of such employment. If employment is for two separate departments, both department heads must approve the request and are equally responsible for ensuring compensation compliance with the Fair Labor Standards Act. An exempt employee is prohibited from working in a second position with the County that is non-exempt without the authorization of both the department head and Director of Human Resources.

13.5 Payroll Deductions:

Employee payroll deductions, aside from those which are required by federal or state law, shall be subject to approval by the Hanover County Board of Supervisors.

13.6 Service Recognition:

The intent of the program is to recognize Hanover's employees for their dedicated service to the County and its residents; to impress upon each employee that his or her service to the County plays an important role in achieving the overall goals of County government and to encourage career employment in public service with the County of Hanover.

A. The following groups of employees are eligible for participation in this program:

1. Employees in all authorized positions as defined in Section 1.6 (*full-time and part-time*).
2. All elected and appointed officials (*Board of Supervisors and Constitutional Officers*).
3. County Elections Registrar.
4. All employees of the Pamunkey Regional Library, Social Services Department and all other agencies/departments as approved by the Hanover County Board of Supervisors.

B. Computation:

1. Service for part-time work shall be credited to an employee's service date.
2. Employees will be eligible to receive awards after the completion of each five-year interval of service i.e., five years, ten years, etc.

C. Separation of Service:

Credit for previous service shall be granted to any employee separated from the County either voluntarily or involuntarily but is adjusted for absent service.

D. Types of Awards:

Awards given will be those which are determined by the Director of Human Resources, with the concurrence of the County Administrator, to be appropriate.

E. Administration:

1. Service awards shall be presented during ceremonies sponsored by the Human Resources Department and shall be given to any eligible employee who is still in the County's service at the time of the ceremony.

2. The Human Resources Department shall maintain records of those persons eligible to receive service awards. It shall be the responsibility of the department heads and appointing authorities to keep the Human Resources Department timely informed of any conditions affecting an employee's service credit.

13.7 Equal Opportunity Employment/Non Discrimination:

Hanover County is an Equal Opportunity Employer. It is committed to the maintenance and promotion of the policy of nondiscrimination by incorporating sound merit principles in all aspects of human resources management affecting its employees and applicants. The workplace shall be free from such prohibited practices as discrimination, sexual harassment, bullying, or any other conduct inconsistent with sound merit principles. The County shall provide equal employment opportunity to all employees and all applicants without regard to race, color, religion, national origin, political affiliation, disability, sex or age, except where such is bona fide occupational qualification. The adoption of this policy by the Board of Supervisors is a reaffirmation of adherence to and promotion of the policy of nondiscrimination. Any person employed by the County of Hanover who fails to comply with this policy is subject to the County disciplinary procedures.

Any employee who has a complaint relating to discrimination is encouraged to report the complaint to the supervisor, department head, or Director of Human Resources or use the Grievance Procedure. The County prohibits any form of retaliation against employees for bringing bona fide complaints relating to discrimination, sexual harassment or other prohibited employment practices or for providing information about such practices. Notices of employees' rights available from the Equal Opportunity Employment Commission shall be posted by the Human Resources Department.

13.8 Conflict of Interests Act and Statement of Ethics:

Employees and members of boards and commissions shall comply with the State and Local Government Conflict of Interests Act. Questions concerning interpretation or the application of the Act should be directed to the department head, Department of Internal Audit or Department of Human Resources. Employees shall be governed by the Conflict of Interests Act and the Employee Relations provisions of Sec. 13 of the Human Resources Policy manual.

A. Overview of Ethics:

All Hanover County employees and members of boards and commissions are expected to represent the County and to carry out their work with professionalism at all times. They shall

fulfill the responsibilities of their jobs with honesty and integrity and shall make serving the needs of the constituents of Hanover County their primary goal.

B. Standards of Ethical Conduct:

Employees and members of boards and commissions shall strive to:

1. Make the needs and concerns of the constituents of Hanover County the primary consideration in all decision-making and actions taken on behalf of the County.
2. Fulfill their job responsibilities with honesty and integrity.
3. Avoid using their positions for personal gain.
4. Adhere to federal, state, and local laws.
5. Serve with respect, concern, courtesy, and responsiveness while carrying out the mission, vision, and goals of Hanover County.

Employees and members of boards and commissions are expected to engage in off-duty conduct that does not tarnish the reputation of Hanover County.

No employee shall engage in a private business enterprise nor solicit sales of goods or service during paid work hours.

C. Gratuities and/or Gifts to County Employees:

The State and Local Government Conflict of Interests Act, Title 2.2, Chapter 31 of the Code of Virginia, prohibits County employees from accepting "any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence him or her in the performance of his or her official duties." Questions concerning the interpretation of this or any other provision of the Act should be directed to the Director of Human Resources.

D. Political Activity:

A County employee may not use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office; and may not directly or indirectly coerce, attempt to coerce, command, or during work hours advise a County employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes. Those employees who are subject to additional restrictions because of grant agreements or other requirements for a particular project or program shall be advised of any restrictions by the department head.

E. Use of County Vehicles and Property:

County vehicles, material, equipment and/or supplies used by or assigned to a County employee are for official County business only. Any unauthorized usage is strictly prohibited and will be handled as the Human Resources Policies and the law provide. Please see Motor Vehicle Safety Policy for further details.

F. Reporting Violations:

Employees shall be alert to possible violations of the County policies and applicable laws and are expected to report such violations by County employees promptly. Reports shall be made to the employee's supervisor, department head, Internal Audit department, and/or Human Resources department as appropriate. The Fraud, Waste and Abuse Hotline is a means for reporting suspected wrongdoing involving fraud, waste & abuse of County and School assets or resources.

The hotline phone number is 365-6813. More information about this process is available at http://www.co.hanover.va.us/intaudit/reportingfraud.htm.

13.9 Workplace Harassment:

It is the policy of Hanover County that all employees have a right to work in an environment free of discrimination, which includes freedom from harassment whether that harassment is based on sex, age, race, national origin, religion, sexual orientation, marital status, disability, or membership in other protected groups. The County prohibits harassment and bullying of its employees in any form by supervisors, co-workers, customers, or suppliers.

Such conduct may result in disciplinary action up to and including dismissal of the employee who harasses others or the supervisor or department head who tolerates such conduct. Persons who are not employees who engage in offensive and/or harassing behaviors or language will be asked by the supervisor or department head to leave the premises.

No supervisor shall threaten, insinuate or imply that any employees' submission to or rejection of sexual advances will in any way influence any decision regarding that employee's employment, performance appraisal, wages advancement, assigned duties, shifts, or any other condition of employment or career development.

Other harassing conduct in the workplace, whether physical or verbal, committed by supervisors or others is also prohibited. This includes: slurs, jokes or degrading comments concerning sex, age, race, national origin, religion, sexual orientation, marital status, disability, or membership in other protected groups; repeated offensive sexual flirtation, advances, or propositions; continual or repeated abuse of a sexual nature; graphic verbal comments about an individual's body; and the display in the workplace of sexually suggestive objects or pictures.

Employees who have complaints of harassment should report such conduct to their supervisor, department head and to the Director of Human Resources. Where investigation confirms the allegations, appropriate corrective action will be taken.

13.10 Workplace Violence:

Violence, threatened violence, and inappropriate behavior conducive to violence are prohibited. Prohibited acts include aggression or threatened aggression, which may be verbal or physical, and which may include harassment, name-calling, swearing, inappropriate or excessive displays of anger, verbal or physical intimidation, and physical attack toward persons or property.

