

EMPLOYEE HANDBOOK

Revised February 1, 2025

**POLICIES,
PROCEDURES,
AND BENEFITS**



Be Welcomed. Be Successful. Be Home.

WWW.CAMPBELLCOUNTYVA.GOV



Purpose

This handbook, adopted by the Board of Supervisors (per the [Code of Virginia – § 15.2-1200](#)), sets the employment policies, standards and procedures of the Board of Supervisors as well as the work expectations for employees and the Campbell County as an employer.

These guide the effective management of our County organization and will serve to help you succeed in your role.

Within this document is a general overview of all County policies. However, this handbook does not include the fine detail of each. Any approved changes or amendments to this document take the place of former policies.

If you have questions regarding a policy, please contact the [Department of Public and Employee Relations](#) at: (434) 332-9818; 592-9818; 283-9818; or PER@campbellcountyva.gov.

Welcome from the County Administrator, Frank Rogers

On behalf of the Board of Supervisors and the County organization, I welcome you to our collective team. It is our aim to provide a culture and work experience for you in which your potential, talents and positive impact on our community can be fully realized.

We strive daily for excellence, cooperation, the highest ethics, and the best stewardship possible for our County residents and visitors. We serve with honor to meet the various needs of those within our constituency.

Merging our individual skill sets, differing perspectives and unique strengths creates a diverse and dynamic organization that promotes leadership, collaboration, innovation and forward vision. The guidelines contained within are established with that in mind toward helping us reach shared goals for the good of our organization and the community we serve. Our handbook is designed to guide each of us as we navigate daily operations as well as unforeseen future circumstances, opportunities and challenges.



Frank J. Rogers
Campbell County Administrator

I encourage you to familiarize yourself with not only our policies, but moreover your County team and colleagues. We welcome your questions, ideas and collaborations and are here to support you as you make Campbell County part of your career journey.

Be welcomed. Be successful. Be home with us.

Frank J. Rogers

Campbell County Administrator

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Organizational Vision, Mission and Values

Campbell County is a high performance, local government organization, dedicated to serving all residents with excellence through our shared vision, mission, philosophy and values:

Our Vision

Governing with Vision to be the most collaborative, professional, value-driven locality in Virginia

Our Mission

Our mission is to serve our community by facilitating and encouraging an exceptional quality of life for all citizens.

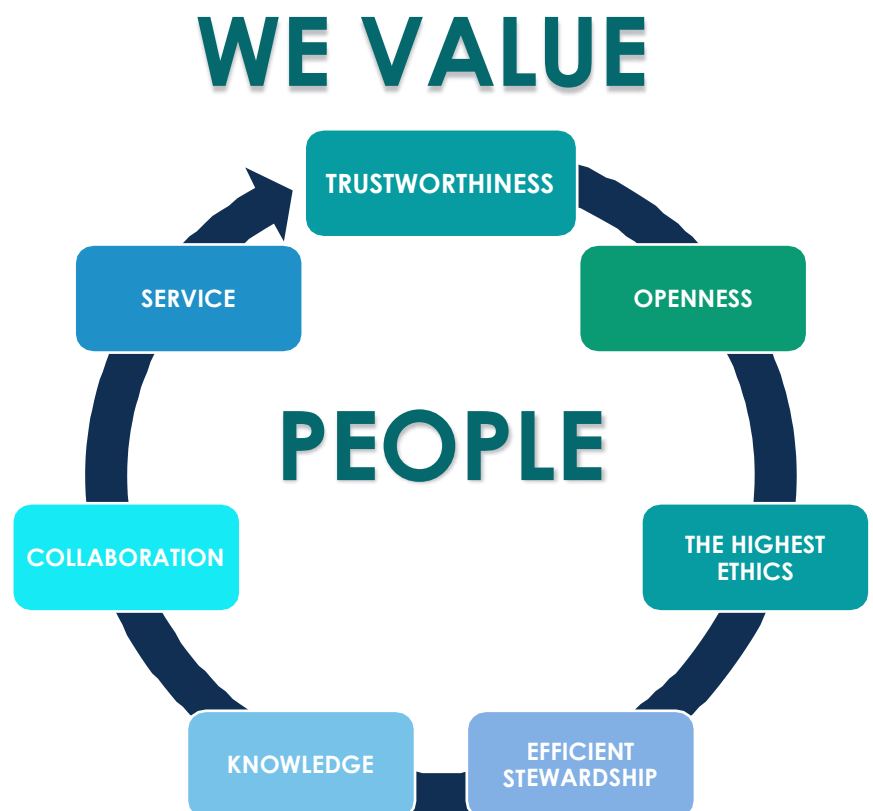
Our Leadership Philosophy

We address our mission efficiently through hard work, open and honest communication, ongoing improvement, and accountability.

Our Core Values

We value:

- PEOPLE
- TRUSTWORTHINESS
- OPENNESS
- THE HIGHEST ETHICS
- EFFICIENT
- STEWARDSHIP
- KNOWLEDGE
- COLLABORATION
- SERVICE



County Profile

Campbell County is nestled in the foothills of Virginia's beautiful Blue Ridge Mountains. Over 55,000 people call its 511 square miles home. The County is bordered by Lynchburg to the north and includes the Town of Altavista in the southwest and the Town of Brookneal in the southeast. It is bordered to the south by the scenic Staunton River.

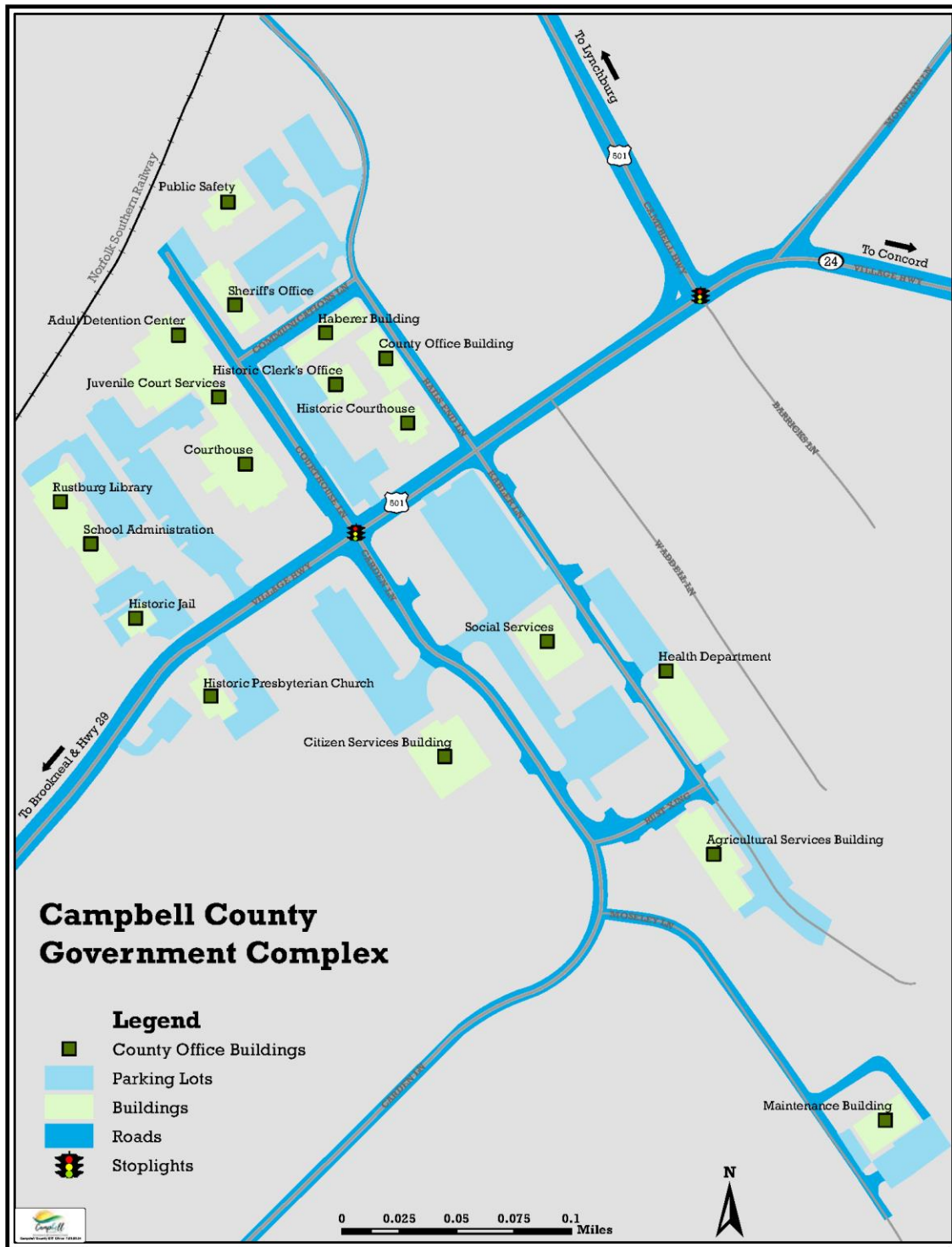
Rich in heritage, Campbell County is one of the most diverse localities in the region. It offers employment, recreation, commerce, industry, farmlands, forests, historic towns, villages and new suburban neighborhoods. The County historically boasts strong work and family ethics which make it an excellent place to live and raise a family. This atmosphere, combined with a strong manufacturing history, which dates back to 18th century iron works, make Campbell County one of the Commonwealth's most diverse and balanced communities in terms of industrial base, business opportunity, quality of living and culture.

The County's vision, "Governing with vision to be the most collaborative, professional, value-driven locality in Virginia", sets a standard of excellence for employees as well as local citizens to enable Campbell County to grow positively in the 21st century.



General Contact Information Campbell County Board of Supervisors
47 Courthouse Lane, Suite 1
Rustburg, VA 24588 www.campbellcountyva.gov
434-332-9525, 283-9525 or 592-9525
administration@campbellcountyva.gov

County Complex Map



Definitions

Allocation: The assignment of an individual position to an appropriate class or grade on the basis of kind, difficulty, and responsibility of the work actually performed in the position.

Appointing Authority: The County Administrator has the power under the law to make appointments to positions in the County service as authorized by the Board of Supervisors.

Coaching Appraisals: An appraisal process that rates employees/performance on several identified areas and offers constructive feedback on accomplishments as well as areas for improvement.

Compensatory (Comp) Time: Paid time off the job that is earned and accrued by an employee instead of immediate cash payment for working overtime hours.

Contracted Service Provider: An individual or agency paid a contracted amount to complete a specific project(s). Payment is based on the completion of the project(s), not the number of hours worked.

Demotion: The change of an employee from a position in one class to a position in another class having a lower maximum salary rate.

Exempt (E): Section 13(a)(1) of the Fair Labor Standards Act (FLSA) provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, outside sales and certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than an amount regulated by the federal government. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all established requirements.

Pay Grade: A group of positions (or one position) in the Classification and Pay Plan which are sufficiently alike in duties, authority, and responsibility and therefore are to be treated in the same manner. A class of positions will require similar qualifications and can be equitably compensated at the same salary range.

Immediate Family: Parents (step and foster, in-law), spouse, children (step and foster), brother (in-law), sister (in-law), grandchildren, grandparents (in-law), daughters-in-law, sons-in-law, spouse's parents, or any person living in the employee's home.

Job Description: The written description of a job or group of jobs containing a group title; a statement of the duties, authority, and responsibilities of the positions within the group; and the qualifications which are necessary or desirable for the satisfactory performance of each position's duties.

Non-Exempt (NE): A non-exempt employee is an employee who, because of the type of duties performed, the usual level of decision-making authority, and the method of compensation, is subject to all FLSA provisions. Non-exempt employees are normally

required to account for hours and fractional hours worked. Non-exempt employees must be compensated for all hours worked, including overtime hours at the premium (time-and-one-half) rate of pay.

Overtime: One and one-half (1 ½) times the regular rate of pay for all hours worked over 40 hours in a work week.

Position: A group of currently assigned duties and responsibilities requiring the full or part-time employment of one person. Positions may be occupied or vacant and will be created and abolished by the Board.

Probationary Period: The working test period in which an employee is required to demonstrate his fitness by actual performance of the duties of the position to which he has been appointed. This initial period is no less than 12 months duration and may be extended at the discretion of the County Administrator.

Promotion: The change of an employee from a position in one class to a position in another class having a higher maximum salary.

Regular Full-Time Employee: A person employed on a permanent basis who works on a regular schedule of at least 32 hours per week in a classified position. An employee is not considered working on a permanent basis until after their initial probationary period.

Regular Part-Time Employee: A person employed on a permanent basis working less than 29 hours on a regular basis per week. This includes part-time employees who work recurring periods from year to year. An employee is not considered working on a permanent basis until after their initial probationary period.

Temporary/Seasonal Employee: A person employed in a position having a fixed time period (usually less than four months) to complete a specific project(s). A temporary employee may or may not be considered a seasonal employee, and vice versa.

Work Plans: Forms that identify specific goals and tasks as they relate to the organization and/or department.

Departmental Contact Information

Departmental Phone Extensions

| | |
|-----------------------------|-------|
| EMERGENCY | 9-1-1 |
| Accounting | 9530 |
| Animal Control | 9574 |
| Addressing (GIS) | 9639 |
| Building Inspections | 9596 |
| Circuit Court Clerk | 9517 |
| Circuit Court Judge | 9515 |
| Commissioner of Accounts | 9522 |
| Commissioner of the Revenue | 9518 |
| Commonwealth's Attorney | 9520 |
| Community Development | 9596 |
| County Administrator | 9525 |
| County Jail | 9583 |
| Court Services Unit | 9533 |
| Economic Development | 9595 |
| Extension Office | 9538 |
| Management Services | 9530 |
| Benefits | 9794 |
| Payroll | 9794 |
| Purchasing | 9670 |
| General District Court | 9546 |
| Health Department | 9550 |
| Information Technology | 9536 |
| Juvenile/Domestic Court | 9555 |
| Library (Main Branch) | 9560 |
| Magistrate | 9563 |
| Parks and Recreation | 9570 |
| Planning | 9780 |
| Public & Employee Relations | 9818 |
| Public Safety | 9540 |
| Public Works | 9528 |
| Purchasing | 9566 |
| Real Estate | 9510 |
| Mapping | 9793 |
| Reassessment | 9510 |
| Social Services | 9585 |
| Soil Conservation | 9506 |
| Treasurer | 9590 |
| Victim-Witness Advocate | 9520 |
| Youth Services | 9572 |
| Zoning and Subdivisions | 9780 |

Other Frequently Used Numbers

| | |
|----------------|----------------|
| CCUSA | (434) 239-8654 |
| Company Nurse | |
| Injury Hotline | (888) 770-0925 |
| School Admin | (434) 332-3458 |

CHAPTER 1

SHARING RESPONSIBILITY FOR PERSONNEL POLICY ADMINISTRATION



Chapter 1 – Personnel Policy Administration

1.1. Responsibilities of the Board of Supervisors and County Administrator: Questions and Amendments to Policies

The Board of Supervisors is responsible for establishing personnel policies within its jurisdiction to meet the changing needs of the county's organization. Under the direction of the Board, the County Administrator has the responsibility for the administration the policies outlined in this handbook as well as the County's Position Classification and Pay Plan. The County Administrator is the primary personnel officer, or designee, and will recommend any amendments/revisions to these rules and regulations when necessary. Any personnel policy amendments will be presented to the Board of Supervisors for review/action. Any internal updates to operational/administrative policies associated with this handbook will be provided as informational items to the Board.

The County Administrator, along with designated County staff, is also responsible for:

- answering questions about the contents of this handbook;
- interpreting or clarifying the material;
- making sure employees know about and have access to the handbook;
- maintaining a current copy;
- making copies available to the public for viewing;
- suggesting amendments/revisions to the Board of Supervisors when appropriate; and
- reviewing the handbook regularly to make sure it aligns with current policy.

For any handbook revision process, outside of those routinely needed to remain in compliance with established laws and labor codes, the County Administrator will ask for input from other County employees.

1.2. Responsibilities of County Employees

Campbell County is an excellence-driven organization. For that reason all employees have a responsibility to the local citizenry, co-workers, and the County organization to know and adhere to the following policies to ensure a positive work culture and effective service delivery. Each employee is responsible for reading this document, asking any questions toward understanding its contents, and signing the “Employee Receipt of Handbook” form.

If any discrepancies are found, please notify the Department of Public and Employee Relations and/or make requests for clarification about the contents of this handbook to the County Administrator. During any revision process, employees are encouraged to offer comments, suggestions, or concerns.

The handbook is available to all employees on the County’s external website at www.campbellcountyva.gov under the [Department of Public and Employee Relations](#) page, the [Employee Benefits](#) page, and on the [employee intranet \(portal\) site](#). If you prefer a printed copy of the handbook, please ask [Public and Employee Relations](#) staff for one.

JUST A REMINDER:

**As part of the
County team, you
are responsible for
reading this
document, asking
any questions
toward
understanding its
contents, and
signing the
“Employee Receipt
of Handbook” form.**

1.3. Applicability of the Handbook

The rules and regulations contained in this handbook apply to County employees under the County Position Classification and Pay Plan. Any special provisions or exemptions for specific employees will be mentioned throughout the handbook where appropriate. *Note: The Department of Public Safety has standard operating guidelines that may further restrict the policies in this handbook.*

1.4. County Compliance of Legal Mandates and Guidelines

It is County policy to make every effort, at the present time and into the future, to understand and comply with all applicable Federal, State and Campbell

County Board of Supervisors statutes, legal guidelines, etc., for the benefit of County citizens, employees, and the community as a whole.

1.5. Pay for Constitutional Officers

Newly-elected or interim Constitutional Officers, interim appointees, and Board of Elections General Registrar Appointees will be compensated at the current rate established by the State Compensation Board. Re-elected/re-appointed incumbents will maintain at their current salaries.

The County Administrator and the Board of Supervisors may consider locally-funded salary supplements to these elected and appointed positions upon written request to the County Administrator, reflecting any previous experience or earned certifications in the position. Any salary supplements to positions under the State Compensation Board positions/offices remain at the discretion of the County Administrator, based on available local funding.

For further information regarding Constitutional Officers' policies, see Va. Code §2.2-1201, as amended.



CHAPTER 2

SHARING RESPONSIBILITY FOR PERSONNEL POLICY ADMINISTRATION



Chapter 2 – Position Classification Plan

2.1. Allocation of New Positions

A representative from The Department of Public and Employee Relations and the department head will complete a position description covering the duties and responsibilities for each proposed position. The position will be assigned to one of the grades in the Position Classification Plan. The County Administrator will present the proposed position and pay classification to the Board for their approval or disapproval.

2.2. Correction of Allocations

If an employee has facts that indicates his/her position is improperly allocated, he/she may request that the County Administrator review the classification of the position.

2.3. Maintenance of Plan

- Each time a vacancy occurs, a position description will be updated and submitted to Public and Employee Relations for a review of the position's allocation. This requirement may be waived by the County Administrator in cases where there has been no substantive change in the duties and responsibilities of a position.
- Each time a department or division is reorganized, position descriptions for all affected employees will be submitted to the County Administrator for review.
- The County Administrator may require departments or employees to submit position descriptions on a periodic basis, or any time there is reason to believe that there has been a change in the duties and responsibilities of a position.
- Each time a new position is established by the Board, job descriptions will be written and incorporated in the existing Position Classification Plan by the County Administrator, after recommendation by Public and Employee Relations and the department head. The position will be added to the schematic list of titles. Likewise, an abolished position will be deleted from the Position Classification Plan.

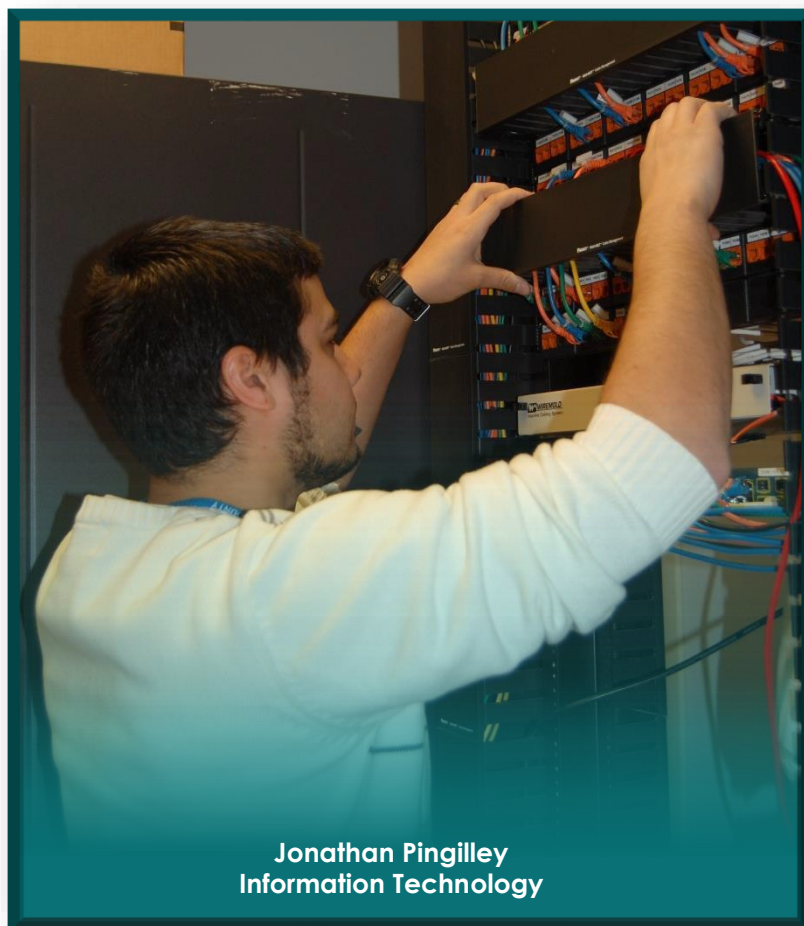
- The Position Classification Plan will be reviewed annually. The County Administrator will confer with the appropriate staff during these reviews and forward any revisions to the Board for action.

2.4. Interpretation of Class Specifications

The job descriptions are descriptive and not restrictive. They are intended to indicate the kinds of positions which will be allocated to the established grades.

2.5. Official Copy of the Position Classification Plan

The Department of Public and Employee Relations will be responsible for maintaining an official copy of the Position Classification Plan. The official copy contains job descriptions, which include a position's title, grade, duties/responsibilities, minimum qualifications, etc. A copy of the official Position Classification Plan will be available for inspection by the public under reasonable conditions during business hours. The [job classification chart](#) and [job descriptions](#) are also located on the [employee portal](#).



Jonathan Pingilley
Information Technology

CHAPTER 3

PAY PLAN



Chapter 3 – Pay Plan

Campbell County strives to offer competitive and equitable compensation to employees, within the available resources and based upon identified needs of the organization.

3.1. Pay for New Employees

A new employee will be paid within the position's designated pay grade. Prior experience and relevant education/training will be considered when establishing a starting salary. A copy of the established Campbell County pay scale can be requested in hard copy or electronic format from the Department of Public and Employee Relations.

3.2. Promotions

When an employee is promoted to a position in a higher grade, his or her salary will be reviewed at that time for appropriate compensation based on the promotion.

Promoted employees will be subject to the 90-day probationary period policy with the understanding that they may be returned to their prior position of service and compensation during the probationary period with or without cause.

(see Chapter 4, Section 8 for further clarifications and policies regarding probationary periods for internal promotions)

3.3. Demotions

If an employee is demoted to a lower grade position, he or she will be paid at a rate which is within the approved range for the lower grade position. The rate of pay will be set by the County Administrator.

3.4. Reallocation Downward

If an employee's position is reallocated to a lower grade position, the employee will be permitted to continue at his present rate of pay during a period of incumbency (except in the event of general service-wide reductions), but will not be entitled to a salary increase.

3.5. *Part-time Employment*

Regular, permanent part-time employees will normally be paid on the basis of experience in the job being filled if it has been classified. Any increase provided to part-time positions will be at the COLA plus merit rate provided by the Board for each budget year for full-time employees. Performance evaluations will be used to determine the merit rate in any given year, within the available funding. Part-time temporary employees filling positions will begin at a mutually agreed upon rate. Any increases will be based only on Board-approved cost of living increases set for that year, if any. For example, if the Board provides a 3 percent increase to the scale as a “cost-of-living” increment, the part-time temporary employee will receive an increase of 3 percent only and is not eligible for merit or step increases.

3.6. *Overtime*

Department heads will make arrangements to compensate overtime work with compensatory time with prior approval of the County Administrator.

It is recommended that such compensatory time for non-exempt employees be worked out within a 90-day period at the same amount of compensatory time as overtime, which is at the rate of time and one-half.

Exempt employees under the Executive Classification are not entitled to compensatory time. Unused discretionary time for exempt employees will not carry over from year to year, and any remaining time accrued when employment ceases for any reason will not be paid.

Where it is not considered possible to make reimbursement by compensatory time, the department head may only commit for paid overtime with the prior budgetary approval of the Board. (Note: Any “compensatory time” allowed must be in conformance with current regulations of the Federal Wage & Hour Laws—Fair Labor Standards Act.)

An employee who accumulates overtime will mark the amount accumulated in the proper time format provided by the Finance and Management Services Department.

PLEASE NOTE:

Any “compensatory time” allowed must be in conformance with current regulations of the Federal Wage & Hour Laws – Fair Labor Standards Act.

Categories of Jobs: Under the Fair Labor Standards Act, there are two basic categories of jobs:

- Exempt (E) – those employees not covered by the Act
- Non-Exempt (NE) – those employees covered by the Act

A complete list of all exempt positions can be found in the Public and Employee Relations Office and on the portal. All other positions are non-exempt.

3.7. Salary Adjustments for County Employees

Salary adjustments for County employees (cost of living adjustments, etc.) are at the discretion of the Board. Salary adjustments will go into effect July 1, unless otherwise designated. Cost of Living Adjustments (COLA) may be provided at the discretion of the Board to all employees along with a corresponding adjustment in the salary scale.

Merit/Step increases may only be provided to employees achieving a satisfactory or above on the coaching appraisal and will vary based on achievements of their work plans. Salary studies may be conducted from time to time as authorized by the Board of Supervisors and may affect salaries either upward or downward, depending on market conditions.

3.8. Interpretation

The County Administrator will be responsible for interpreting the application of the Plan to pay problems which are not specifically covered by this regulation using the principles expressed herein as a policy guide.

3.9. Review and Amendment of Pay Plan

Prior to the annual submission of the budget to the Board, the County Administrator will complete a review of the pay plan and submit his or her findings together with recommended amendments to the Board.

3.10 Payday for County Employees

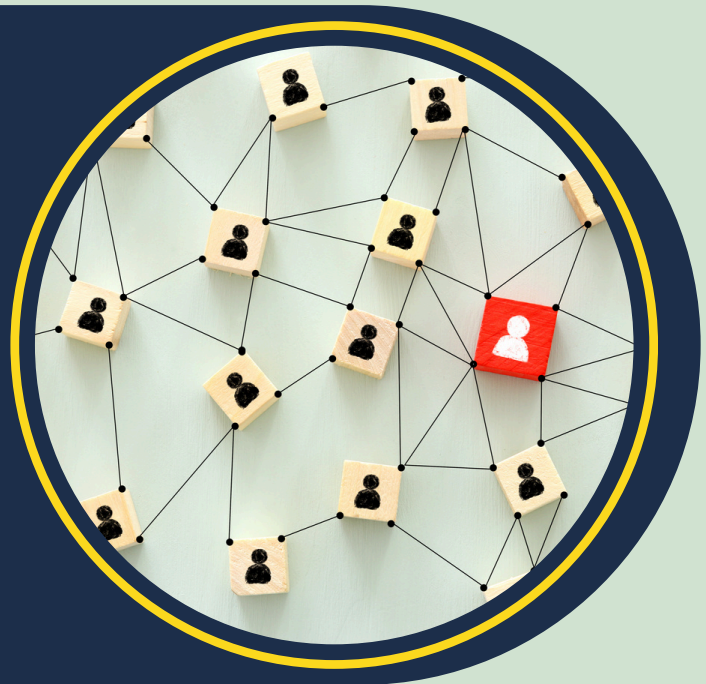
All county employees are paid on the last working day (falling between Monday and Friday) of each month.

PAYDAY

All County employees are paid monthly, on the last working day of each month.

CHAPTER 4

TALENT RECRUITMENT & HIRING PROCEDURES



Chapter 4 – Talent Recruitment & Hiring Procedures

4.1. Recruitment and Position Advertising

Campbell County seeks to fill each position with the best available qualified applicant, while complying with all employment laws, guidelines and statutes. The County Administrator will decide on the publicity required to get a reasonable number of qualified applicants for each vacancy. Publicity will be coordinated through the Department of Public and Employee Relations and may include advertisements in newspapers, trade journals, web postings, radio broadcasts, referral by the [Virginia Employment Commission](#), correspondence and other contact with secondary schools and colleges, and the encouragement of County employees to informally advise others of employment opportunities. Positions will likewise be advertised internally for viewing by the employee pool.

4.2. Application Forms

All applicants for a vacancy or new position will be directed to the Department of Public and Employee Relations to obtain necessary applications and job descriptions. All completed applications will be held until the closing date for the vacancy. Application for employment can be made online via the County's website or in hard copy through the Department of Public and Employee Relations. Application formats and questions will be approved by the County Administrator.

Only completed applications will be considered and may additionally require certain forms of identification, certificates of educational experience, etc.

Prospective employees have to meet certain minimum qualifications for employment. The qualifications are in written job descriptions, are approved by the Board and comply with any legal guidelines and statutes.

4.3. Hiring Examinations

The County Administrator determines the hiring selection process, which may

EMPLOYMENT OPPORTUNITIES

Vacancies are posted both internally and externally on the County's recruitment website. Please visit www.campbellcountyva.gov, and select Employment Opportunities for the current list of openings.

include one or more and/or all of the following: oral interviews, evaluation of experience and training, reference checks, written examinations, performance tests, criminal history checks, drug/alcohol tests, physical examinations, or unassembled examinations.

Any prospective employee who would be using a County-owned vehicle to perform job duties may also be subject to an examination of his or her driver's license and record during the selection process. An employee may also be subject to an examination of his or her driver's license and record if the County is contemplating allowing him or her access to a County-owned vehicle.