Hanover County will not tolerate violence or threatened violence in the work place in any form, whether directed at another person or displayed at random. Employees shall immediately report any behavior or language which threatens the safety of themselves or others to the supervisor or department head and the Director of Human Resources.

Any Hanover County manager or supervisor who receives a complaint or has knowledge of violence or threatened violence occurring in the workplace shall ensure that the matter is investigated appropriately. In instances where criminal laws may have been violated, the Sheriff's Office shall be notified. Substantiated instances of inappropriate behavior shall result in appropriate disciplinary action, up to and including termination.

13.11 Employee Dress:

During work hours, employees are considered to be representatives of the County and are required to dress and groom themselves in a manner that portrays a professional image. Department heads are to determine appropriate appearance and apparel, and may establish a formal written department-specific dress policy with the approval of the Director of Human Resources. Any manner of dress or personal hygiene that is disruptive to the work of the department or to those being served shall be considered inappropriate.

Employees issued uniforms or protective clothing are required to wear them while on duty and are expected to maintain them in a neat, clean and operational state. Job descriptions will specify those jobs where there are special grooming and/or dress requirements imposed to insure the safety of the employee.

13.12 Confidentiality:

Employees having access to personal information or data in the course of providing County services to clients, customers, and employees shall maintain the confidentiality of that information and shall release that information only in accordance with the Government Data Collection and Dissemination Practices Act and any other regulations which are applicable to specific programs. Failure to adhere to those requirements and to maintain the confidentiality of personal information may result in disciplinary action, including dismissal. (*See Section 11.4*)

13.13 Employee Health Service:

There may be times when an employee, or group of employees, by the nature of their job or job assignments must undergo certain medical examinations and/or tests for their own safety and the safety of others. Such examinations and/or tests shall be restricted to only those which are directly related to the safe performance of their job and to maintaining the general health and well-being of such employee as well as other County employees and the public with whom they are or may have been in contact. The costs for such examination and/or tests will be borne in full by Hanover County. Should the employee choose another medical resource outside of the referral made by the County, such costs will then be his/her responsibility. Failure of an employee to submit to such required examinations and/or test may provide just cause for disciplinary action to be taken against that employee.

13.14 Occupational Health and Safety:

The County Administrator shall issue regulations, as needed, to prescribe procedures and precautions to provide for the health and safety of County employees. Such regulations shall among other things, require the reporting of possible exposure to communicable diseases and hazardous materials, identification and education of employees who may be exposed to communicable diseases or hazardous materials and precautionary measures to be required of those employees.

Department heads are responsible for the development, maintenance and implementation of Standard Operating Procedures necessary for compliance with all Federal, State, and Local safety and health regulation that pertain to the operation of the department.

13.15 Tobacco Free Policy:

County owned and operated facilities and buildings shall be tobacco free. As such, smoking, e-cigarettes, and other tobacco products are prohibited in the interior of all County owned and operated facilities, buildings and vehicles.

13.16 Criminal Charges and Convictions:

All County employees, regardless of position title or status, are required to report all criminal charges and convictions against them to the employee's respective department head immediately. Failure to report criminal charges and convictions may result in disciplinary action in accordance with the provisions of Section 13.3.

SECTION 14: PERFORMANCE APPRAISAL

14.1 General Information

The Hanover County employee appraisal procedure has been developed to address the following objectives:

A. To provide a basis for the determination of the level of performance, to involve the employee in this determination and to identify areas of work which need improvement or which exceed the expectations of the position.

B. To provide a performance-based evaluation for the award of compensation increases based on performance levels.

C. To improve communication between supervisors and employees, and generally with the County Administration.

Employees in all regular full-time and part-time positions are considered eligible for annual Pay for Performance salary increases based on the performance appraisal document. Seasonal and temporary employees do not qualify for Pay for Performance salary increases. (*See Section 12.1*) A performance appraisal shall be completed for seasonal employees, prior to the end of each seasonal tenure, to establish the compensation level for the following season.

The typical performance cycle is July 1 to June 30.

14.2 Job Description:

The basis for evaluating performance is the job description. Department heads have the responsibility of assuring that job descriptions for positions in their departments are accurate and reflect essential functions. It is recognized that employees are accountable for performing all aspects of the job description in a proficient manner. Performance Appraisal ratings qualify the eligible employee for a performance-based salary increase in accordance with the rules and policies set forth in this manual.

14.3 Standards of Performance:

The standards expected of an employee have to be established and communicated by the department head or supervisor prior to the appraisal process. The performance appraisal program fulfills its purpose of improving job performance when the employee:

(1) participates in establishing the criteria by which performance is to be judged.
(2) helps to plan future improvements in that performance; and
(3) discusses openly with supervisor their mutual responsibilities and expectations with respect to improving job performance.

14.4 Initial Conference:

The immediate supervisor should arrange a time with the employee at the beginning of each performance appraisal cycle for the following purposes:

A. A review of the job description to assure that it is accurate. Any necessary revisions in essential functions should be recommended to the Human Resources Department, in the form of a revised job description

B. Performance standards should be established for each of the essential functions. The responsibilities of the employee and the expectation of the supervisors should be identified and clearly defined during this meeting.

C. Objectives for the employee should be established at the beginning of each performance appraisal cycle. This is intended to be an annual setting of objectives which may be used to establish a basis for the performance rating.

14.5 Interim Processes:

During the performance appraisal cycle, the supervisor may arrange a time to meet with the employee for the following purposes:

A. Review progress. The supervisor should share with the employee any performance problems that have been noted and outline measures needed for improvement. Supervisors are encouraged to schedule a review with those employees who are exceeding their performance objectives in order to support their achievements.

B. Review employee concerns. The employee may share any problems being experienced which may be hindering job performance. At this time any changes in the initial expectations may be noted. This conference may be requested by either the supervisor or the employee.

14.6 Performance Appraisal Conference:

At least two weeks prior to the review date, the immediate supervisor should schedule a time for the performance appraisal conference. Before this conference, the supervisor should have completed the appropriate performance appraisal document and any supporting narrative necessary to clarify the numerical scoring on the performance appraisal and to provide a description of any corrective actions necessary to achieve satisfactory performance.

The employee should be provided with a copy of the performance appraisal document prior to the conference. Discussion between the employee and the supervisor should be related to performance factors and should deal only with job-related matters. It is mandatory for employees to sign performance evaluations as acknowledgement of receipt. Employees are still able to dispute this document.
The employee should be encouraged to submit a response to the performance appraisal, particularly if there are areas of disagreement.

14.7 Numerical Rating:

The numerical rating scale is provided on the performance appraisal document as approved by the County Administrator. The total score on the performance appraisal document will determine the overall performance level and corresponding merit increase as approved annually by the Board of Supervisors:

14.8 Corrective Action Plans:

A written Corrective Action plan must be developed, in consultation with Human Resources, for each employee whose performance appraisal document indicates performance that is marginal or below proficient and requires improvement. The plan should clearly identify for the employee the expectations of the supervisor and should establish a realistic time frame for achievement. If the probationary period is extended or if the employee is placed on conditional status (typically 90 days), an additional performance appraisal document (*re-evaluation*) must be completed at the end of the specified period. Such a performance appraisal is not the basis for any pay increase. It is

required that employees sign the Corrective Action Plan as acknowledgement of receipt. A copy of the Plan with supporting documentation, if applicable, must be submitted to Human Resources.

Corrective Action Plans may also be used whenever it is determined that an employee's performance needs improvement through documentation and management support. All Corrective Action Plans must be developed in coordination with Human Resources.