Results of all examinations will be kept strictly confidential unless the information is required to be disclosed by law.

4.4. Hiring Procedures

The [County application](#) and hiring procedures conform to guidelines set by the Board. The County Administrator is responsible for ensuring these procedures comply with all relevant legal guidelines and statutes. The County Administrator may alter hiring processes, based on the needs of the organization, while complying with employment law.

In general:

- Openings for vacant positions will be advertised publicly at least once. Additional ad time may be required depending upon applications received.
- County positions will be posted for a minimum of two weeks prior to interviewing. In the event an internal promotion is deemed to be within the best interest of the County, this provision may be waived.

NOTE: Constitutional and Appointed Offices are autonomous and adhere to their own hiring processes independently of the procedures indicated in this handbook.

- Job descriptions and salary ranges will be approved by the County Administrator prior to any advertisement or acceptance of applications for any vacancy.
- Vacant positions will be filled only as approved by the County Administrator.

4.5. General Hiring Process

Applications will be reviewed by the Public and Employee Relations

representative, sorted and prioritized based upon the information contained in the application as it relates to the job description of the position advertised.

Once prioritized, qualified applicants will continue through the examination/review process. Once a successful candidate is identified and accepts the position, applicants offered an interview will be notified of the decision. Other applicants will be notified if requested.

The recruitment and selection of job candidates will be:

- conducted in a manner and reported on such forms as deemed appropriate by the County Administrator.
- implemented by the Department of Public and Employee Relations with all related documentation remaining on file for inspection.
- in accordance with applicable state, federal, and local laws.

The hiring department head in conjunction with the Department of Public and Employee Relations will make a final recommendation for hire to the County Administrator based on the applicant's interview/review process scores, education, experience and general suitability for the job. This recommendation will include a listing of the top scoring candidates, in order of priority.

The County Administrator is responsible for taking final action on employment in accordance with Board policy and may deviate from this handbook when it is deemed to be in the best interest of Campbell County.

4.6. Promoting or Hiring from Within the Organization

When a position becomes vacant or a new position is made available, the County Administrator determines whether the position may be filled by promotion or hiring from inside County service. If the County Administrator deems the position may be filled from inside County service, the position will be advertised among the various County departments. If qualified employees apply, the County Administrator has the authority to appoint a current employee to the position to be filled from the applications submitted, in accordance with Board policy. The County Administrator has the authority to advertise the position outside County service in order to attract more qualified applicants. If the position is advertised outside County service, it will also be advertised inside County service.

The County Administrator may also work with departmental leadership to restructure, right-size operations and streamline functions toward the County's

best interest when vacancies occur. In cases where duties are reassigned or redistributed, no application process is necessary for amended positions.

Compensation for amended roles will be evaluated and delineated in the County's pay system based on newly allocated tasks and responsibilities. Probationary periods for these amended roles may be applied up to 12 months as needed based on any certifications, trainings, etc. required.

4.7. Equal Employment Opportunity Plan

It is County policy to provide equal opportunity and diversity to its employees and applicants for employment. The County will not discriminate on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, **military** status, or disability unrelated to the performance of the essential functions of the position. The Equal Employment Opportunity Plan (EEO Plan) is available for review in the Public and Employee Relations Office.

It is also County policy to not tolerate any form of workplace violence towards or harassment of its employees. Such allegations will be thoroughly investigated and disciplinary or corrective action taken as warranted. The investigation procedure is outlined in Chapter 7.

4.8. Probationary Period

New hires will be on a probationary basis for a minimum of 12 months, as determined by the County Administrator. At the end of the probationary period, a preliminary evaluation (probationary coaching appraisal) of the employee will be conducted with the purpose of determining the employee's suitability for continued employment with the County. If the performance of the employee is not deemed satisfactory before or upon completion of the probationary period, the employee may be released by the County. The County Administrator has the option of extending an employee's probationary period. Staff promoted internally will have a probationary period of 90 days minimum, unless additional probationary conditions apply for required trainings/certifications, etc., as determined by the Department head and County Administrator.

4.9. Orientation

It is County policy to provide orientation programs when it appears appropriate in order to familiarize employees with their duties, responsibilities, working environment, etc. Department supervisors or the County Administrator will determine the type or need of such programs and will be responsible for their

implementation through the Department of Public and Employee Relations.

Constitutional Offices will be responsible for advising new hires of their offices' policies and procedures that differ from those of the County organization.

CHAPTER 5

WORK LIFE POLICIES



Chapter 5 – Work Life Policies

5.1. Training

As Campbell County values education and training, the County aims to provide maximum, quality training opportunities for employees to improve performance in their assigned jobs. Employees are encouraged to learn jobs other than their own in order to increase knowledge of other activities and provide backup when necessary. The County also has a tuition assistance program available for qualified employees, contingent on available funding from the Board of Supervisors. (see Chapter 9, Section 2).

5.2. Job or Location Transfers

County employees may be transferred from time to time and place to place by the County Administrator, in accordance with Board policy, to meet the needs of the County.

5.3. Reclassification

If a position is redefined to a new classification in accordance with Board policy, the employee will be considered to be reclassified and will be afforded the benefits (if any are present) due to the new classification.

5.4. Demotion

An employee may be subject to demotion for various reasons determined by the department head and the County Administrator (see Chapter 10).

5.5. Outside Employment Policy

While outside employment is not encouraged, the County recognizes that employees may desire to seek additional employment. However, outside employment is subject to the following stipulations:

TRAINING SESSIONS

Campbell County Department of Public and Employee Relations offers group training opportunities throughout the calendar year, as well as provides online possibilities for career development through partnerships with other agencies. Opportunities will be shared via email, and the employee portal site when available.

- Upon obtaining outside employment, the County employee will complete an outside employment form, which is available in the County Information folder on the portal or from the Public and Employee Relations representative. Once signed by the employee's supervisor, it will be forwarded to the Public and Employment Relations Office for inclusion in the employee's personnel file. Recently hired employees who already have another job at the time they begin employment with the County are expected to notify their supervisor immediately of this fact.

- At no time should outside employment hinder the County employee's performance and ability to fulfill all the responsibilities and requirements of the County position.

- Department supervisors, department heads, and the County Administrator are expected to devote all their time and energy to the execution of their duties and are strongly encouraged not to seek outside employment. Individuals in these positions must also abide by any legal requirements concerning outside employment.

- Outside employment will not be accepted as an excuse for poor performance, absenteeism, tardiness, leaving work early, refusing to travel or work overtime (or different hours), or any other reason deemed appropriate by the department head or County Administrator.

- If outside employment interferes with County work requirements, it will be discontinued. Failure to do so may result in disciplinary action.

- At no time will outside employment be cause for a conflict of interest as provided in Va. Code § 2.2-3100 et seq. (The State and Local Government Conflict of Interests Act). If it is proven to be a cause, it will be terminated immediately.

- Employees are not to conduct any business relating to outside employment during paid working time.

All County employees are expected to comply with the above guidelines as well as any others deemed reasonable by the County.

5.6. Dress Codes

General office employees accessible to the public are expected to dress in a manner that is normally acceptable in business establishments. Wearing

inappropriate or casual attire as determined by the County Administrator is not allowed.

Should employees report for work inappropriately dressed or groomed, the supervisor will instruct them to return home to change their attire. They will not be compensated during such time away from work, and repeated violations of this policy will be cause for disciplinary action.

Upon employment, some departments within the County may require their employees to wear uniforms.

A casual mode of dress is acceptable for those employees in certain jobs such as recreational activities, transfer site maintenance, and employees not accessible to the public, as determined by their department head.

Departures from conventional dress or personal grooming/hygiene standards, are not permitted, regardless of the nature of the job performed.

Use of scented grooming products may be prohibited to accommodate nearby co-workers as needed.

5.7. Termination Policy

It is the County's policy to provide a work environment as free as feasible from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by the County management or by federal, state, or local law.

The County is committed to:

- Monitoring compliance with safety rules and regulations and the applicable safety and health standards established as a result of the Occupational Safety and Health Act of 1970 and any other applicable federal, state, or local employee safety laws or regulations;
- Investigating, correcting, and eliminating recognized unsafe working conditions or potential hazards;
- Conducting periodic informal safety inspections of all work areas,

machinery, equipment, grounds, and any other recognized potentially hazardous facility;

- Monitoring compliance with the various requirements established by the state and the insurance carrier relating to record keeping and the retention of records;
- Establishing fire prevention and firefighting programs and conducting emergency drills;
- Developing an Emergency Operations Plan; and
- Investigating all accidents and fires involving County employees, property, or County business.

The Public Safety Director will head the County's safety program and will communicate pertinent information to all departments. He or she will designate such duties as may be required in the overall operation of the safety program. All supervisors are to:

- Inspect their work areas periodically;
- Familiarize themselves with all safety and health procedures relevant to their work;
- Train their employees in proper reporting and safety matters;
- Immediately report accidents on the correct form as required by the Workers' Compensation Act;
- Follow all other County safety procedures; and,
- Ensure employee compliance with the safety manual.

Employees should report to the department head all observed safety and health violations and any accidents resulting in injuries to employees or customers. Any injured employee must contact the Nurse Helpline to report any injuries.

All employees are encouraged to submit suggestions to their department head concerning safety and health matters.

No employee should be discharged or discriminated against in any manner because the employee has raised issues of safety, has testified at a proceeding, or has otherwise exercised any right afforded.

Employees depart from County service through one of the following means: resignation, death, retirement, reduction in workforce, or dismissal.

Resignation

A full-time regular employee may leave the County service voluntarily by stating his or her reason(s) in writing stating his/her reason(s) in writing to his/her Director. The Director will forward the resignation notice along with a completed Employee Exit form and submit it to the Public and Employee Relations Office at per@campbellcountyva.gov for processing. Voluntary resignation notices require a notice period of 10 physical working days, although it is suggested that earlier notice be given.

Any leave requested in conjunction with a separation notice will be submitted to the Department Director and County Administrator for review/approval/denial, based on the needs of the organization.

Voluntary separation with failure to provide a 10 working day notice may result in the withholding of any remaining leave payouts.

Depending on circumstances, employees who have given notice may be allowed or asked to leave prior to the expiration of their notice periods. The right to access the County grievance procedure will be waived upon the effective date of resignation.

Reduction in workforce

In the event the County must reduce employment, reductions in workforce may occur consistent with the needs of the County. The County Administrator will be responsible for the reduction in workforce program and ensure the program conforms to any legal requirements.

Dismissal

See Chapter 10, Section 4.

5.8. Exiting Process

All full-time regular employees will be provided with relevant information concerning their separation, including retirement contributions, insurance benefits, etc. Badges, keys/key fobs and any County-issued equipment in the possession on the exiting employee must be submitted to the Public and

Employee Relations Department prior leaving County services. Campbell County reserves the right to charge replacement costs to exiting employees for any keys, key fobs, or issued equipment not returned prior to departure.

5.9. Ineligibility for Rehire

An employee will not be eligible for rehire when terminated for cause or when he or she resigns after having a prior formal disciplinary action taken. In the event of a final order of a grievance panel or court of competent jurisdiction in favor of the County, he or she will not be eligible for rehire.

Those who do not provide and complete a 10-day working notice may not be eligible for rehire."

5.10. Use of County-Owned Property

Each department head will maintain an annual inventory of all County-owned property that is in the possession of their employees. Leadership staff will obtain this inventory and will review it during the exit process with the Public and Employee Relations Department and the Management Services Department to ensure that all property has been returned prior to the release of the employee's final paycheck.

Use of County-owned computers, tablets, and related devices is governed by the Electronic Acceptable Use Policy.

Use of all County-owned property, including computers and related devices, will not be used for personal business to the extent that such use interferes with the employees' productivity or work performance. At no time will use of County-owned property conflict with Chapter 7, Section 4 of this Handbook governing political activities.

5.11. Changes in Information Concerning Employment

Should employees have any personal changes in information concerning employment, they must contact the Management Services Department and advise them of all changes.

5.12. Drug and Alcohol Policy

General Statement of Policy

It is Campbell County's desire to provide a drug-free, alcohol-free, healthy, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner and to help provide for a safe work environment. While on Campbell County premises and while conducting official business-related activities off Campbell County premises or using any County equipment, employees may not use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Appropriate use of alcoholic beverages at social events where alcohol is normally served is acceptable.

No employee will be disciplined for the appropriate use of over-the-counter or prescribed medication in the treatment of illness or injury. However, if employees know or should know that use of an over-the-counter or prescribed medication does or could impair their ability to operate a County vehicle or equipment, does or could interfere in any way with their ability to perform the essential functions of their jobs safely and effectively, or does or could endanger any other individuals in the workplace, they must share this information with their immediate supervisor and be prepared to provide a copy of the prescription or an indication of the medication upon request. Violation of this section of the policy may subject employees to disciplinary action, up to and including possible termination.

Campbell County shall not discharge, discipline, or discriminate against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or disease pursuant to Va. Code § 54.1-3408.3. However, Campbell County prohibits possession or use of cannabis oil during work hours and retains the right to discipline any employee for impairment caused by the use of cannabis oil and retains the right to prohibit cannabis oil use for any employee whose job responsibilities include the possession of a firearm, and may prohibit the use by any specific employee if the use by that employee could result in the loss of a federal contract or federal funding.

Violations of the policy outlined herein may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation program. Such violations may also have other legal consequences. Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify Campbell County of a criminal conviction for drug-related activity occurring in the workplace. The

report must be made within five days of the conviction.

Available Information and Assistance

Information on the dangers and effects of substance abuse in the workplace, on resources available to employees, and on consequences for violations of this policy is available in the Public and Employee Relations Office.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. Contact information for the Employee Assistance Program is available in the Public and Employee Relations Office and on the employee portal in the County Information folder. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action are encouraged to seek assistance and participate in this confidential rehabilitation or treatment program through Campbell County's health insurance benefit coverage. Employees with questions on this policy or issues related to drug or alcohol use in the workplace may also raise their concerns with the department supervisor or Public and Employee Relations representative without fear of reprisal and in strict confidence.

Random Drug and Alcohol Testing

Who May Be Tested

Each employee who works in the following will be required to participate in random testing upon selection or request of management: the Sheriff's Office; the Public Safety Department; the Department of Social Services; the Youth, Adult and Community Services Department; the Parks and Recreation Department; and those employed by the Public Works Department who operate heavy equipment.

Process for Random Testing

Employees selected for random testing will be notified and told to report immediately to a location for the testing. Any employee selected who is not present on the day of testing will roll over to the next testing occasion. A breath analysis test will be done for alcohol, and a urine screen will be conducted for the presence of amphetamines, cannabinoids, cocaine, opiates, and PCP. All testing will be independently conducted according to federal and state guidelines and will include the initial screening test, a confirmation test, and a review by a Medical Review Officer, an opportunity for an employee with a positive result to provide a legitimate medical explanation and/or a legitimate prescription, and

a documented chain of custody.

If the Results Are Positive: Any employee who tests positive and fails to provide a legitimate medical reason may be referred to a substance abuse professional for assessment and recommendations; required to complete any recommended rehabilitative treatment successfully, including continuing care; and be subject to ongoing, unannounced, follow-up testing for a period of five years. Positive results may subject the employee to disciplinary action up to and including termination. Refusal to Participate in Random Testing: An employee will be subject to the same consequences of a positive test if he or she refuses the screening or the test, leaves work once notified he or she will be tested, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms, or refuses to cooperate in the testing process in such a way that prevents completion of the test. An employee who refuses to consent to a drug and/or alcohol test may be subject to disciplinary action, up to and including termination. Prior to termination, the employee will be given the opportunity, by way of a hearing, to explain why he or she has refused to consent.

Reasonable Suspicion Testing

Definition: "Reasonable suspicion" means the presence or occurrence of specific objective facts or events, in light of experience, that the employee is, at the time of suspicion, under the influence of drugs or alcohol. Reasonable suspicion also arises if the impairment affects the employee's ability to perform his or her job satisfactorily.

Determination of Reasonable Suspicion

Circumstances which constitute a basis for determining reasonable suspicion may include but are not limited to:

- A pattern of abnormal or uncharacteristic behavior (i.e. hyperactivity, unexplained mood swings, paranoia, hallucinations)
- Information provided by a reliable and credible source
- A work-related accident causing bodily injury or serious property damage
- Direct observation of drug or alcohol use at or immediately prior to work
- Possession of drugs, drug paraphernalia, or alcohol

- Presence of a combination of physical symptoms of drug or alcohol use (that is, glassy or bloodshot eyes, alcohol odor on breath or in workspace, slurred speech, poor coordination, etc.)

The following procedural safeguards will be observed to ensure that reasonable suspicion does, in fact, exist:

- Supervisors must have personal knowledge of objective facts or events that would reasonably lead them to suspect that an employee is under the influence of drugs or alcohol.
- The determination by a supervisor that reasonable suspicion exists will be supported by at least one additional supervisory-level employee. If another supervisor is unavailable, the observation of one supervisor will suffice, provided that documentation is submitted verifying the unavailability of an additional supervisory person.
- The facts or events leading to a determination that reasonable suspicion exists will be documented in writing.

The County will periodically train supervisory personnel to help them recognize the conduct and behavior that give rise to a reasonable suspicion of drug or alcohol use.

Process for Reasonable Suspicion Testing: Any employee may be required to submit to a urine or breath test for chemical analysis to determine the presence, if any, of drugs or alcohol in the employee's system when the employee's supervisor has a reasonable suspicion that the employee is under the influence of drugs or alcohol. When a determination has been made that reasonable suspicion exists, the employee will be transported to a designated testing site.

There, the employee will be provided a consent form for signature and, after signing the form, will be required to provide a urine sample or a breath sample taken by a certified breathalyzer operator for chemical analysis to determine the presence, if any, of drugs or alcohol in the employee's system. If the test is positive, the employee will be treated as described above.

Pre-Employment Drug and Alcohol Testing

Pre-employment and alcohol testing may also be applied to applicants in the following fields of service: the Sheriff's Office; the Public Safety Department; the Department of Social Services; the Youth, Adult and Community Services Department; the Parks and Recreation Department; and those employed by the Public Works Department who operate heavy equipment. Applicants for positions in these service areas, both part time and full time, including employees seeking

transfer or promotion, may be required to undergo a drug test upon an offer of employment and prior to their final appointment. Job applicants will be denied employment with the County if their initial positive test results are confirmed. Applicants will be informed, in writing, if they are rejected on the basis of a confirmed positive drug test result. A job applicant who refuses to consent to a drug and/or alcohol test when requested will be denied employment with the County. Any refusal or failure to cooperate fully with the administration of the test, any behavior which makes testing more difficult or prevents administration or completion of the test, or in any manner alters or attempts to alter the test result will be treated as a refusal to consent, regardless of whether a consent form is signed.

Confidentiality of All Test Results

All information from an employee's or applicant's drug and alcohol test will be maintained by Public and Employee Relations or by the testing facility on a confidential basis and only those with a need to know are to be informed of test results, such as the County Administrator and department head. Information will be released only upon written authorization of the applicant or employee involved, to County personnel on a need to know basis, or as otherwise permitted by law. Campbell County will be informed only of positive results for the tested-for substances and not for the presence of any prescribed drug. The results of a positive drug test will not be released until the results are confirmed. Upon confirmation, the only information which may be released is whether the test is positive or negative and the amount of drugs and alcohol found in the employee's or applicant's system. The records of unconfirmed positive test results and negative results will be destroyed.

Amendment

The provisions of this policy may, at the sole discretion of the County, be amended from time to time when such amendment(s) are deemed to be in the best interest of the County and its employees.

5.13 Driver Safety Policy

Campbell County is convinced that safe, dependable operation of vehicles and equipment is an essential factor in meeting our responsibility for providing services to our community. Therefore, each department within Campbell County is provided with training materials on an annual basis.

Effective service to the citizens and efficient use of County resources requires safe,

accident-free operation of the motor vehicles used to perform official duties. This policy establishes the guidelines and procedures that govern vehicle operation, including driving and accident record review and the disciplinary and rehabilitative measures that may be implemented. These guidelines rely on a philosophy of acceptable driving history and on-going accountability for individual actions. The Public and Employee Relations Department, in conjunction with the Management Services Department, will ensure that all state and local requirements relevant to requests for information and official driving records are followed, including appropriate security of all forms, records, and documentation.

Driver Responsibilities

- a. Drivers will be familiar with all State and Federal Department of Transportation safety regulations.
- b. Drivers of County vehicles will maintain a Virginia driver's license.
- c. No one will ever operate a vehicle when there is a known safety defect. Any defects will be reported immediately. All objects will be secured inside the vehicle to avoid distractions and "missiles" inside the vehicle.
- d. If a vehicle is involved in an accident, the driver's first duty is to call the police and notify their supervisor. Drivers must not accept liability/fault or promise payment of damage.
- e. All drivers are required to be familiar with and abide by defensive driving concepts.

Driving Policy

All newly hired employees and current employees that drive County vehicles, as of the date of this policy, must maintain an acceptable driving record.

- a. Driving record reviews for current employees include for-cause review, periodic review, and when an employee applies for or seeks promotion to a position that requires driving a County vehicle.
- b. For-cause reviews may be required at Risk Management's discretion for such instances as, but not limited to, when an employee is involved in a vehicle accident based on the factors of the accident.
- c. Employees applying for or seeking promotion to a position covered by the Driving Policy will meet all the requirements of applicants.

d. An employee who drives a County vehicle as a part of his or her job must notify his or her supervisor and the Risk Manager within 24 hours if he or she receives any on- or off-duty citations that might affect his or her ability to retain a valid driver's license or has his or her license suspended or revoked for any reason.

e. Periodic driving record reviews may be required, on a case-by-case basis, following notice of violations, citations, or suspensions.

A minimally acceptable driving record for a current employee includes the following components:

- -4 or fewer demerit points
- No DWI/DUI convictions within the last two (2) years
- At least two (2) years of continuously valid licensing
- An overall pattern of safe vehicle operation and driving habits

The following conditions are unacceptable and normally prevent an employee from operating a County vehicle until his or her driving record improves to a minimally acceptable level or he or she meets other specific requirements established by the Risk Manager:

- -5 or more demerit points
- DWI/DUI conviction within the last two (2) years
- A license suspended due to driving violations, or accidents, unless the employee has completed two (2) full years with no subsequent moving violations, at-fault accidents, or penalties. A license suspended due to administrative penalties is a concern but would not typically disqualify an employee unless there is evidence of him or her having knowingly driven with a suspended license.

Additional guidance is located in the Vehicle Use and Mileage Policy located on the employee portal.

Driving Violations and Consequences

In the situation where a current employee's driving record is minimally acceptable but indicates that one additional violation of any kind will place him or her in the unacceptable category, the employee will be notified and required to satisfactorily complete a DMV certified Driver Safety and Awareness Course, also known as the Driver Improvement Course. The employee is responsible for any cost incurred to take the course. Failure to complete a certified course within

the time period designated in the notice of requirement may result in driving restrictions and/or disciplinary action.

An employee charged with an on- or off-duty DWI/DUI is normally prohibited from driving a County vehicle until a decision regarding the charge is rendered by the courts. Assignment to a non-driving position, if available, is at the discretion of departmental management. If a non-driving position is not available, the employee may be required to take appropriate leave or be placed on administrative leave without pay pending the outcome of court proceedings. An employee charged with on or off-duty DWI/DUI is also subject to the "Drug and Alcohol Testing" provisions of the County's Employment Policies and Procedures. An employee that drives or is found to have knowingly driven a County vehicle with a suspended or revoked driver's license is subject to appropriate disciplinary action. In addition, the employee may be subject to quarterly driving record review for a period of one (1) year. Disciplinary action, up to and including termination from employment with the County, may be initiated in the event that an employee has an unacceptable driving record and/or loses his or her driver's license or driving privileges. Disciplinary action may also be taken if an employee engages in misconduct or demonstrates poor performance relative to operating a County vehicle as determined by his or her supervisor.

Action taken in accordance with the County's disciplinary policies may be in addition to driving prohibitions implemented by the provisions of this Driving Policy. In unusual situations, department directors and the Risk Manager may consider an employee's performance and overall employment history prior to implementation of driving restrictions. In some cases, due to significant liability concerns, driving restrictions may be implemented regardless of court actions. If, based on agreement of the Risk Manager and relevant department director, an employee is allowed to continue driving County vehicles after a DUI charge or conviction, he or she must successfully complete Virginia Alcohol Safety Action Program when mandated by DMV, complete a course of action determined appropriate by the Employee Assistance of Central Virginia, authorize DMV record checks at least quarterly, and have no subsequent recordable citations or accidents.

5.13. *Electronic Communications and Social Media Policy*

Electronic networking services includes any communication transmitted electronically, including email, internet sites, social networking sites such as Facebook and Twitter, blogs, iSeries, text messages, and any other forms of electronic communication. These services are provided to support and enhance open communication and exchange of information to reach broader audiences as well as employees. This policy provides reasonable guidelines for online

behavior by employees and appointed bodies when participating online on behalf of the County.

In general, this policy requires appropriate, ethical, legal, and efficient utilization of the network resources. If a user is found to have violated any of the provisions of this policy, his or her access to these resources may be denied and disciplinary action may be taken. This network resource, as with any other public resource, demands that those entrusted with its use are accountable for that privilege. Therefore, it follows that use of the County's network resources must be in direct support of the assigned duties and responsibilities of the user in carrying out the business of the County. The right to have access is a management decision, and access is subject to restriction for any employee misuse.

Additional guidance can be found on the employee portal.

5.1. Inclement Weather Policy

All County offices are open for business unless a severe circumstance necessitates closings for public or employee safety reasons. Individual employees must use personal judgment when deciding whether or not it is safe to drive or come to work when severe weather conditions exist.

Employees not able to work during severe weather conditions when the offices are open must take leave or make other arrangements with their department head, as authorized by the County Administrator. Under certain circumstances, the County offices may be closed or on a delayed opening. If this happens, employees will be notified using the local media sources and the County's website as soon as possible after a decision is made. Employees are encouraged to sign-up for County closure emails and text notifications on the County's website and are responsible for opting in to those communications.

CHAPTER 6

HOURS OF WORK & LEAVE FOR COUNTY OFFICES



Chapter 6 – Hours of Work & Leave for County Offices

In the interest of uniform treatment of all County employees, and in order that the general public may know when County government offices are open for the transaction of business, the establishment of this uniform schedule of "Hours of Work and Leaves" is set forth by the Board as a statement of general policy applicable to all administrative departments of the County government subject to the direct control of the Board. Individual departments may have alternate operating hours based on the type of service provided. The County Administrator will approve all alternative hours of operation before implementation.

None of the benefit provisions of this resolution apply to employees paid on an hourly basis, part-time salaried employees, contracted employees, or those who may be termed "temporary employees" by virtue of contract employment for a period of less than one year, except for Workers' Compensation unless otherwise specified.

OFFICE HOURS

General administrative hours are Monday through Friday, from 8:30 a.m. until 5:00 p.m.; however, individual offices may have alternative work schedules. If you have specific questions pertaining to your department's schedule, please ask your supervisor.

6.1. Hours of Work

General administrative hours are Monday through Friday, 8:30 a.m. to 5 p.m.

- Individual departments and offices may be required to establish alternative work hours which are in the best interest of the public. Schedules for these offices and departments will be recommended to the Board of Supervisors by the County Administrator for approval and kept on file in the County Administrator's Office.

- This schedule includes a period of one-half hour for lunch, and therefore assumes a basic 40-hour work week for all employees, unless variations in individual schedules are formally agreed upon. Lunch periods will be arranged among employees that offices will be open and manned during the full work day wherever possible. In the event an employee is unable to report for work for any

reason, he/she must contact the immediate supervisor or other person so designated in the department to provide notice of not being in that day. This notice should be given as soon as possible, but at the very latest within the first thirty minutes of the work shift so that staffing arrangements can be made.

- The normal workweek, for pay purposes, is considered to be Sunday through Saturday, unless otherwise specified by the employee's department.

6.2. Holidays

County holidays (Except for Public Safety communications officers and EMS employees) include:

- The first day of January (New Year's Day);
- The last Monday in May (Memorial Day);
- The fourth day of July (Independence Day);
- The first Monday in September (Labor Day);
- The fourth Thursday in November (Thanksgiving Day) and the Friday after Thanksgiving;
- The twenty-fourth and twenty-fifth of December (Christmas Eve and Day).



If any holiday listed above falls on a Saturday or a Sunday, the holiday will be observed on the closest Monday or Friday. Employees will have five and one-half floating holidays to be used at their discretion with supervisor approval.

The Public Safety Communications Dispatch Center and Emergency Medical Services Division will remain open on holidays. Communications officers and EMS employees will earn eight (8) hours of annual leave each month (above and beyond the annual leave earned based on years of service) in lieu of observing County holidays. Communications officers and Public Safety technicians will earn an in-kind grant of annual leave if the Board grants additional holidays, more than twelve (12) in any given year.

6.3. Leaves

Leaves of absence from duty fall into eleven (11) classes, and every absence will be charged against the time authorized for the appropriate class of leave. Accurate and permanent records of employee attendance and leaves will be kept by Finance and Management Services and necessary information submitted by the department heads in an electronic format approved the County Administrator and the Board.

These eleven classes are:

- Annual/Vacation Leave
- Sick Leave
- Family/Personal Leave
- Workers' Compensation
- Administrative Leave
- Military Leave
- Leave without Pay
- Volunteer Fire/Rescue Squad
Emergency Leave
- Community Volunteer Leave
- Family & Medical Leave Act
of 1993
- Short and Long Term Disability

6.4. Annual/Vacation Leave

All absences from work during established hours and on regular working days that are not covered by another category of leave will be charged against the time authorized for Annual Leave. These absences include both occasional absences and vacation.

Earning Annual Leave

The number of days of Annual Leave an employee is entitled to is based on length of County service.

To receive each month's Annual Leave allowance, an employee must work or be on paid leave for at least half of the days of the month. If an employee works less than half of the month, or are on Leave without Pay status for more than half of the month, he/she won't be entitled to the Annual Leave allowance for that month. An employee can only use Annual Leave that has been earned and cannot borrow against future, anticipated earnings of Annual Leave.

For Continuous Service

Annual Leave is based on continuous, full-time service in the County government, regardless of whether the service is in two or more different departments, as long as the departments are covered by the County's Pay and Classification Scale. If an employee has left County service, and is subsequently re-employed, he/she is not entitled to use previous County service in calculating Annual Leave. Part Time service does **not** count towards the calculation of Annual Leave.