14.9 Terminations:

If an employee receives an unsatisfactory score on the performance appraisal, the supervisor and the department head, in consultation with the Director of Human Resources, must determine if the employee is to be offered an extension of the probationary period, placed on conditional status or terminated. If corrective actions are realistic and are potentially achievable by the employee, continued probationary status or conditional status may be a viable option. If an employee's score is extremely low and corrective actions appear overwhelming and beyond the ability of the employee to achieve, continued probationary or conditional status should not be considered as an option. In most cases, probationary status should not be extended more than one time.

14.10 Exceptional Performance:

Should the numerical scoring completed by the immediate supervisor of an employee indicate exceptional performance, the performance appraisal must be forwarded through all levels of supervision to the department head for review *before* it is discussed with the employee. If all department supervisors, including the department head, agree with the performance appraisal, it must be forwarded to the County Administrator for review and approval of the pay for performance salary increase. **This approval process must occur prior to any discussion of the performance appraisal with the employee.**

14.11 Pay for Performance Compensation Increases:

Pay for performance salary increases are provided when funding is available and approved by the Board of Supervisors, for all eligible employees. Pay for performance salary increase will be prorated for any employee occupying the position for less than twelve months as of July 1 of any year. Contact the Human Resources Department for assistance in the calculation of any prorated salary increase.

The percentage of increase for each performance level will be determined by the Board of Supervisors as a part of the budget approval process each fiscal year. Departments will be advised of the approved rates in the Classification and Compensation Plan each year.

SECTION 15: DRUG FREE WORKPLACE AND SUBSTANCE ABUSE TESTING

15.1 Purpose:

The policy of Hanover County is to establish and maintain a safe and healthy workplace free from drug and alcohol abuse, and to protect the safety of its citizens by providing the highest quality of services. To that end, the County is committed, through its Employee Assistance Program, to providing education, training, confidential counseling and rehabilitation programs for its employees who suffer from drug and/or alcohol abuse.

The purpose of this policy is to establish guidelines and procedures for the detections and deterrence of drug and alcohol abuse. This policy sets out the responsibilities of management and employees, and is to be construed broadly in order to effect its intended purpose.

Refer to Section 1.6 for the definitions of "drug" and "controlled substance."

15.2 Policy Statement:

The policy of the County is to maintain a safe and productive work environment for all employees and to encourage observance of the law. All employees, both supervisory and non-supervisory, have the right to report any violation of this policy without fear of reprisal or retaliation.

15.3 Substance Abuse Rules:

Violation of these rules may cause referral to the Employee Assistance Program and disciplinary action up to and including termination.

All department heads shall take such steps as may be necessary to ensure maximum employee awareness of County policy and rules, state and federal laws, and ensure compliance with them. In addition, the Human Resources Department provides drug awareness training.

NOTICE: All applicants and employees shall be aware that violations of the policy may result in discipline, up to and including termination. The County retains the right to search, without employee consent, all areas and property in which it maintains either joint control with the employee or full control, including all County vehicles.

A. EMPLOYEE RULES OF CONDUCT

1. General Requirements. The following responsibilities are imposed on all employees of the County. Failure to meet these responsibilities may, in the discretion of management, be the basis for imposing discipline. An employee must:

   - Not have his/her ability to perform job duties impaired by alcohol or any drugs, either legal or illegal while, on active duty or on call, while on County property in an official capacity, or at any time while operating a County vehicle.
   - Not be under the influence of illegal drugs or alcohol under any of the circumstances described in the preceding paragraph. A person is deemed to be under the influence if his/her behavior and/or appearance are so obviously affected by alcohol or drugs as to reflect discredit on the County.
   - Not use alcohol at all while on duty or report to work with the odor of alcohol on his/her breath.
   - Not use, possess, sell, distribute, or manufacture illegal drugs at any time, or assist another in such acts at any time.

- Submit to alcohol or drug testing when requested to do so by management pursuant to this policy.
- Provide within one day of request evidence of a current valid prescription for any drug found to be in his/her possession or identified in a positive drug screen/analysis. Failure to provide that prescription shall give rise to a presumption that the employee did not legally possess or legally use the drug.
- All employees subject to the Motor Vehicle Safety Policy shall immediately report the following to the supervisor who shall consult with the department head as to the appropriate action: (a) all license suspension and revocations, and (b) all traffic and motor vehicle related charges and convictions.

2. Positions Impacting Public Safety. All persons in the following positions are public safety employees for purposes of scheduled testing as listed in 3. below:

- Fire/EMS - all positions except clerical
- Communications - all positions except clerical
- Animal Control - all positions except clerical
- Public Utilities - all operators, all utility technicians and supervisors that operate or maintain equipment at the County's water and wastewater treatment plants, and any other positions determined by the Director of Public Utilities, in consultation with the Director of Human Resources, to be a position that impacts public safety.
- All positions requiring possession of a Commercial Driver's License (CDL) as determined by the Federal Transportation Administration of the United States Department of Transportation.

3. Public safety employees shall be subject to all the rules of conduct set forth in the preceding section and shall be subject to pre-employment physical examinations, including drug screening. A physical examination, including drug screening, for public safety employees (including all positions that require possession of a CDL) as defined above shall be repeated based on the chart below following initial employment. EXCEPTION: Those positions requiring the CDL shall be subject only to the drug and alcohol testing required by the Omnibus Transportation Employee Testing Act of 1991 (*See chart below for coverage of tests*, including EVOC [Emergency Vehicle Operator's Course] license holders).

Scheduled Testing Chart

Departments/ Positions	**Pre-Employment Drug**	**Pre-Employment Breath Alcohol**	**Pre-Employment Physical**	**Random Annual Drug and Breath Alcohol (50% of all CDL employees) (CDL & EVOC)**	**1-Year Follow-up**	**2-Year Follow-up**	**3-Year Follow-up**	**Annual Hearing Conservation Exam**
Fire/EMS (all pos. except clerical)	X		A	X	A			
Animal Control (all pos. except clerical)	X		B				B	D
Public Utilities (select Public Safety pos.)	X		B			C	B	D
Communications (all pos except clerical)	X		B				B	
CDL Drivers	X	X	C	X		C		

A= Physical, Audiometric Exam, Cardiac Stress Test (if applicable), Chest X-Ray, Blood Chemistry, Respiratory Clearance, Drug Test

B= Physical, Drug Screen and Audiometric (selected positions)
C= DOT Physical and Drug Screen
D=Audiometric Only (on selected positions)
X=Required

An employee in this category who violates any of those rules of conduct shall be forthwith removed from his/her position. The degree of removal may range from temporary reassignment or suspension to termination, depending on the circumstances.

4. Leadership Employees. All department heads, deputies, and assistants shall be under a duty to ensure maximum compliance with these rules by those under their control and to set an example for other employees. Such an employee who violates any of the rules of conduct listed in section 15.3 shall be forthwith removed from his/her position. The degree of removal may range from temporary reassignment involving other duties to termination, depending on the circumstances. All such employees shall complete EAP training on the specific, contemporaneous physical, behavioral performance indicators and symptoms of probable drug use.

5. Supervisory Employees. A supervisory employee is any employee who supervises other employees. Supervisory employees shall be under a duty to ensure maximum compliance with these rules by all employees under their supervision. Knowingly failing to enforce these rules by a supervisory employee is a disciplinary offense. All supervisors shall complete EAP training on the specific, contemporaneous physical, behavioral performance indicators and symptoms of probable drug use. This is mandatory training for supervisors of CDL employees.