Accumulating Annual Leave

Employees are encouraged to use Annual Leave for vacation purposes, in recognition of the value of periodic vacations toward personal well-being and resultant values to the public service from improved employee efficiency and motivation. Any Annual Leave time earned that brings the accumulated balance above those specified for the years of service will be written off on December 31 of each calendar year.

Scheduling Annual Leave

Annual Leave can be taken only as approved by the department head or designated supervisor on the basis of a schedule worked out with due concern for the conduct of the public business. Annual leave will be scheduled well in advance at the discretion of the department head. Requests for annual leave will be made in a form prescribed by the department head, which may include an electronic platform approved by the County Administrator and Board. A response to the request(s) will be provided within two (2) working days, subject to availability of the supervisor.

Separation Payments

An employee's Annual Leave record will be studied if leaving County service (whether by resignation, retirement, reduction in workforce, death, dismissal, etc.). The final paycheck will include compensation for Annual Leave that has not been taken at the time of separation, not to exceed the maximum allowable amount of 240 hours for 40-hour-per-week employees and 336 hours for 24-hour-shift employees. Compensation to be paid out will include only leave earned as of the time of departure, to be calculated on a pro rata basis. In the case of voluntary resignation, written notice of the effective date of resignation must be submitted at least ten (10) working days in advance in order for an employee to receive this Annual Leave separation payment.

6.5. Sick Leave

All absences from work during established hours and on regular working days that are caused by illness will be charged against the time authorized for Sick Leave. This Sick Leave will not be considered an additional grant of Annual Leave, but will be considered a privilege of which an employee can avail himself/herself to only when unable, because of illness, to perform work duties. If unable to come to work because of illness, the employee or a member of the employee's family must contact the immediate supervisor or other person so designated in the department to provide notice that the employee will not be in that day. This notice should be given as soon as possible, but at the very latest, within the first 30 minutes of the work shift so that staffing arrangements can be made. Failure to provide notification can be cause for disciplinary action.

Earning Sick Leave

Sick Leave will be applied as a lump sum amount to an employee's leave balances in accordance with the accrual schedule.

For Continuous Service

Sick Leave is based on continuous, full-time service in the County government, regardless of whether the service is in two or more different departments, as long as the departments are covered by the County's Pay and Classification Scale. If an employee has left County service, and is subsequently re-employed, he/she is not entitled to use previous County service in calculating Sick Leave.

Part Time service does **not** count towards the calculation of Sick Leave.

Authorized Absences

Sick Leave allowances may be used to authorize absences necessitated by reason of illness or injury incapacitating the employee to perform work duties; exposure to contagious disease such that an employee's presence on duty would jeopardize the health of fellow workers or the public; appointment for the employee or other immediate family members for examination and treatment related to health when such appointment cannot reasonably be scheduled during non-work hours; illness or injury in the immediate family requiring the attendance of the employee. Absences by reason of work-related illness or injury would be covered under Workers' Compensation if criteria for receiving wage benefits are met.

The department head or County Administrator may request that an employee

produce written evidence from a licensed physician indicating the extent of an illness and expected period of recuperation, whether it is for the employee or an immediate family member. The employee will be responsible for obtaining any required documentation to verify an illness. If an employee, full-time or part-time, is returning to work following an extended sick leave due to a serious illness or major surgery, he/she must provide documentation from the physician upon request from the supervisor stating the physician has reviewed his/her job duties and deemed the employee eligible to return to work.

Documentation will include any conditions or restrictions related to job duties that may apply.

Extended sick leaves may also be covered by the Family and Medical Leave Act of 1993, discussed below.

Reserved Sick

A Legacy Plan 1 or Plan 2 employee who has reserved sick time still available can use it for authorized absences if illness or injury keeps him/her from performing work duties; or if he/she has a contagious illness that jeopardizes the health of others. Reserved sick leave may also be used for his/her own personal illness or to meet an immediate family member's health needs (per the immediate family member defined on page 8).

Regular sick leave should be exhausted prior to using reserved sick. Absences by reason of work-related illness or injury would be covered under Workers' Compensation if criteria for receiving wage benefits are met.

Separation Payments

Sick Leave balances will not be paid out when an employee separates employment. Reserved Sick Leave that has not been taken at the time of separation will be paid at the rate of \$20 per day up to \$3,000 (150 days). In the case of voluntary resignation, written notice of the effective date of resignation must be submitted at least ten (10) working days in advance in order to receive Reserved Sick Leave separation payment.

6.6. Family/Personal Leave

This leave can be used for any absence from work for unanticipated reasons including those for which annual or sick leave could or would be appropriately used (for example bereavement, emergency leave situations).

6.7. **Worker's Compensation**

Workers' Compensation benefits are available, according to the 1975 Virginia Workers' Compensation Act, as amended, to both qualified part-time and full-time County employees who are injured on the job. To receive wage benefits, an employee must be unable to attend work for a period of seven consecutive calendar days or longer. Wage benefits are based on two-thirds the average of an employee's weekly wage and are distributed over a set period of time determined by law.

Medical benefits cover costs beginning with initial treatment. No time requirement is necessary.

Salaried employees' absences compensable under the Workers' Compensation Act will be qualified for such additional compensation from the County as necessary to achieve a full salary. However, County participation will be limited to one year from the date of supplementary payment by the County. Hourly paid employees will receive no additional compensation from the County. In no instance would the additional compensation continue beyond the period allowable under the Workers' Compensation Act.

If an employee is injured by accident or disabled by occupational disease, he/she must notify the County, through his/her immediate supervisor,

immediately, in writing, explaining exactly how the employee was injured or what occupational disease is claimed. The County is not responsible for the payment of compensation or the cost of medical treatment until it has received this notice. If the County is not notified within 30 days of the accident or 60 days from the date the employee was told he/she has an occupational disease, the employee may be required to forfeit the claim. The employee will need to keep a copy of the written notice given to the County and the name of the supervisor to whom notice was given.

WORKER'S COMPENSATION

Worker's Compensation benefits are available to both full-time and part-time employees injured on the job.

To qualify for wage benefits, an employee must be unable to attend work for a period of seven consecutive calendar days or longer.

Medical benefits cover costs beginning with initial treatment. No time requirement is necessary.

All accidents should be reported whether or not a doctor treats the employee. Employee questions concerning Workers' Compensation should be directed to the Management Services Department.

In accordance with [Virginia Code § 65.2-100 et seq.](#) (the Virginia Workers Compensation Act), any employee who is injured while on the job will contact the Company Nurse Injury Hotline to get triaged and obtain a list of approved participating providers. Failure to select a physician from the approved list may result in a denial of a claim and the employee may be required to pay for treatment. In cases of emergency, treatment at the nearest emergency room is permissible. However, the employee or supervisor must contact the Company Nurse Injury Hotline as soon as reasonably possible following an emergency room visit. The current Company Nurse Injury Hotline number is 1-888-770-0925.

The Family and Medical Leave Act requires that the County provide up to 12 weeks of unpaid, job-protected leave to eligible employees with a serious health condition that makes the employee unable to perform his or her job. Any Worker's Compensation injury or illness that qualifies as a serious health condition will be designated as FMLA and be counted against the employee's annual FMLA entitlement. Please see the Family and Medical Leave Policy section for further details.

6.8. Administrative Leave

This general category of leave is used to designate any absences from work during established hours and on regular working days that may be specifically authorized by the County Administrator (or the department head with prior approval by the County Administrator) as being necessitated by the service. All such absences will be with full pay, and will be noted on the records as Administrative Leave with an indication of the reason it was granted, initialed by the department head to signify approval.

Administrative Leave would ordinarily be approved by a department head (with approval by the County Administrator) for absences occasioned by the following: jury duty; being subpoenaed to serve as a witness in court in cases unrelated to County employment; in other functions required by an arm of government; and compensatory time off for work performed on holidays or other than established work days and hours.

JURY DUTY JURY DUTY

Employees called for jury duty or subpoenaed to appear in court outside his or her regular duties will be granted sufficient paid time off to perform such duties.

Please take note of the documentation required for leave approval.

Employees called to serve on a jury in their locality of residence or subpoenaed in a public matter in Campbell County or another locality will be compensated hour-for-hour, *up to 8 hours per day*, upon approved "Administrative Leave" for time traveling and spent in court.

Employees summoned as a juror or subpoenaed as a witness must provide his/her supervisor with a copy of the summons or subpoena as soon as it is received. A copy of the civil leave request must be forwarded to Management Services.

Absences due to other court appearances that fall within the employee's personal business will be charged against the employee's leave accruals (vacation leave, personal leave, floating holidays, or compensatory time). No paid administrative leave will be granted for situations in which the employee is a defendant in a criminal case due to violations unrelated to their job.

6.9. Military and Firefighter Leave

Military Leave

Pursuant to Va. Code § 44-93 all Campbell County employees who are former members of the armed services or members of the organized reserve forces of any of the armed services of the United States or National Guard shall be entitled to leaves of absence from their respective duties, without loss of seniority, accrued leave, or efficiency rating, on all days during which they are engaged in federally funded military duty, to include training duty, or when called forth by the Governor pursuant to the provisions of Va. Code § 44-75.1 or § 44-78.1.

There shall be no loss of regular employer pay during such leaves of absence, except that paid leaves of absence for federally funded military duty, to include training duty, shall not exceed 21 workdays per federal fiscal year, and except that no officers or employees shall receive paid leave for more than 21 workdays per federally funded tour of active military duty.

When relieved from such duty, they shall be restored to positions held by them when ordered to duty. If the office or position has been abolished or otherwise has ceased to exist during such leave of absence, they shall be reinstated in a position of like seniority, status and pay, if the position exists, or in a comparable vacant position for which they are qualified, unless to do so would be unreasonable.

For the purposes of this section, with respect to employees of the Commonwealth or its political subdivisions who do not normally work approximately equal workdays on five or more days of each calendar week, the term "workday" shall

mean 1/260 of the total working hours such employee would be scheduled to work during an entire federal fiscal year, not taking into account any state holidays, annual leave, military leave, or other absences. Where such employee returns from federally funded military duty and the eight-hour rest period required by the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. § 4301 et seq.) overlaps such employee's scheduled work shift, the employee shall receive paid military leave to the extent of such overlap.

Pursuant to Va. Code § 44-204. All Campbell County employees who are members of the Virginia Defense Force or National Defense Executive Reserve shall be entitled to leaves of absence from their respective duties without loss of pay, seniority, accrued leave or efficiency rating on all days during which they shall be engaged in training approved by the Governor or his designee, not to exceed 21 workdays per federal fiscal year. When relieved from such duty, they shall be restored to positions held by them when ordered to duty.

"No pay loss" is based on the employee's base salary, exclusive of housing and other military benefits. "No pay loss" is illustrated as follows: If the employee's County monthly pay is \$2,000, and military monthly pay is \$1,500, then no loss would be \$1,500 paid by military and \$500 paid by the County to remain at \$2,000 total monthly pay.

Those meeting eligibility for military leave would be entitled up to 365 days of no pay loss, per tour of duty. The relevant time period for calculating the amount you are eligible, is the date of commencement of the tour of duty.

Requesting Military Leave

- Unless military necessity prevents it, or is otherwise impossible or unreasonable, employees should provide their department head with notice of the need for leave as far in advance as is reasonable under the circumstances. Although not required, they may provide a copy of the official military orders.
- In cases of active duty exceeding 168 hours, employees must also provide military documentation to determine if their military base pay is less than their County base pay. Imputed income will be handled on a case-by-case basis.
- The leave allocation of 168 hours is per tour of duty, which is calculated from the initial activation date (not including extensions).
- When relieved from duty with a general or honorable discharge, they will be restored to equivalent positions held by them when ordered to duty.

Further information concerning the County's Military Leave policy (as

mandated by the State) can be obtained from the Code of Virginia.

Firefighter Leave:

Any officer or employee of any political subdivision of the Commonwealth who is a professional firefighter shall receive paid leaves of absence for all work hours for which a leave of absence is required, regardless of whether such amount of work hours exceeds 21 workdays per federal fiscal year but shall not exceed a total of 388 work hours, during which such officer or employee who is a professional firefighter is engaged in federally funded military duty, to include training duty, or is called forth by the Governor pursuant to the provisions of § 44-75.1 or 44-78.1.

6.10. Leave Without Pay

All absences from duty in excess of time authorized under established leave categories will be handled as Leave without Pay and will be entered on the attendance records of employees and so reflected on payrolls. A written request must be submitted for approval to include the reason for leave and the estimated length of time, if known. Leave without pay will only be granted when extraordinary circumstances exist and only with approval by the Department Head and the County Administrator.

Leave of absence without pay may be granted for:

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

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

An employee on Leave without Pay will not be compensated for any paid holidays which are among his or her Leave without Pay days. Unpaid leave may not be taken until all available vacation and compensatory leave has been used. Employees on leave without pay status do not accrue vacation leave.

An employee will be entitled to maintain group health insurance coverage by continuing to pay his or her share of premiums and payments. These payments should be made either in person or by mail to the Management Services Department by the 10th day of each month. If the employee's payment is more than 30 days overdue, the coverage will be dropped.

If the employee informs the County that he or she does not intend to work at the end of the leave period, the County's obligation to provide health benefit ends. If the employee chooses not to return to work for reasons other than continued serious health conditions, the County may require him or her to reimburse the County's contributions toward health insurance.

If the employee contributes to supplemental life insurance, Deferred Compensation, or other payroll deduction programs, he or she must continue those payments along with health care payments.

An employee in a LWOP status for 30 days or more does not earn VRS service credit. The individual may purchase the lost service from VRS if military commitments, educational leave or personal illness necessitated the leave without pay.

6.11. *Volunteer Fire/Rescue Squad Emergency Leave*

County employees who are members of volunteer fire and rescue squads provide a valuable service to fellow citizens. As volunteers, these employees are often on-call during working hours and may need to respond to calls. This section defines the County policy concerning the interaction of work requirements and responses to emergency calls.

Any current employee who wishes to serve as a volunteer fire/rescue squad member during working hours must first receive permission from his department head, and may appeal his department head's decision to the County Administrator, who will have final say on the matter. Department heads will request permission directly from the County Administrator. Employees applying for positions within the County service who are members of a volunteer fire/rescue squad will make this known on the application form. Before permission is granted, an employee and his supervisor will form a good understanding of how emergency calls will be handled in regard to the employee's work requirements.

If permission is granted, notice of permission will be placed in the employee's personnel file, and response to calls will generally be up to the discretion of the employee. The County expects that employees responsible enough to handle life-threatening emergencies will use good judgment in deciding what calls to respond to.

Any response to an emergency call will be treated as a paid leave of absence. Employees will realize that they are being paid by the County while responding to a call and will return to work as soon as enough additional emergency personnel arrive at the scene or the situation is under control. Excessive length of time at an emergency scene while being paid by the County, especially when enough additional emergency personnel are present, may be cause for a revoking of response privileges. Excessive response to calls may also be cause for revocation of response privileges, and the County Administrator has the right to set certain policies for specific employees if the need arises. Any questions concerning the interaction of work requirements and emergency calls should be directed to the County Administrator.

Any employee who responds to an emergency call will not be covered under the County Workers' Compensation program once he leaves his post. Upon returning, County Workers' Compensation coverage will be reinstated.