B. TYPES OF TESTING

1. Pre-employment Testing - Public Safety Employees.

- All job applicants selected for employment in public safety positions shall undergo a drug test as part of pre-employment physical.
- All job applicants selected for employment in a position requiring a CDL shall be subject to a pre-employment drug and alcohol screen.
- Any person testing positive shall be denied employment and shall not be eligible for employment in any position with the County for a period of one year from the date of the drug test.
- A drug test will be conducted when a current employee transfers from a non-covered position into a covered position listed in this policy. An employee who previously is separated from a position covered by this policy will be subject to another pre-employment test prior to performing in his or her former position or in any other position covered by this policy.
- All pre-employment job applicants who test positive shall have the right to have their urine samples re-tested by a laboratory approved by the Medical Review Officer at his/her own expense. Employees transferring into a position requiring drug testing who test positive do have the right to have their sample re-tested. Employees who fail a drug test will not be hired or transferred to a sensitive position covered by this policy.
- An employee who transfers from one covered position to another covered position, without interruption of service, does not require testing.
- Employees working in a position covered by this policy on the effective date of this policy and who continue to work in the same covered position do not require a test.

2. Scheduled Testing (please see section 15.3.A.3)

3. Reasonable Suspicion Testing (applies to all County positions.) When any supervisor has a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol, he/she may instruct the employee to be tested for same. Reasonable suspicion is a belief based on objective and clearly stated facts sufficient to lead a reasonable prudent supervisor to suspect that an employee is under the influence of drugs or alcohol. By way of example, and without limitation, any of the following conditions, alone or in combination, may comprise reasonable suspicion:

   - Unexplained inability to perform normal job functions.
   - Slurred speech.
   - Smell of alcohol or drugs on breath.
   - Any unusual lack of physical coordination or loss of equilibrium.
   - Unexplained hyperactivity or depression and withdrawal.
   - Unexplained inability to think or reason at the employee's normal levels.
   - Bizarre, unusual or uncharacteristic behavior.
   - Possession of alcohol or illegal drugs; or the presence of alcohol, alcohol containers, illegal drugs, or drug paraphernalia in an area subject to employee's control.
   - Information obtained from a reliable person with personal knowledge.

   Any supervisor believing that there is reasonable suspicion to require an employee to submit to a drug/alcohol test shall immediately notify the department head or his/her designee to meet him/her to observe the employee's behavior. If it is determined that reasonable suspicion exists, the following procedures shall be promptly followed:

   - The supervisor shall document in writing the facts constituting reasonable suspicion that the employee is under the influence of alcohol or illegal drugs. This information shall be stated in memo form to the department head.
   - The supervisor shall arrange to have the employee transported to the County's designated medical service provider, preferably in a County vehicle, for conduct of the necessary tests.
   - If the employee refuses to be tested, the supervisor shall remind him/her that he/she is required to submit to testing under these rules and that refusal to do so comprises insubordination. If the employee still refuses, he/she shall not be forced to have a test administered, but shall be immediately suspended from duty and sent or transported home. The refusal of an employee to submit to a reasonable suspicion test within one hour of such a request shall comprise insubordination and may be the basis for the imposition of discipline, up to and including termination.

4. Post-Accident Testing.

   - An accident is defined as an event that causes:

     (1) Death to a person; or

     (2) Personal injury requiring the transporting of a person to a hospital for emergency medical attention or inpatient admission.

     (3) Property damage requiring a vehicle to be towed.

   - Any employee who is involved in an accident while on duty and is determined to be at fault for causing the accident shall be tested for drugs

and/or alcohol as soon as possible, but not later than one hour after the accident. All reasonable steps shall be taken by supervisors to follow the procedures established in the "Reasonable Suspicion Testing" section above

- All reasonable steps will be taken to obtain a urine and/or blood sample from an employee after an accident. If an employee who is subject to post-accidental testing is conscious, able to urinate normally (*in the opinion of medical professional*) and refuses to be tested, that employee shall be immediately removed from duty. The refusal of an employee to submit to a post-accident test within one hour of such a request shall comprise insubordination and may be the basis for the imposition of discipline up to and including termination.
- Under no circumstances shall a supervisor cause a blood or urine sample to be taken from an unconscious employee.

5. Return to Duty Testing.

   - An employee who tests positive for drug or alcohol use and who has been removed from duty and referred to the Employee Assistance Program shall be subjected to periodic, unannounced testing while in the EAP program. Such an employee may be returned to work at the recommendation of the County's Medical Review Officer.
   - All employees who have tested positive and subsequently returned to duty pursuant to this section shall be viewed as "sensitive" employees. All such employees shall be subject to random drug or alcohol tests for a period not to exceed twenty-four (24) months following the date the employee returns to work.

6. Random Testing. Random selection for drug and alcohol testing shall apply only to positions requiring the possession of a CDL and EVOC License. At least 50% of these positions must be tested in every 12-month period beginning January 1, 1996. Random position number sampling will be periodically conducted in each 12-month period. Employees will be provided no notice and will be tested during regular work hours or other compensated time.

7. Physical Examinations. All public safety employees shall be required to have a physical examination every one to three years, as indicated in the chart under 15.3.A.3, following the pre-employment physical examination. These physicals shall include testing for drug use pursuant to this policy. Refusal to take a required physical shall comprise insubordination and may be the basis for imposition of discipline, up to and including termination.

8. Physicals Following An Appointment To A Covered Position. All persons appointed to a covered position shall be required to have a physical examination, which shall include drug testing, provided there has been no such exam in the last 24 months. Refusal of a person to take a required physical may comprise insubordination and may be the basis for imposition of discipline, which may include denial of the appointment, and shall be the basis for discipline up to and including termination.

15.4 Test Procedures and Physical Searches:

A. DRUG TEST PROCEDURES

1. Substances test for: Any drug test conducted pursuant to these rules may test for any substance which could impair an employee's ability to effectively and safely perform his/her job, including but not limited to:

- Alcohol
- Opiates
- Cocaine
- Phencyclidine (PCP)
- Amphetamines
- Marijuana

2. Conduct of tests: Tests shall be conducted in accordance with established and reliable clinical procedures. The tests shall include an initial screen, which shall be followed by a confirmatory analysis for any screen showing a positive result. Copies of procedures shall be available on request from the Human Resources Department.

3. Challenges to test results: Current employees who test positive may challenge the test results by notifying the Human Resources Department within three working days of receiving the test results. The original sample will then be retested by a laboratory other than that of the County's medical service provider, approved by the Medical Review Officer. All costs associated with the retest are borne by the person raising the challenge.

4. Legitimate use of drugs affecting test results: A person who is taking a drug legitimately, whether it is a non-prescription drug being used for a bona fide health reasons, a prescription drug being taken pursuant to a valid prescription, or a drug being taken under supervision as part of a court-approved or court-supervised drug rehabilitation program, shall not be deemed to have violated these rules because of testing positive for that drug.

5. Confidentiality: Laboratory reports or test results shall be placed in the employee's confidential medical file. They may be disclosed to County management on a strictly need-to-know basis and to the employee on request. Otherwise, the only disclosures which may occur without employee consent are when compelled by law or judicial or administrative process, when the information has been placed at issue in a formal dispute between the County and the employee, in the administration of an employee benefit plan, or when needed by medical personnel for the diagnosis or treatment of the employee and the employee is not capable of authorizing disclosure.

B. ALCOHOL TEST PROCEDURES

A test for alcohol shall not be required in order to support a finding that an employee has used alcohol in violation of these rules; and such a finding may be based on other observed facts and conditions. If a test is administered, it shall be of a type consistent with those used by the Sheriff's Department to test persons suspected of driving under the influence of alcohol, the legal criteria may be one factor used to determine whether a person has used alcohol in violation of these rules but shall not be dispositive.

C. PHYSICAL SEARCHES

Physical searches by supervisors shall be subject to the following rules:

1. If a supervisor has reasonable suspicion, as defined in Section 15.3 B 2, he may request an employee to turn over any drugs or alcohol on his/her person or to permit a search of areas under the employee's sole control, including his/her personal vehicle. Such a request may not be made to an employee in the absence of reasonable suspicion. If the employee clearly, voluntarily, and unequivocally gives permission, such search may be made; but in the absence of such permission it may

not be made without a warrant. Refusal to give permission may not be the basis for imposition of any discipline.

2. Supervisors shall not physically search employees under any circumstances.

3. Supervisors may search without employee consent all areas and property in which the County maintains either joint control with the employee or full control. All County vehicles are subject to full search without employee consent.

4. If illegal drugs are found in an employee's possession or in any area under his/her control, the sheriff will be immediately summoned and the drugs will not be touched, moved, or confiscated. All reasonable efforts short of physical force shall be used to prevent the employee from disposing of the drugs before the law enforcement personnel arrive.

D. LEAVE DURING TESTING

The following provisions will apply when persons are being tested for drugs or alcohol, while searches are taking place, when employees refuse tests and when employees are awaiting enrollment in the County Employee Assistance Program (EAP):

1. If a suspension is imposed, time will be charged to administrative leave, without pay.

2. If an employee refuses to take a test, he shall be deemed "not qualified" for duty. Employees deemed "not qualified" for duty as a result of refusal to take their test, in addition to any disciplinary action which may be imposed, shall have their time charged as an unauthorized absence without pay.

3. When employees are being tested, awaiting tests, awaiting enrollment in the EAP or are being searched, no leave time is charged.

15.5 Disciplinary Action for Improper Drug/Alcohol Use:

Any employee charged with insubordination for refusing to submit to a drug and/or alcohol test shall be subject to discipline involving no less than a suspension without pay for a minimum of three (3) work days and up to and including termination. Such an employee shall not be permitted to return to work until he has submitted to testing and determined to be qualified to return to duty. (See Section 15.3.B.4.) Any employee who is found to have improperly used or possessed drugs or alcohol in violation of any of these rules shall be subject to the following discipline:

A. FIRST OFFENSE

The employee may be referred to the EAP and/or given a Last Chance Agreement. Failure to properly participate in and complete the program without good cause shall comprise insubordination and may be the basis for discipline up to and including termination. **Any person referred to the EAP following an offense shall be subject to periodic unannounced testing while in the program.** Discipline may, in the discretion of management, also be imposed. Management may also reassign the employee. Circumstances may warrant the termination of an employee, even for a first offense.

B. SECOND OFFENSE

A second offense within twenty-four months is grounds for dismissal and the employee shall be terminated. If an employee has a second offense over twenty-four months since the first offense, he or she must be referred to the EAP and given a Last Chance Agreement. Failure to properly participate in and complete the program without good cause shall comprise insubordination and may be the basis for discipline up to and including termination. **Any person referred to the EAP following an offense shall be subject to periodic unannounced testing while in the program.** Discipline may, in the discretion of management, also be imposed. Management may also reassign the employee. Circumstances may warrant the termination of an employee.

C. ADDITIONAL OFFENSE

If any additional offense occurs at any time thereafter, the employee shall be terminated.

D. CONVICTIONS

See Section 13.3

15.6 Medical Review Officer:

The hospital or physician serving as the provider of the County's Employee Medical Services shall designate from its staff a qualified individual to be the County's Medical Review Officer. The Medical Review Officer shall be a licensed physician with knowledge of drug and alcohol abuse disorders. The Medical Review Officer shall review all laboratory results and determine alternative medical examinations for positive results. The Medical Review Officer shall cooperate with the Employees Assistance Program in the education and rehabilitation of County employees, and shall perform all medical functions related to the implementation of the various types of testing required by this policy.

15.7 Employee Assistance Program:

The Employee Assistance Program (EAP) shall provide appropriate education to all employees regarding the use of alcohol and prohibited drugs, and the availability of counseling, rehabilitation and other employee assistance. EAP shall also provide all supervisory personnel with training on the physical, behavioral, and performance indicators and symptoms of probable drug use.

APPENDIX A: HANOVER COUNTY GRIEVANCE PROCEDURE

The purpose of this procedure is to provide a prompt, fair, and orderly method for the resolution of employee grievances.

I. Definition of Grievance:

A. A grievance is a complaint or dispute by an employee relating to his or her 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. The application of personnel policies, procedures, rules, and regulations, and the application of ordinances and statutes.

3. Acts of retaliation taken as the result of utilization of this grievance procedure or the participation in the formal grievance (under this grievance procedure) of another County employee.

4. Acts of retaliation 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, or 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.

5. Complaints of discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, or sex.

B. County 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 personnel resources.
   c. Training and career development.

5. 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 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.

6. The hiring, promotion, appointments to new position, transfer, assignment, and retention of employees in positions within the County service.

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.

II. Coverage of Personnel:

A. All non-probationary full-time and part-time employees of the County, including employees of the Community Services Board, in authorized positions approved by the Board of Supervisors, are eligible to file grievances under this procedure with the following exceptions:

1. Appointees of elected individuals or elected groups.

2. Officials and employees who by law serve at the will or pleasure of an appointing authority.

3. The County Administrator, deputy and assistant county administrators, and the heads of separate County agencies or departments, including deputy and assistant directors, except as otherwise provided by law and specified in the job description for the position.

4. Employees whose terms of employment are limited by law.

5. Temporary, limited term, seasonal employees.

B. Employees of the constitutional officers are not included within the coverage of this procedure.

C. The County Administrator or his designee shall determine the officers and employees (by position) excluded from this grievance procedure, and shall maintain a list of such excluded positions in the Department of Human Resources.

III. Operation of the Grievance Procedure:

A. Step 1 - Supervisor Level:

An employee who believes he or she has a grievance shall discuss the grievance informally with the immediate supervisor within twenty calendar days after the occurrence of the event giving rise to the grievance. If the grievant alleges discrimination or retaliation by the immediate supervisor, however, the grievance may be initiated with the next level supervisor. If the issue is not resolved after an informal discussion, the grievant shall complete the Step 1 section of the Grievance form (available in the Human Resources Department and on the T-drive). Grievability shall be determined by the County Administrator (or designee), in consultation with the Director of Human Resources. Resolution of the grievance by the immediate supervisor shall be communicated, in writing, to the grievant within ten work days after the date of the discussion. At Step 1, the only persons who may normally be present in the

meetings are the grievant, the supervisor, and appropriate witnesses. Witnesses shall only be present while actually presenting testimony.

B. Step 2 - Department Head Level:

If the grievant is not satisfied with and does not accept the Step 1 response, or if the immediate supervisor fails to respond within the required time period, and the grievant wishes to advance to Step 2 of this procedure, the grievant shall complete the Step 2 section of the Grievance form and shall file the completed request form with the grievant's department head within ten calendar days of receipt of the supervisor's response or the deadline for that response, whichever occurs first. The grievant shall specify the issues and state the relief that he or she expects to gain through the use of this procedure. If there is more than one outstanding grievance, the department head may combine them to be heard in the same Step 2 meeting or consider them in separate Step 2 meetings. The department head shall immediately forward a copy of the form to the Human Resources Department. The department head or designee shall promptly meet with the grievant. The department head or designee shall render a written response to the grievant within ten calendar days following receipt of the request form and shall send a copy of the completed form to the Human Resources Department. At Step 2, the only persons who may normally be present in the meetings are the grievant, the department head, and appropriate witnesses. Witnesses shall only be present while actually presenting testimony.