Employees will be responding at their own risk concerning County Workers' Compensation coverage and are encouraged to seek other forms of wage insurance (if available) through their volunteer organizations.

6.12. Community Service Volunteer Leave Policy

The County encourages employees to participate in voluntary and community service affairs of a charitable or civic nature for the betterment of themselves and the community. This policy permits employees to take time off with pay for volunteer service within the community. Such service may include volunteering for a community service organization or school.

Community service organizations are defined as organizations that are community based or are providing services to the citizens within the community. The types of services provided may include the following:

- *Assistance to physically or mentally challenged persons*
- *Relief to victims of disasters*
- *Health services, emergency relief, shelter, transportation, and preparation or delivery of meals*

Community services which assist residents including child and youth development, senior services and housing improvements and repair

Examples of such organizations include American Red Cross, Big Brothers Big Sisters, Habitat for Humanity, Meals on Wheels, ARC, Rebuilding Together, and Salvation Army. Schools for which this leave may be granted include preschool, elementary, middle, or high school (public or private). Acceptable types of volunteer service within schools may include the following:

- *Assisting with reading or literacy programs*
- *Tutoring*
- *Serving as chaperone for class trips*
- *Assisting teachers with class activities*

Approval

Employees must use the time off request system to receive approval from their supervisor prior to using community service leave. Supervisors may require written verification of hours served from an official of the community service organization or school (see Volunteer Hours Verification Form). Supervisors should attempt to approve leave at the time requested, but they have discretion to disapprove leave if it would significantly impact departmental operations.

Employees should make requests at least two weeks in advance unless there is an emergency situation that precludes such notice.

Hours

A maximum of 16 hours of paid leave per calendar year will be made available to current regular full-time employees on Jan. 1 each year and to new employees upon beginning employment to be used during normal regularly scheduled shift hours.

Duration

Leave not taken under this policy in a calendar year will not be carried forward to the next year. There will be no payment for unused community service leave upon employees' leaving County service.

6.13. Family and Medical Leave Act (FMLA) Policy

It is our policy to grant family and/or medical leave to employees eligible under

the Family and Medical Leave Act of 1993 ("FMLA") or any other applicable law. For full details on FMLA leave, please visit the Department of Labor's website at <https://www.dol.gov/whd/fmla/>. The information provided below is drawn from NOLO language toward FMLA guidance. It is not all-inclusive and should not be a substitute for additional guidance provided by the Department of Labor and listed on their site.

FMLA Definitions

Alternative Position: A position to which an eligible employee may be temporarily reassigned during a period of intermittent or reduced-schedule leave. The alternative position will have the same pay and benefits as the employee's original position.

Child: For purposes of FMLA leave that is not military family leave, the son or daughter of an eligible employee who is under 18 years of age, or 18 years or older and incapable of self-care as a result of physical or mental disability. For purposes of this policy, "child" includes the eligible employee's biological child, adopted child, foster child, stepchild, or legal ward. It also includes a child for whom the employee assumes or intends to assume the role of parent by providing day-to-day care or financial support. For purposes of military caregiver or qualifying exigency leave, "child" includes children of any age.

Eligible Employee: An employee who has: (1) been employed by the company for at least 12 months as of the start date of requested leave; (2) worked at least 1,250 hours in the 12 months immediately preceding the start date of requested family or medical leave; and (3) worked at a worksite within a 75-mile radius of 50 or more employees of the company as of the date of the leave request.

Equivalent Position: A position: (1) with pay equivalent to the employee's original job; (2) with benefits equivalent to the employee's original job; (3) with job duties and responsibilities substantially similar to the employee's original job; (4) with a schedule that is the same as or equivalent to that of the employee's original job; and (5) located at the same worksite or one that is geographically proximate to the employee's original worksite.

Family Member: The eligible employee's spouse, child, or parent. For purposes of military caregiver leave, "family member" includes next of kin.

Health Care Providers: Doctors of osteopathy, podiatrists, dentists, optometrists, chiropractors (only for manual manipulation of the spine to treat a subluxation of the spine—that is, misalignment of vertebrae—identified by X-ray), physician assistants, clinical psychologists, nurse practitioners, nurse midwives, clinical social workers, Christian Science practitioners, and other providers whose

documentation is accepted for the purposes of employee health insurance.

Key Employee: A salaried employee in the highest-paid 10% of the company's employees working within 75 miles of the employee's worksite.

Military Caregiver Leave: Leave to care for a family member who suffers or aggravates a serious illness or injury in the line of duty on active duty.

Military Caregiver Leave Year: The 12-month period beginning on the first date an eligible employee takes military caregiver leave.

Next of Kin: For purposes of military caregiver leave, an employee is "next of kin" to a covered service member if the employee is a blood relative and the service member has designated the employee as next of kin for purposes of military caregiver leave. If the service member has not designated a next of kin, the nearest blood relative is next of kin, in the following order or priority:

- *blood relatives who have been granted legal custody of the service member;*
- *siblings;*
- *grandparents;*
- *aunts and uncles; and*
- *first cousins.*

Parent: The eligible employee's biological, adoptive, step, or foster parent, or an individual who assumed the role of parent by providing day-to-day care or financial support when the employee was a child. "Parent" does not include the employee's parents-in-law.

Parenting Leave: Leave following birth, adoption, or foster placement of an eligible employee's child, including bonding leave.

Qualifying Exigency Leave: Leave taken to handle the following matters when a family member is on active duty or called to active duty in the military:

- *short-notice deployment;*
- *military events and related activities;*
- *child care and school activities;*
- *financial and legal arrangements;*
- *counseling;*
- *rest and recuperation;*
- *post deployment activities, and*
- *parental care.*

Reinstatement: Restoration of employee to his or her original position or an equivalent one when the employee returns from family or medical leave, if the employee is able to perform the essential functions of that position.

Serious Health Condition: Illness, injury, impairment, or physical or mental condition that involves one of the following: (1) inpatient care at a hospital, hospice, or residential medical care facility; (2) incapacity for more than three full days with continuing treatment by a health care provider; (3) incapacity due to pregnancy or prenatal care; (4) incapacity or treatment for a chronic serious health condition; (5) permanent or long-term incapacity for a condition for which treatment may not be effective (such as a terminal illness); or (6) absence for multiple treatments for either restorative surgery following an injury or accident or a condition that would require an absence of more than three days if not treated.

Serious Illness or Injury: For purposes of military caregiver leave, a serious illness or injury is one that may render a current service member unfit to perform the duties of his or her office, grade, rank, or rating, and for which the service member is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is on the temporary disability retired list. For a veteran, a serious illness or injury is (1) a continuation of a serious illness or injury (as defined above) incurred or aggravated when the veteran was in the military, which rendered the veteran unable to perform the duties of his or her office, grade, rank, or rating; (2) a physical or mental condition for which the veteran has received a Veterans Affairs Service Related Disability Rating (VASRD) of 50 percent or greater, at least in part because the condition requires caregiver leave; (3) a physical or mental condition that substantially impairs the veteran's ability to get or maintain a substantially gainful occupation due to a service-related disability (or would create such an impairment without treatment); or (4) an injury (including a psychological injury) for which the veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Spouse: A person to whom the eligible employee is legally married in any state (or country, if the marriage could have been entered into in at least one state).

Twelve-Month Leave Year: The rolling 12-month period measured backward from the first day that an eligible employee takes family or medical leave.

A. Leave Available

An eligible employee may take up to 12 weeks of unpaid family or medical leave in the 12-month leave year for any of the following reasons:

- *the employee's own serious health condition makes the employee*

- *unable to work*
- *to care for a spouse, child, or parent who has a serious health condition*
- *to care for a newborn, newly adopted child, or a recently placed foster child, or*
- *for a qualifying exigency related to a family member's active duty or call to active duty.*

If you have questions about how much leave time is available to you, please contact the Management Services Department.

An eligible employee may take a one-time leave of up to 26 weeks in a single 12-month period for military caregiver leave. This is a per-service member, per-injury entitlement; it does not renew every year.

B. Serious Health Condition—Examples

Here are some examples of serious health conditions for which an eligible employee may take family or medical leave (Note: this is not an exhaustive list; it is for purposes of illustration only):

- *A condition requiring inpatient care, such as medically necessary surgery.*
- *A condition that results in incapacity for more than three full days and continuing treatment by a health care provider, such as a stroke.*
- *Incapacity due to pregnancy or prenatal care, such as hypertension requiring bed rest.*
- *A chronic condition, such as epilepsy.*
- *A condition for which treatment may not be effective, such as terminal cancer.*
- *Absence for multiple treatments for restorative surgery, such as skin grafts following a burn.*
- *A condition that could require an absence of more than three days if not treated, such as kidney disease requiring dialysis.*

C. Notice Requirements

To request family or medical leave, an employee is required to give notice of the need for leave at least 30 days in advance of the start date of the leave if the need for leave is foreseeable. Failing to do so may delay the start of leave. If the need for leave is unforeseeable, or if the employee is using qualifying exigency leave, he/she must give as much notice as is practicable under the circumstances; usually the same or the next business day after learning he/she will need leave.

To request family or medical leave, inform the Management Services Department that leave is needed, when the leave will begin, and the reason for the leave (for example, for a serious medical condition or for parenting leave).

D. Certification

An employee may be required to provide a form from a health care provider* certifying the need for leave when requesting leave for his/her own or a family member's serious health condition or for a family member's serious illness or injury for which you need military caregiver leave. (*See "health care providers" under the Definitions section)

The County will request certification from an employee in writing and provide a form to be used for this purpose. The County also has the right to seek a second opinion and periodic recertification if an employee takes leave for a serious health condition. The County will pay for the employee to get a certification form from a second health care provider, which the agency will select. If there is a conflict with the original certification and the second opinion, the County may require the opinion of a third health care provider. The County and the employee will jointly select the third health care provider and the County will pay for the third certification. The third opinion will be considered final.

The County may require, at the employee's expense, recertification of the employee's serious health condition or the serious health condition of the employee's family member within the guidelines established under FMLA.

An employee may also be required to submit a certification form when requesting qualifying exigency leave, along with a copy of his/her family member's active duty orders or other military documentation. The County will provide the employee with a form to be used for this purpose.

The County may also require that employees provide documentation or certification of parental status when requesting parental leave, qualifying exigency leave, or military caregiver leave. Such documentation includes, for example, birth certificates, adoption decrees, court orders, or a statement signed by the employee.

The employee should ensure that all Certification and Recertification forms are completed thoroughly and correctly by the health care provider.

E. Notice and Designation of Leave

Soon after requesting FMLA leave, the County will provide the employee with notification as to his/her eligibility for leave and a statement of his/her rights and responsibilities under the FMLA. If determined that an employee is eligible for FMLA

leave, the County will provide the employee with a designation notice informing him/her whether or not leave is approved as FMLA leave and, if so, how much time will be counted against available FMLA leave time, if known. If the amount of FMLA leave needed is unknown when providing the designation notice, the County will provide the employee with an accounting of the time counted against available FMLA leave time, upon the employee's request, no more often than every 30 days. These notice forms will also provide information about other requirements that may apply during or after leave.

F. Substitution of Paid Leave

FMLA leave is unpaid leave. However, under this policy, if an eligible employee has accrued paid time off, he/she **must** use these benefits to receive pay for all or a portion of family or medical leave. Employees must understand that Family and Medical Leave may run concurrently with paid leave to which the employee is otherwise entitled under County policy.

G. Usage of leave accruals:

Sick leave accruals are to be used for all FMLA related absences from work during established hours and on regular working days that are caused by:

- *The employee's own serious health condition or illness that makes the employee unable to work.*
- *To care for a spouse, child, or parent who has a serious health condition (see "Child, Family Member and Serious Health Condition" under Definitions).*
- *Military caregiver leave for which an employee is the spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness. (see "Military Caregiver Leave and Next of Kin" under Definitions)*
- *Leave for any reasons indicated above should be charged against the time accumulated by the employee in the following order:*
 - Regular sick leave should be used and paid, up to the amount of the employee's accumulated sick leave time.
 - Upon exhaustion of regular sick, any time in Sick Reserve should be applied (only applicable for Legacy Plan 1 and 2 employees who have a balance in Sick Reserve).
 - Upon usage of all sick leave accruals, the employee will be paid using other forms of accrued leave (such as annual/vacation leave, family/personal leave, etc.).
 - The employee may not elect to take unpaid leave until all accrued leave is exhausted.

- Accrued leave (annual/vacation leave, family/personal) should be used for any approved FMLA absence that does not meet the guidelines of sick leave usage, as indicated above.

All leave taken for reasons that qualify for family or medical leave under the FMLA will be designated by the County as time off as such and will count against your 12-week leave entitlement.

In order to use accrued paid time off, an employee must meet all requirements of the County's paid leave policies. An employee's reason for leave must be covered by the paid leave program. In addition, he/she must meet all the usual notice and other requirements in order to use paid leave. If an employee doesn't meet these requirements, he/she may be ineligible to substitute paid leave (but will still be eligible for unpaid FMLA leave as long as meeting the notice requirements set forth in Section 3, above).

In the event that the employee exhausts all accumulated or permitted leave and there remains any time to which the employee will be entitled to leave under the Family and Medical Leave Act, the remaining time (a maximum of twelve (12) weeks in most cases) will be unpaid leave.

H. Parenting Leave

An eligible employee taking parenting leave must complete this leave within one year of the birth, adoption, or foster placement of the employee's child. When both spouses are employed by the County, they are jointly entitled to a combined 12 weeks of leave in connection with the birth, adoption, or foster placement of their child and for a parent's serious health condition.

I. Military Caregiver Leave

An eligible employee may take up to 26 weeks of unpaid military caregiver leave in the 12-month period beginning on the first day of leave; this may be different from the usual 12-month leave year. Employees who are eligible for military caregiver leave may take no more than 26 total weeks of FMLA leave for all purposes during the military caregiver leave year, and no more than 12 of those weeks may be used for all other types of FMLA leave in the 12-month leave year. Any unused portion of the 26-week leave is lost; it may not be used for other types of FMLA leave, nor carried over to a new 12-month period.

Employees who are married to each other and need military caregiver leave may take a combined total of 26 weeks of leave for military caregiver leave, parental leave, and leave to care for a parent with a serious health condition in the military caregiver leave year.

J. Intermittent and Reduced-Schedule Leave

An eligible employee may take leave all at one time or intermittently—that is, hours or days at a time—for his or her own serious health condition, to care for a family member with a serious health condition (for example, to attend doctor appointments or chemotherapy), or for military caregiver leave, if it is medically necessary to do so. An eligible employee may also take leave in the form of reduced hours for his or her own serious health condition, to care for a family member with a serious health condition, if it is medically necessary to do so (for example, to recover from an illness or medical treatment), or for military caregiver leave.

An eligible employee may take intermittent or reduced-schedule leave for a qualifying exigency related to a family member's active military duty or call to active duty.

If an employee needs intermittent or reduced-schedule leave for planned medical treatment, the County may temporarily reassign him/her to an alternative position that is better able to accommodate the need for intermittent or reduced-schedule leave. The assignment to an alternative position will be one of equivalent pay and benefit. The employee must make a reasonable effort to schedule intermittent or reduced-schedule leave so it doesn't unduly disrupt the County's operations.