C. Step 3 - County Administrator Level:

If the grievant is not satisfied with and does not accept the Step 2 written response, or if the department head or designee fails to respond within the required time period, and the grievant wishes to advance to Step 3 of this procedure, the grievant shall complete the Step 3 section of the Grievance form indicating the intent to advance the grievance to Step 3. The form shall be filed by the grievant with the Human Resources Department within ten calendar days following receipt of the Step 2 response or the deadline for that response, whichever occurs first. At the discretion of the County Administrator (or designee), all of the grievant's outstanding grievances can be combined to be heard at the same Step 3 meeting, or considered in separate Step 3 meetings.

If the County Administrator or designee determines (or has previously determined) that the complaint is grievable, the Administrator or designee shall meet with the grievant together with a representative of the affected department and the Human Resources Department, appropriate witnesses for each side, and such other persons as the County Administrator or designee deems necessary and appropriate. Witnesses shall be present only while actually providing testimony. 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. The County Administrator or designee shall render a written response resolving the grievance within ten calendar days following receipt of the Grievance form from the Human Resources Department. In the event that the County Administrator or designee rules that the complaint, or a portion of the complaint, is not grievable, the grievant may appeal that decision to the Hanover County Circuit Court as set out in Section V(B) below.

D. Step 4 – Final Hearing Level:

If the grievant is not satisfied with and does not accept the Step 3 written response, or if the County Administrator or designee fails to respond within the required time period, and the grievant wishes to advance to Step 4 of this procedure, the grievant shall complete the Step 4 section of the Grievance form indicating the desire to advance the grievance to Step 4. The form shall be filed by the grievant with the Human Resources Department within ten calendar days following receipt of the Step 3 response or the deadline for that response, whichever occurs first.

Step 4 final hearings may be heard by an impartial administrative hearing officer or by an impartial grievance panel in accordance with Section IV of this procedure. If the grievant and the County agree, the final hearing will be heard by an administrative hearing officer, appointed by the Executive Secretary of the Supreme Court of Virginia or by the Department of Employment Dispute Resolution. The County shall pay the cost of the administrative hearing officer's services.

IV. Rules Concerning Administrative Hearing Officers, Grievance Panels and Final Hearings:

In the event that the grievant and the County do not agree to have an administrative hearing officer appointed to hear the grievance, a three-person grievance panel shall be selected to hear the grievance at the final hearing, as set forth below:

A. Selection of Grievance Panel:

Such panel is to consist of one member appointed by the grievant, one member appointed by the County and a third member selected by the first two. In the event that agreement cannot be reached as to the final panel member, the Judge of the Hanover County Circuit Court shall appoint such third panel member. The third panel member shall in all cases serve as chairperson. All such appointments or selections shall be made within ten (10) days of the receipt of request for a panel hearing.

B. Eligibility to Serve on Grievance Panel:

The panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant, and the following relatives of the participant in the grievance process or a participant's spouse are prohibited from serving as panel members: Spouse, parent, child, descendants of a child, sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee, or co-employee of the attorney shall serve as a panel member.

C. The following rules apply to Step 4 administrative hearing officers and grievance panels and the conduct of Step 4 final hearings:

1. The grievant shall bear the reasonable costs and expenses, if any, of the grievant's panel member.

2. The County shall bear the reasonable costs and expenses, if any, of its panel member and those of the third panel member unless the grievant objects. Upon objection, the reasonable costs and expenses of the third panel member shall be shared equally between the County and the grievant.

3. No person shall receive any compensation, whether monetary or otherwise, for time spent in serving as a member of a grievance panel. Notwithstanding this prohibition, a County employee serving as a member of a grievance panel may receive the usual County salary for the period spent in serving on such a panel.

4. The administrative hearing officer or panel shall promptly set the date, time, and location for hearing the final hearing and shall notify the parties.

5. The County shall provide the administrative hearing officer or panel with copies of the grievance record <u>at least 7 calendar days</u> prior to the hearing, and shall provide the

grievant with a list of the documents furnished to the administrative hearing officer or panel.

6. At the request of the grievant, at least ten calendar days prior to the scheduled final hearing, the grievant and the grievant's attorney shall be allowed access to and copies of all relevant files intended by the County to be used by it at the final hearing.

7. The grievant shall furnish to the County copies of all documents, exhibits, and a list of witnesses the grievant intends to use at the final hearing seven calendar days in advance of the hearing. Three calendar days after receiving these items from the grievant, the County shall furnish to the grievant copies of all documents, exhibits, and a list of witnesses it intends to use at the final hearing.

8. Both the grievant and the County may be represented by legal counsel or other representative at the final hearing. Such representatives may examine, cross-examine, question, and present evidence on behalf of the grievant or the County before the administrative hearing officer or panel without being in violation of the provisions of Virginia Code Section 54.1-3904.

9. The administrative hearing officer or panel shall have the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as full and equal opportunity is afforded to all parties for the presentation of their evidence.

10. All evidence shall be presented in the presence of the administrative hearing officer or panel and the parties except by mutual consent of the parties.

11. The decision of the administrative hearing officer or panel should be rendered in writing as soon as possible, but in any case not later than five calendar days following the conclusion of the hearing.

12. The administrative hearing officer or panel shall have the authority, if it finds, based on the greater weight of the evidence, that the grievant has been denied a benefit or wrongly disciplined without just cause (where such cause is required) to reverse, reduce, or otherwise modify such action and, where appropriate, to order the reinstatement of such employee to his former position with back pay.

    a. Back pay may be awarded in an amount the administrative hearing officer or panel believes equitable, but it shall not exceed pay for time actually lost due to such suspension or discharge.

    b. Any award of back pay shall be offset by interim earnings the grievant earned during the period of separation.

    c. The administrative hearing officer or panel also has the power to sustain the County's action.

13. The administrative hearing officer or panel shall not have authority to do any of the following:

    a. Formulate policies or procedures.

    b. Alter existing policies or procedures.

    c. Circumscribe or modify the rights of the County as outlined in this procedure.

d. Exonerate an employee from all discipline when the guilt of the employee is admitted or is beyond question in view of the administrative hearing officer or panel.

e. Grant relief greater than that which the grievant has requested in the request form.

14. The decision of the administrative hearing officer or the majority decision of the panel, acting within the scope of its authority, shall be final and binding, and shall be consistent with existing policies, procedures, and law.

15. The question of whether the relief granted by an administrative hearing officer or panel is consistent with written policy shall be determined by the County Administrator or designee, unless the County Administrator or designee has a direct personal involvement with the event or events giving rise to the grievance, in which case the decision shall be made by the Attorney for the Commonwealth for the County of Hanover.

16. Either party may petition the Hanover County Circuit Court for an order requiring implementation of the administrative hearing officer or panel decision.

V. Grievability and Access:

A. Grievability and access are determined by the County Administrator or designee. Only after the County Administrator or designee has determined that a complaint is grievable and that the grievant is eligible to file a grievance may a grievance be advanced through Steps 3 and 4 of this procedure. When the question of grievability arises at the department head (Step 2) level, or whenever the question of access to this procedure arises, the grievant or the department head may request a ruling on grievability or a ruling on access, as the case may be, by the County Administrator. The County Administrator or designee shall render a decision within ten calendar days of receipt of the request, and shall send a copy of the decision to the grievant and the affected department head.

B. Decisions on either grievability or access to this procedure may be appealed to the Hanover County Circuit Court. 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 calendar days after the filing of the notice of appeal, the County Administrator or 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, and copies of all exhibits. A list of the evidence furnished to the Court shall 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.

VI. Compliance:

A. After the initial filing of a Grievance form, 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 work days of receipt of written notification by the other party of the noncompliance. Such written notification by the grievant shall be made to the County Administrator or designee.

B. The County Administrator or designee shall determine compliance issues. The County Administrator or designee may require a clear written explanation of the basis for a request for just cause extensions or exceptions.

C. Compliance determinations made by the County Administrator or designee shall be subject to judicial review which shall be initiated by the grievant filing a petition with the Hanover County Circuit Court within thirty calendar days of the compliance determination.

Procedures for and Conduct of Grievance Hearings

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

A. Role of the Director of Human Resources:

1. The Director of Human Resources or designee shall advise both employees and supervisors in matters concerning this grievance procedure.

2. When a grievant appeals to Step 3 or Step 4 level, the Director of Human Resources or designee shall transmit the grievance record to the County Administrator or designee, administrative hearing officer or grievance panel, as the case may be.

3. During Step 3 and Step 4 hearings, the Director of Human Resources or designee shall serve as facilitator and advisor on procedural matters.

4. Neither the Director of Human Resources nor designee shall be present during the administrative hearing officer or grievance panel's private deliberations and decision-making process.

B. Time intervals specified in Steps 1 through 4 may be extended by mutual consent of the parties.

C. 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 deadline.

D. For purposes of this grievance procedure, "working days" shall be normal County operating days (Monday through Friday). As far as practical, all grievance meetings and hearings shall be held during normal County working hours, 8:30 A.M. to 5:00 P.M.

E. 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 attendance at such hearings.

F. The use of recording devices or a court reporter is not permitted at Step 1, 2, and 3 hearings. Only Step 4 hearings may be recorded. When a Step 4 hearing is recorded, it will be the responsibility of the Director of Human Resources or designee to make the recording. There will be no other recording permitted. If the grievant desires a transcript of the hearing, he shall bear the costs thereof.

G. Hearings are not intended to be conducted like proceedings in court and the rules of evidence do not necessarily apply.

H. At Step 4, the administrative hearing officer or grievance panel shall have the discretion to limit the attendance at the hearing of persons not having a direct interest in the hearing.

I. At the request of either party, Step 4 hearings shall be private.

J. Except in cases involving discipline or in cases where the administrative hearing officer or grievance panel determines otherwise, the grievant shall present evidence first.

K. The administrative hearing officer or grievance panel shall determine the propriety of and the weight to be given the evidence submitted.

L. Both the grievant and the County may call appropriate witnesses. All witnesses, including the grievant, shall be subject to examination and cross-examination.

M. Witnesses shall be present only while actually giving testimony.

N. The grievant shall not be entitled to recover more than that which the grievant has lost.

O. When a grievant has obtained partial relief at one level of his grievance procedure but decides to appeal to the next higher level, the filing of a request form for appeal to the next higher level shall constitute rejection of, and relinquishment of any claim to, any and all relief granted at the previous level.

P. Each party shall bear the costs and expenses of his or its legal counsel or representative, if any.

HANOVER COUNTY
Department of Human Resources
P. O. BOX 470 • HANOVER, VA 23069-0470 • (804) 537-6075 • FAX (804) 537-6334

Employee Grievance Form

Employee's Name:	Employee #		Date of Hire
Home Address		Work Phone	Home Phone
Department	Supervisor	Date of Occurrence	Date of Grievance
The issues are: (Disciplinary action; Application of policy/procedure/rule; Retaliation; Discrimination; Other Adverse Action)			
The facts supporting this are:			
The relief I want is:			
Employee's Signature		Date Grievance Filed	
Grievances must be filed with your immediate supervisor within twenty days of the event giving rise to the grievance. If you have decided not to present this grievance to your immediate supervisor because of possible discrimination or retaliation, check here: ☐			

STEP ONE - IMMEDIATE SUPERVISOR		
Supervisor's Name & Title	Work Phone	Date Received
Response:		
Supervisor's Signature	Date	
Employee's Response (check one) ☐I conclude my grievance and am returning it to Human Resources	Date Received_____ ☐I advance my grievance to the next step	
Employee's Comments (optional)		
Employee's Signature	Date	

STEP TWO - DEPARTMENT HEAD		
Department Head's Name	Department Head's Title	Work Phone
Response:		
Department Head's Signature	Date	
Employee's Response (check one) ☐I conclude my grievance and am returning it to Human Resources	Date Received_____ ☐I advance my grievance to the next step	
Employee's Comments (optional)		
Employee's Signature	Date	

STEP THREE - COUNTY ADMINISTRATOR		
County Administrator/Designee	Title	Work Phone
Response:		
County Administrator/Designee Signature	Date	
Employee's Response (check one) ☐I conclude my grievance and am returning it to Human Resources	Date Received_____ ☐I advance my grievance to the next step	
Employee's Comments (optional)		
Employee's Signature	Date	

STEP FOUR - FINAL HEARING		
Administrative Hearing Officer		
Address	Work Phone	Home Phone
Grievant's Panel Member		
Address	Work Phone	Home Phone
County's Panel Member		
Address	Work Phone	Home Phone
Third Panel Member		
Address	Work Phone	Home Phone
Date(s) Panel Members contacted	By Whom	
Hearing Date	Location	

APPENDIX B: Compensation of Constitutional Officers and General Registrar

A. Initial Salary

Upon first election to the office, the County Administrator shall consult with the Director of Human Resources and the Chairman of the Board of Supervisors to recommend a salary supplement from the County in addition to that provided by the Commonwealth's Compensation Board for each Constitutional Officer, and the State Board of Elections for the General Registrar. This recommendation will be based on the following factors:

- Credentials of the elected official, including education and experience
- Salary of the previous incumbent
- Compensation Board funding and other budget factors
- Internal Equity Analysis
- Regional benchmarking

The initial salary, which shall include the County's salary supplement, must be approved by a majority of the Board of Supervisors.

B. Salary Increases

The annual merit increase for Constitutional Officers shall be tied to the annual merit increase provided to the general employee population as set by the Board of Supervisors during the budget process. If the annual merit increase is set at 4%, then the Constitutional Officers shall also receive a 4% salary increase during that fiscal year. The salary increase for Constitutional Officers shall be effective each January 1 and the percentage increase shall be based on the annual percentage increase that went into effect for other employees on July 1 of the same fiscal year. The salary increase for the General Registrar shall be effective on July 1 of the same fiscal year, and the percentage shall be based on the annual percentage increase that went into effect for other County employees.

Upon re-election of the Commissioner of Revenue, Commonwealth's Attorney, Sheriff and/or Treasurer, and upon the Clerk of Court's completion of four years of a term, the Constitutional Officer shall be eligible to receive the highest performance incentive (exceptional increase) available at that time. For example, if the County provides for a 1% or 2% performance incentive in addition to the annual increase, the Constitutional Officer shall receive the 2% incentive in year 1 of the new term. This increase shall occur automatically unless a majority of the Board of Supervisors provides specific direction to the contrary. No face-to-face salary review meetings will be held with Constitutional Officers unless deemed necessary by the Board of Supervisors or requested by a Constitutional officer.

The Constitutional Officers shall be eligible to participate in the County's benchmark adjustment process.

The General Registrar's salary may also be adjusted pursuant to any revision of the Authorized Salaries of General Registrar and Local Electoral Board members letter, issued by the State Board of Elections. Salary adjustments based on changes authorized by the State Board of Elections do not require approval by the Board of Supervisors.