Employees wishing to use intermittent or reduced-schedule leave for parenting leave (birth or adoption purposes) must have approval from the County Administrator.

An employee may take intermittent leave in increments of fifteen (15) minutes.

K. Employees Who Work Part Time or Irregular Hours

An eligible part-time employee or an employee who works variable or irregular hours may take intermittent or reduced-schedule leave in proportion to the amount of time he or she normally works. For example, if you usually work 20 hours per week and need a work schedule reduction to ten hours per week due to a serious health condition, that amounts to one-half of your normal working hours. You would use up your 12-week leave entitlement in 24 weeks under that reduced-schedule leave.

If an employee's schedule varies from week to week, the leave workweek is measured by calculating the weekly average hours worked in the 12 months prior to the start of the leave. The County will calculate this average and put it in writing for your review and signature.

L. Health Insurance and Premium Payments

An employee will be entitled to maintain group health insurance coverage. If he or she uses paid leave during FML, employee health insurance premiums and payments will be deducted from wages. If FML is unpaid leave, to maintain uninterrupted coverage, the employee must continue to pay his or her share of premiums and payments. These payments should be made either in person or by mail to the Management Services Department by the 10th day of each month. If the employee's payment is more than 30 days overdue, the coverage will be dropped.

If the employee informs the County that he or she does not intend to work at the end of the leave period, the County's obligation to provide health benefit ends.

If the employee chooses not to return to work for reasons other than continued serious health conditions, the County may require him or her to reimburse the County's contributions toward health insurance.

M. Other Benefits

If an employee's family or medical leave is paid leave, discussed above, all employee benefits will continue and accrue during the period of the paid family or medical leave.

If the employee contributes to supplemental life insurance, Deferred Compensation, or other payroll deduction programs, he or she must continue those payments along with health care payments.

N. Status Reports

While on leave, the employee may be required to report periodically to his/her supervisor or other approved County staff the status of the medical condition and his/her intent to return to work.

O. Moonlighting

An employee may not work for another employer while on family or medical leave. Such outside employment is grounds for immediate termination.

P. Reinstatement

When an employee returns from family or medical leave, he/she has the right to return to his/her former position or an equivalent position, except:

An employee has no greater right to reinstatement than he/she would have had if he/she had not been on leave. If an employee's position is restructured for reasons unrelated to his/her leave, for example, the employee has no right to reinstatement to the exact same position held before leave.

The County is not obligated to reinstate an employee if he/she is a key employee—that is, if he/she is among the highest-paid 10% of the workforce—and reinstating the employee after leave would cause the County substantial economic harm. If the County classifies a key employee under this definition, he/she will be notified soon after requesting leave.

Two weeks prior to the intended return date, an employee should notify the Management of his/her intent to return to work. And, if anything has changed concerning return to work while on leave, the employee should notify the department of the change.

If an employee is returning from leave for a personal serious health condition, a fitness-for-duty statement, signed by a qualified health care provider, must be presented prior to the employee's return to work. The County will provide a form to be used for this purpose.

Other than for the exceptions noted above, an employee using all or part of his/her FMLA will be restored to the same job or job with equivalent title, pay, benefits, and other employment terms. If the employee has accumulated more than twelve (12) weeks of sick and annual leave and is required to be absent from work for more than the twelve (12) weeks allotted by FMLA, the County may, at its option, return the employee to work in a different job with equivalent pay and benefits. This determination will be made by the County Administrator and will be based on the best interest of the County, and will be in conformance with the County's Family and Medical Leave Act policy. For any employee requiring more than twelve (12) weeks and who does not have any accrued leave, the County reserves the option not to restore employment.

Extension: The County Administrator, after consultation with the Board of Supervisors, may authorize an extension of the 12-week Family and Medical Leave Act for extenuating circumstances.

6.14. Short and Long Term Disability

In partnership with the Virginia Association of Counties Group Self Insurance Risk Pool (VACORP), the County offers a short term and long term disability policy to all VRS Hybrid and Plan 1 and 2 legacy employees that meet the definition of

“member” as defined in the coverage certificate.

This program was established in response to legislation creating the VRS Hybrid Retirement Plan, which required public entities to provide employer-paid disability insurance for employees hired after January 1, 2014. Governing bodies that opted out of the Virginia Local Disability Program are required to provide a comparable plan of long term and short-term disability insurance to hybrid employees.

Effective January 1, 2015, in an effort to maintain equality in benefits, the County adjusted its leave plan for Legacy Plan 1 and 2 employees and adopted a plan to mirror the short and long term disability policy for hybrid employees. The Department of Social Services' opted for exclusion from this contract effective January 1, 2018 to remain with their existing leave plan for Legacy Plan 1 and 2 members. Coverage for Hybrid Social Services employees is provided under the County's disability policy.

Short term disability insurance is self-funded by the County. For long term coverage beyond 180 days, disability benefit payments are made directly by the insurer. Specific details of administration of the program and eligibility guidelines are available upon request. Eligibility waiting periods and maximum coverage limits do apply. Current copies of the short term and long term disability certificates can be viewed from the Management Services portal page in the “Disability Insurance” folder.

The payout chart for non-work-related short-term disability is as follows.

| Short-Term Disability Payout for Non-Work Related Disabilities | | | |
|---|---|--|--|
| Months of Continuous Service | Workdays of Income Replacement at 100% | Workdays of Income Replacement at 80% | Workdays of Income Replacement at 60% |
| Less than 12 | 0 | 0 | 0 |
| 13 to 59 | 0 | 0 | 125 |
| 60 to 119 | 25 | 25 | 75 |
| 120 to 179 | 25 | 50 | 50 |
| 180 or more | 25 | 75 | 25 |

Work-related disabilities continue to be paid under workers' compensation.

6.15. Attendance and Leave Records

Accurate and permanent records of employee attendance and leaves will be kept by Finance & Management Services. During each pay period, employees will be responsible for noting their hours of attendance and leaves in the manner provided. An employee's time will be submitted to his immediate supervisor and/or department head as determined to be appropriate by the department head or County Administrator for approval. The employee and department head will resolve questions (if any) that may arise. All employees are encouraged to review the pay information on their paycheck stubs (hours worked, leave days, etc.) for accuracy. Any discrepancies that arise should be brought to the attention of the employee's supervisor and the Management Services Department.

6.16. Organ Donation and Blood Marrow Donation Leave

In accordance with Va. Code §40.1-33.7-12, eligible employees who have been employed for at least a 12-month period and worked at least 1,250 hours during the previous 12 months, will be granted leave to donate one or more of such employee's human organs, including bone marrow, to be medically transmitted into another individual's body.

An eligible employee may use 60 business days in any 12-month period to serve as an organ donor and up to 30 business days in any 12-month period to serve as a bone marrow donor. This leave is unpaid, however, an employee may use allocated leave time per leave policies contained in Chapter 6 of this handbook.

To receive the organ donation leave, an eligible employee must provide written physician verification to the employer that:

- *The eligible employee is an organ or bone marrow donor;*
- *And that there is a medical necessity for organ or bone marrow donation.*

Employees may not take organ donation leave concurrently with leave granted under the federal Family and Medical Leave Act.

6.17. Pregnant Workers' Fairness Act and the Pump Act

As a covered employer Campbell County will work to provide "reasonable accommodations" for eligible employees as outlined in the Pregnant Workers' Fairness Act and the Pump Act. For further information, contact the Public and Employee Relations Office. Information is provided on the Employee Portal.

CHAPTER 7

EMPLOYEE RELATIONS



Chapter 7 – Employee Relations

Employee Relations

7.1. *Employee Communications*

The County Administrator is authorized to publish the employee handbook and other such publications where funds are appropriated by the Board.

7.2. *Gifts and Gratuities*

Employees cannot accept gifts, gratuities, or loans from organizations, business concerns, or individuals who hold official business relationships with County government.

These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, or to prohibit employees from accepting social courtesies which promote good public relations, or to prohibit employees from obtaining loans from regular lending institutions.

It is particularly important that inspectors, contracting officers, and enforcement officers guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion.

7.3. *Confidential Information*

Employees may not disclose information which has been deemed confidential by the County in accordance with the Virginia Freedom of Information Act, Sections 2.2-3700 to 2.2-3714, Code of Virginia, 1950, as amended.

7.4. *Political Activities*

Placards and other advertising supporting candidates running for office should not be displayed on County-owned vehicles or in County offices. In interacting with the public, County employees must treat all persons equally and avoid appearance of partisanship.

CONFIDENTIALITY

Trustworthiness is a primary core value in our organization.

Employees may not disclose information which has been deemed confidential by the County.

This policy in no way is intended to infringe upon the rights of employees to display their support on their own automobiles or homes or to curtail any support activities on their own time.

Exception to this policy would be that of elected officials, who are running for office, displaying any literature in their personal offices.

Employees who volunteer to campaign for political candidates may use their accrued annual leave for these activities. Those working the polls for the Registrar's Office will be temporarily reassigned for the day and paid their wages as if working their regular position. In the event the employee working the polls should incur excess hours for that week, the employee will be paid according to FLSA guidelines and County policy as noted in Chapter 4, Section 6.

7.5. Other Conflicts of Interest

Employees are prohibited from violating any other conflicts of interest as provided in Va. Code Sections 2.2-3100 – 2.2-3131 (The State and Local Government Conflict of Interests Act). Any breaches of conflict of interest may result in the use of the penalties and remedies outlined under Article 7 of this Act.

7.6. Smoking Policy

All areas of County buildings are designated no smoking areas. Smoking will only be allowed outside of non-public entrances to buildings in the complex or wherever there is a receptacle.

For questions concerning the County smoking policy, employees are encouraged to discuss the matter with the department supervisor or the County Administrator. Violations of this policy may result in disciplinary action and/or a fine.

7.7. Harassment Policy

It is the policy of the County to provide a working environment free of workplace and sexual harassment and to provide an effective means of eliminating such harassment from the workplace.

7.8. Definitions

Workplace Harassment: Workplace harassment is defined as any activity that would be considered harassment by a reasonable and prudent person, which includes any unwelcome verbal, written, or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race,

color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability, that: (1) has the purpose or effect of creating intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or affects an employee's employment opportunities or compensation.

For more information on the Virginia Human Rights Act Reasonable Accommodations for Pregnancy click [here](#).

Retaliation: Retaliation is defined as overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy.

Sexual Harassment: Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, or verbal, written, or physical conduct of a sexual nature by a manager, supervisor, co-workers, or non-employee (third party).

Quid pro quo: A form of sexual harassment when a manager/supervisor or a person of authority gives or withholds a work-related benefit in exchange for sexual favors. Typically, the harasser requires sexual favors from the victim, either rewarding or punishing the victim in some way.

Hostile environment: A form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes, touching, or other conduct of a sexual nature which creates an intimidating or offensive place for employees to work.

Third Parties: Third parties is defined as individuals who are not county employees, but who have business interactions with county employees. Such individuals include, but are not limited to:

- *Vendors*
- *Contractors*
- *Volunteers*
- *Prohibited Conduct*

Harassment: The County strictly forbids any harassment of any employee, applicant for employment, vendor, contractor, or volunteer on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability. Other forms of harassment will be considered on a case by case basis for disciplinary purposes.

Retaliation: The County will not tolerate any form of retaliation directed against an employee or third party who either complains about harassment or who participates in any investigation concerning harassment.

Military status: Means status as (i) a member of the uniformed forces, as defined in 10 U.S.C. § 101(a)(5), of the United States or a reserve component thereof named under 10 U.S.C. § 10101, (ii) a veteran as defined in 38 U.S.C. § 101(2), or (iii) a dependent as defined in 50 U.S.C. § 3911(4) except that the support provided by the service member to the individual shall have been provided 180 days immediately preceding an alleged action that if proven true would constitute unlawful discrimination under this section instead of 180 days immediately preceding an application for relief under 50 U.S.C. Chapter 50.

7.9. Harassment Complaint Procedure

Employees and third parties may report incidents of workplace and/or sexual harassment within thirty (30) days after the incident occurs to their supervisor, department head, and/or a Public and Employee Relations representative. Whoever the incident is reported to should be the main point of contact throughout this process.

Employees and applicants for employment seeking to remedy workplace harassment must file a complaint with the County with their supervisor, department head, and/or Public and Employee Relations representative. Under no circumstances will the individual alleging harassment be required to file a complaint with the alleged harasser.

No particular form is required, but the complaint must be submitted in writing to their supervisor, department head, and/or the Department of Public and Employee Relations representative, signed and dated by the complainant. However, it must contain the full name and address of the complainant, the full name of the respondent, specification of the charge (s) and a brief statement of the relevant facts including any witnesses to the occurrence. If reported to the immediate supervisor, the supervisor must report the claim to the Department Head.

The County recognizes the importance of, and is, therefore committed to completing investigations and resolving complaints as quickly as possible consistent with the requirements for a thorough investigation. The Public and Employee Relations representative will ensure compliance with the time limits described in this section.

Upon receipt of the allegation, the supervisor, Department Head and/or Public

and Employee Relations representative will meet with the complainant, within three (3) business days, to hear the full complaint, with all allegations, including locations, dates and times of offending incidents and to collect names and contact information of all witnesses. The complainant may also be given a form stating their rights and the contact information for filing a complaint with the appropriate outside agency, if requested.

The supervisor, Department Head and/or the Public and Employee Relations representative will then meet with the respondent, within five (5) business days, to advise him/her of the complaint made against him/her and its general nature. The respondent will also be advised that an assessment of the accuracy of the allegations has not yet been made but will be investigated and that they will have an opportunity to present their side of the matter. They will also be advised that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided. Depending on the nature of the allegations, the respondent may be put on administrative leave until the completion of the investigation.

The supervisor, Department Head and/or the Public and Employee Relations representative will then open a full investigation of the allegations including interviewing witnesses named by the complainant, review of all applicable documents and other such activity as deemed appropriate in fact finding. Each witness and other participant shall be advised of the confidentiality and no retaliation. All investigation materials shall be treated as confidential.

The supervisor, Department Head and/or the Public and Employee Relations representative will then meet with the respondent to obtain their side of the matter regarding the allegations. The names and contact information of any witnesses shall be collected at that time from the respondent.

The respondent's witnesses will then be notified and interviewed. After all of the documentation has been compiled the supervisor, Department Head and/or the Public and Employee Relations representative will review their findings, write an investigative report and review the conclusions and recommendations with the County Administrator within five (5) days. The County Administrator will then make the final administrative determination.

If the Public and Employee Relations representative is the complainant or respondent, Management Services Director will fulfill the duties of the Public and Employee Relations representative during the investigation. If the County Administrator is the complainant or respondent, the Deputy County Administrator will fulfill the duties of the County Administrator throughout this process.

Appeals Process

Final decisions may be appealed to the Circuit Court having jurisdiction in Campbell County. Proceedings for a review of the decision will be instituted by the complainant or respondent by filing a Notice of Appeal with the County Administrator within ten (10) calendar days from the date of receipt of the decision and giving a copy thereof to all other parties.

Within ten (10) calendar days thereafter, the County Administrator will transmit to the Clerk of the Circuit Court a copy of the decision of the County Administrator, a copy of the Notice of Appeal, and all exhibits. A list of evidence furnished to the Court will also be furnished to both parties. The failure of the County Administrator to transmit the records will not prejudice the rights of the appealing party. The Court, on motion of either party, may issue a writ of certiorari requiring the County Administrator to transmit the record on or before a certain date.