This policy shall be implemented automatically and will be based on the adopted budget for each fiscal year. It will not require a specific action by the Board of Supervisors each year, other than the adoption of the budget, or every four years upon election or re-election of a Constitutional Officer, unless deemed necessary by the Board of Supervisors.

The Board of Supervisors reserves the right to revise or rescind this policy. Each Constitutional Officer reserves the right not to participate in compensation provisions set forth in this policy.

APPENDIX C: Career Development Ladder Guidelines

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Overview: A career development ladder is developed within a department or organization to provide for career advancement within a position series. The ladder specifies the criteria an employee must meet in order to advance to a higher level grade/position. These regulations outline the purpose, procedures, and program features of the Career Development program.

Purpose of Career Development

The goal of the Career Development program is EMPLOYEE RECRUITMENT & RETENTION by providing the employee with the opportunity to advance professionally without leaving his or her current job. The prescribed criteria should be based on knowledge, skills, abilities, and attributes that once attained would benefit the employee personally and professionally and benefit the County. The intent of the program is to provide for the employee's personal growth and development, as well as financial incentives for the employee, and to develop a more productive and satisfied employee.

Career Development Ladder Procedures

1. All Ladders must be approved by the County Administrator and Human Resources. Departments should submit proposals for new ladders to Human Resources. Once approved by Human Resources and the County Administrator, the proposal should be included with the department's annual budget requests to County Administration.

2. Departments must consult with Human Resources for its review of any proposed Ladder before submitting the Ladder to the County Administrator for approval.

3. All Ladders must be submitted in a standard format developed by Human Resources.

Program Features

1. Each new Career Development Ladder must meet the following criteria:

a. **Baseline Position** is the basic job with the minimum requirements identified in the Position Description that Human Resources has approved.

b. All ladders will have no more than **four levels**:
   i. Level I (Baseline Position)
   ii. Level II
   iii. Level III
   iv. Senior Level

c. Grades associated with each level shall be proposed based on market or internal equity forces. The senior level grade may not exceed the supervisory grade. Ideally the senior level grade should be two grades less than the supervisory grade unless otherwise determined by market or internal equity.

d. An additional 2 years of service to Hanover County is required to attain the 3rd level and an additional 3 years of service is required to attain the senior level. If there is no senior level on the ladder, level III may follow the senior requirements. The probationary period does not count toward Hanover County service, with the exception of Public Safety positions. No skipping of levels is permitted.

e. Advancement from one level to the next will result in a **2.5% increase per grade**, based on the employee's actual salary -- after any merit increase has been added.

f. Movement down on the career ladder is possible if the employee is unable to proficiently perform the expanded duties of the higher step on the ladder, has a below proficient evaluation, and the corrective action period has passed. Movement down on the ladder would occur only with the recommendation of the department head and concurrence of the Director, Human Resources.

g. Employee participation in the program is voluntary and should be **beneficial to the employee and to the County**. It should enable the employee to enhance his/her skills and gain financial reward. It should allow the employee to increase his/her competencies and job responsibilities, which should be more progressive at each level.

h. There will be **minimum core requirements** in three categories (Training, Hanover County experience, Performance Evaluation Score) for all ladders:

   i. <u>Training</u>
      1. Professional positions = 40 hours annually (5 days)
      2. Paraprofessional = 24 hours annually (3 days)
      3. Non-professional positions = 8 hours annually (1 day)

   ii. <u>Hanover County Service</u>
      1. Level II = 1 year (excludes probationary period)
      2. Level III = additional 2 years
      3. Senior Level = additional 3 years

   iii. <u>Proficient Performance Evaluation Score</u> – at least an average of 3.0 rating on two most recent performance evaluations.

2. **New Hires** should be placed at the appropriate level on the ladder at hiring. Prior Hanover County service can satisfy the Hanover County service requirement. For new hires, Related Experience must be equal to or greater than the combined ladder requirement for Hanover County Experience and Related Experience. Non-Hanover County related experience may qualify for Hanover County service on a 2 to 1 ratio. Professional certifications (such as CPA, PE, and others) may satisfy experience requirement for new hires.

3. In cases where appropriate, certification may substitute for some educational requirements. Service may not substitute for the education requirement.

4. The **Senior** level denotes an employee who:
    a. Has at least 5 years of County Service or 3 years at the prior level
    b. Exceeds all baseline requirements
    c. Has achieved other knowledge, skills and/or abilities, as designated by the department

Career Ladder Category Descriptions

1. **Hanover County Service**: Intended to recognize organizational knowledge, employee retention and dedication to Hanover County as shown by years of service, excluding the probationary period.

2. **Performance Evaluations:** Intended to ensure that only highly proficient performers progress through the Career Ladder.

3. **Training:** Intended to recognize skills training in areas that enhance the performance of job duties. Classes/courses counted toward education (attainment of degrees) also may be included in training hours. Each career development ladder must specify a minimum number of training hours that are required for employees at each level of the ladder. Training hours should be measured in real time (actual time spent in class).

4. **Education:** This requirement should quantify educational requirements, if any, needed to perform expanded duties at higher levels of the ladder. Baseline and senior level education requirements may be the same if dictated by professional certifications.

5. **Related Experience:** This requirement should recognize experience that directly relates to the duties and responsibilities of the position. Qualifying Related Experience should be identified in the Career Development Ladder. This category can be used to place an employee at the proper level when hired or placed on the ladder. Related Experience used to place a new hire on the career ladder cannot be used later for subsequent advancement.

6. **Licenses:** When appropriate, this requirement should recognize employees for attaining licenses related to the position.

7. **Certifications:** When appropriate, this requirement should recognize employees for attaining certifications related to the position.

8. **Trades:** When appropriate, this requirement should recognize employees for attaining competency in trades related to the position.

9. **Other or Minimum Proficiency:** This requirement should define the competencies that the employee must be able to demonstrate at each level, and the competencies must increase with each higher level.

All ladders must include the first five of the above categories. Department participation is essential to define the fourth category (education) to establish the amount of Related Experience at each level (the fifth category), and to determine the requirements for the ninth category (Other or Minimum Proficiency).

Licenses and/or Certifications should be included where appropriate for the position. If neither of these categories applies, departments should establish other categories that reflect opportunities for professional development in the position. The "Other/Minimum Proficiency" category can be used in place of or in addition to the Licenses and/or Certifications categories. Ladders must have at least six categories, but can have as many as eight.

General

1. Approved ladders should be shared with all employees in positions described in the ladder.

2. Employees should be given an opportunity to ask questions about the ladder requirements and procedures to participate.

3. It is the responsibility of the employee to express an interest in participating in the Career Development Program and to provide documentation for advancement.

While Implementing the Ladder

1. Evaluate the employee's performance. The employee must receive an average of 2.30 rating to be eligible for Career Ladder advancement.

2. Calculate the merit increase, if applicable.

3. Evaluate the employee's career advancement progress. Include written documentation that the employee has met all of the requirements for advancement to the higher level of the career ladder. This must include copies of all professional certificates and/or licenses required and documentation substantiating training taken.

4. Calculate the increase for advancing to the higher grade, after the merit increase has been calculated.

5. Career Ladder Advancement salary increases are effective the next pay cycle following approval.

Other Procedures

1. To implement new career ladders, incumbents should be placed on the ladder based on grade. Grade placement is determined by benchmark. The employee should be placed at the level on the ladder equivalent in grade to where the position is benchmarked.

2. To be placed above baseline at implementation (based on benchmark), the employee must have proficient performance.

3. At any time, department heads may request placement at a lower level due to poor performance, etc. Refer to Human Resources policy on Involuntary Demotion.