Within thirty (30) days of receipt of such records by the Clerk, the Court, sitting without a jury, will hear the appeal on the record transmitted by the County Administrator and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The Court, in its discretion, may receive such other evidence as the ends of justice require. The Court may affirm the decision of the County Administrator or may reverse or modify the decision. The decision of the Court will be rendered no later than the fifteenth (15th) day from the date of the conclusion of the hearing. The decision of the Court is final and is not appealable.

Assurance against Retaliation

Employees and third parties who make complaints of workplace or sexual harassment or provide information related to such complaints will be protected against retaliation. If retaliation occurs, the employee(s) should report the retaliation through the harassment complaint procedure.

7.10. Policy Violations

Engaging In Harassment

Any employee who engages in conduct determined to be harassment or who encourages such conduct by others will be subject to disciplinary action including the possibility of dismissal after investigation by the County.

Allowing Harassment to Continue

Managers and/or supervisors who allow workplace or sexual harassment to continue or fail to take appropriate corrective action upon becoming aware of the harassment may be considered a party to the offense, even though they may not have engaged in such behavior.

Failure to Respond

Managers and/ or supervisors who allow workplace or sexual harassment to continue or who fail to take appropriate action could be subject to disciplinary action including demotion or discharge after investigation by the County.

County Responsibilities

The county must communicate this policy to its employees and third parties as applicable, including:

- *Educating its employees about types of behavior that can be considered workplace or sexual harassment, and*
- *Explaining procedures established for filing workplace or sexual harassment complaints.*

Agency managers and supervisors are required to:

- *Stop any harassment of which they are aware, whether or not a complaint has been made;*
- *Express strong disapproval of all forms of harassment;*
- *Stop any acts that they see that may be considered harassment and take appropriate steps to intervene;*
- *Take immediate action to prevent retaliation towards the complaining party or any participant in an investigation; and*
- *Take immediate action to eliminate any hostile work environment where there has been a complaint of workplace or sexual harassment.*

Interpretation

The County Administrator is responsible for official interpretation of this policy. Questions regarding the application of this policy should be directed to the Public and Employee Relations representative.

False Charges

Any employee who knowingly makes false charges of workplace or sexual

harassment will be subject to disciplinary action as well as any civil or criminal legal proceedings.

7.11. *Nepotism Policy*

No employee in a supervisory position may have under his/her direct supervision any employee who is a member of his immediate family.

In the event a promotion occurs which brings about the condition described above, the employee of lower rank will be transferred to another position for which he is qualified.

7.12. *Casualty Assistance Plan*

Following any serious accident or fatality, the County may need to notify next of kin. While fatality notifications are typically handled by law enforcement, injury notification is not.

Therefore, the County has a plan for how to make next of kin notifications as appropriate, designate and train Casualty Assistance Officers in notification procedures, eliminate delays in settling claims, and assisting next of kin in other personnel-related matters.

CHAPTER 8

RECORDS & REPORTS



Chapter 8 – Records & Reports

8.1. Overview of Records and Reports

The County will maintain personnel records for each employee and past employees. The handling of personnel records and reports will be in compliance with all applicable laws and County procedures.

8.2. Personnel Transactions

All appointments, separations, leave, sick leave, attendance, and overtime records and other personnel transactions must be made on forms and in the manner prescribed by the County Administrator.

8.3. Public Inspection/Confidentiality

The following information relative to employees and former employees is available for public inspection at reasonable times and in accordance with such procedures as the County Administrator may prescribe: position, job classification, official salary or rate of pay, and amount of allowance/reimbursement received for expenses incurred while on County business.

Additional information pertaining to a specific employee may be acquired by members of the public, but only if a release form signed by the employee is present. A copy of the County release form is available from Public and Employee Relations Office or Management Services Office. Forms from the inquirer are also acceptable (ex. banks), as long as signed by the employee.

All personnel files not open to public inspection will be considered confidential and their use will be restricted to individuals authorized to access the information. Examination records and performance rating reports are accessible only to the designated Department of Public and Employee Relations and Management Services staff, the department head concerned, the County Administrator, the files manager, and the employee involved. Other personnel information may be available for official purposes at the discretion of the County Administrator. Any other questions regarding confidentiality of records should be directed to the Public and Employee Relations Director or Management Services Director.

8.4. Destruction of Records

Employee service records, either in the original or electronic copies, will be kept in accordance with the State Record Retention Act.

8.5. Attendance Records

Regular attendance or work reports will be prepared and submitted by each department and agency of the County government as required by the County Administrator.

8.6. Maintenance of Personnel Files and Other Files/Records

The Virginia Public Records Act, §42.1-76 et seq. of the Code of Virginia, requires that state and local governments have an effective and legal records management program. The County Administrator will be responsible for designating an employee as the County records manager. The purpose of a records management policy is to ensure that public records are protected throughout their life cycle.

RECORDS OFFICER

Each agency and locality may appoint as many officers as appropriate, but only one to serve as Liaison to the Library of Virginia.

The County Records Manager is the Clerk to the Board of Supervisors, within the County Administrator's Office.

8.7. Designation of a Records Officer

Pursuant to Va. Code §42.1-85 each locality "will designate as many as appropriate, but at least one, Records Officer to serve as a liaison to the Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction of obsolete records." The responsibilities of the Records Officer pursuant to §42.1-76 et seq. of the Virginia Public Records Act of the Code of Virginia are incorporated herein and made a part of this policy.

Please note: The County Records Manager is the Clerk to the Board position within the County Administrator's Office.

Each department head may designate a staff member to serve as Records Coordinator or the department head may serve in this capacity for records management purposes.

The Records Officer will work with the Records Coordinator(s) on a continuing basis, keeping them advised of procedural changes and new retention requirements and answering records management questions.

Definition of a Public Record

The Virginia Public Records Act defines a public record as “information that documents a transaction or activity by or with any public officer, agency, or employee of state government or its political subdivisions. Regardless of physical form or characteristic, the recorded information is a public record if it is produced, collected, received, or retained in pursuance of law or in connection with the transaction of public business.” Formats can include paper, microfilm, electronic records, magnetic tapes, maps, disks, photographs, film, and sound records. Remember that “public record” means that it is a government record; however, it does not mean that these records must always be available to the public. Public records must be available for appropriate access throughout their retention period (Va. Code §2.2-3700 et seq.).

All Campbell County employees are required to manage the public records which they create by responsibly controlling content, duplication, and distribution of the records and by ensuring their authenticity, maintenance, storage, safekeeping, and readiness for eventual final disposition in accordance with applicable federal, state, and county laws and regulations.

Records Retention and Disposition Schedules

Records will be maintained in accordance with the Records Retention and Disposition Schedules as approved by the Library of Virginia. Retention schedules may be viewed on the Library of Virginia website at www.lva.lib.va.us.

Public records must never be altered, falsified, damaged, removed, or rendered unwhole; nor may they be destroyed or discarded without a retention and disposition schedule approved by the Records Officer.

The County asserts no interest in or ownership rights in any files or documents deemed to be records of its employees, but they must be kept separate from official public records and not stored at the County's expense.

Filing and Storage of Long-Term Records

All permanent or long-term records should be created using alkaline (acid-free) paper.

All archival and permanent records should be stored or housed in acid-free

folders and boxes to ensure protection from acidity normally found in regular folders and storage boxes.

Never use adhesive tape to repair archival or permanent records. It deteriorates over time, and the adhesive browns and darkens the paper to which it is attached.

Use only rust proof or plastic paper clips. Rubber bands and staples should be removed.

Care should be given to storage of long-term or permanent records to prevent destruction by fluctuations in temperature, fire, smoke, water, insects, mold, or ultraviolet light.

Storage of Electronic Records

Information maintained as the master copy in electronic format must be kept so access is assured for the full retention period.

Employees are encouraged to use caution before storing long-term or permanent records in electronic format. If electronic storage is chosen, departments need to develop a schedule for migrating records to new hardware or transferring documents to alternative media forms after a certain period of time to assure access to electronic records. As with all technology, the software and hardware used for electronic document storage face the risk of becoming obsolete.

The software, hardware, and documentation required in order to store, maintain, and read any record existing in electronic format must be kept viable within the County's Information Technology Department, along with the knowledge and processes of how to do so, until such time as the retention period of any such electronic record has been met.

Destruction of electronic files, including backup copies of them, existing on media, devices, or drives which are not feasibly or economically eligible for physical destruction must be thoroughly deleted, erased, overwritten,

DESTRUCTION OF ELECTRONIC FILES

Destruction of electronic files, including backup copies of them, existing on media, devices, or drives which are not feasibly or economically eligible for physical destruction must be thoroughly deleted, erased, overwritten, reformatted, or otherwise thoroughly wiped from the storage medium; mere deletion of index pointers is not deemed to be adequate destruction of electronic records.

reformatted, or otherwise thoroughly wiped from the storage medium; mere deletion of index pointers is not deemed to be adequate destruction of electronic records. Whenever the content of an e-mail is such that the e-mail constitutes a public record, the e-mail and its accompanying metadata must be treated like any other County record, especially where retention is concerned.

Vital Records/Disaster Plan

Some records in a department are crucial for day-to-day operations. Offices are encouraged to duplicate such records and store in a secure, off-site location in case the office is damaged by wind, fire, water, or other disaster. Duplicated records should be updated on a regular schedule.

Should vital records become destroyed, contact the Records Officer immediately.

The Records Manager, in cooperation with departmental administrative staff, will make every effort to ensure the files are stored in a safe and secure place, accessible only to individuals authorized to view the files.

8.8. Employee Inspections

An employee will have the right, upon written or oral request, to review the contents of his or her personnel files during normal working hours providing adequate notice of the request is made to the Records Manager or other designee responsible for maintaining files. No employee will have the right to inspect the files of any other employee unless authorized. During an employee inspection, no information may be removed, added, or altered from the files; the files manager, or other designee responsible for maintaining files, must be present to ensure compliance with this rule.

During an employee inspection, the employee has the right to inspect any and all information within his or her files. If sealed information is inspected, it will be resealed before being returned to its file.

8.9. Removal of Information within Personnel Files

If an employee feels information contained in his files is incorrect or irrelevant to his/her employment, the employee may request in writing that the information be deleted from the files. If the County Administrator grants the request, the Records Manager or other designee responsible for maintaining files will remove the information.

Management Services is responsible for removing any information within an employee's file that has a specific date for removal attached to it.

8.10. Responsibility of Updating Files

It is the responsibility of the employee to ensure current data is maintained in his or her files and contact Management Services if there is a change in information such as name, address, marital status/dependents, telephone number, beneficiary designations, and names of persons to be notified in case of emergency.

The County Administrator has the right to request a periodic review of some or all files to ensure relevant and accurate information is present, and to comply with all applicable laws and County procedures. An employee will be notified if any information is revised or deleted during this review process.

CHAPTER 9

ALLOWANCES



Chapter 9 - Allowances

9.1. *Auto and Travel Allowances*

Whenever you use your private automobile in the conduct of official County business, you will be compensated for such use at the rate currently approved by the Board, or in some instances, by a lump sum allowance. Such use must be in accordance with established County policy.

If you are authorized by the County Administrator or by the Board to travel on official County business, you will be entitled to reimbursement of actual expenses upon submission of receipts covering meals, transportation, and lodging, and any other appropriate expenditure.

The County has adopted the state mileage and per diem reimbursement rates for meals and incidental travel expenses. However, if you use your personal vehicle for convenience while traveling on County business, you will be reimbursed at a lowered rate. When the County has been notified that the state rates have been changed, the County's rates will automatically change to conform to the state's rates without Board action on the later of the state effective date or the date of notification. The current rates are available from the Management Services Department. Even though the County's policy on reimbursement for actual expenses is still in effect, the state chart indicates "not to exceed" costs unless prior approval is obtained from the County Administrator or Board for extenuating circumstances.

Requests for reimbursement will be on forms provided by the County Administrator.

9.2. *Educational Reimbursement Policy*

Sharing of costs by the County for tuition and/or books for previously approved programs of education may be available to full-time County employees on the following basis:

The courses must be related to the work responsibilities of the employee's current position or a position to which it is anticipated the employee may be promoted.

Any employee requesting educational reimbursement should complete a Request for Educational Reimbursement Form with his or her department supervisor. The completed form will be submitted with the department's annual budget request in the spring so the Board may consider the request for the budget

Year in which the course of study is planned. In this way, budgetary considerations will be a determining factor in the decision concerning such reimbursement. Courses must be completed within the fiscal year that the funds are budgeted.

Employees eligible for tuition reimbursement are regular full time employees.

The County will pay 50 percent of tuition and 50 percent of books for non-professional development classes. All professional development classes are 100 percent funded by the County. Professional development courses are those required or authorized by the County in order for the employee to perform his or her day-to-day job functions. However, there is a cap on the number of credit hours for each level of education as well as a dollar amount per credit hour. This information can be found on the County's intranet or in the Office. Satisfactory completion of general course work is required for reimbursement.

When a grading scale is used, satisfactory is defined as maintaining a "C" average, or 2.0 on a 4.0 scale. Before receiving reimbursement, an employee must attach a copy of his or her class report to the request for reimbursement to verify completion of the course and attainment of the required average.

Classes approved as professional development will be paid in advance by the County. Attainment of a passing grade will be required for employees to achieve before being recognized as completing the course.

Any reimbursement or County funds paid on behalf of the employee for general college classes or professional development classes specifically approved for the employee will be subject to repayment to the County if the employee voluntarily leaves County employment within a period of two years after the completion of such County-sponsored training (from the date of the final class, which must be provided by employee). This provision will not apply to funds used to train or educate the general employee population for professional development classes, but rather is intended toward those classes specifically approved for funding for specific individuals as incentive to obtain additional education and remain as a long-term employee of the County.

TUITION REIMBURSEMENT

Full-time employees wishing to participate in the Tuition Reimbursement program must complete a Request for Educational Reimbursement Form and submit their request with the annual budget request in the spring.

CHAPTER 10

COUNSELING & DISCIPLINARY ACTION



Chapter 10 – Counseling & Disciplinary Action

10.1. Overview of Counseling and Disciplinary Action

All employees of the County are expected to maintain reasonable standards of behavior and conduct. Some examples of reasonable conduct are, but not limited to, dependable and timely attendance, efficient use of paid working time, and satisfactory work performance.

When these standards are not maintained, or unacceptable conduct occurs, counseling and/or disciplinary measures will be taken by the County to correct the situation and discourage further occurrences.

Although this chapter establishes counseling and disciplinary guidelines, when counseling and/or disciplinary action is warranted, the type and severity of the disciplinary action will be decided on a case-by-case basis with due consideration given to the seriousness of the offense and circumstances under which it occurred.

10.2. Responsibility for Counseling and/or Disciplinary Action

The responsibility for maintaining discipline among County employees rests with immediate supervisors, department heads and the County Administrator. These individuals will be responsible for enforcing the policies and exercising the counseling and/or disciplinary measures listed in this chapter in an equitable and consistent manner.

Employees can minimize the use of counseling and/or disciplinary measures by understanding and adhering to County policy, rules, and regulations. Any questions concerning employee misconduct should be directed to the individuals mentioned above.

10.3. Documentation of Counseling and/or Disciplinary Action

Written documentation is required for all types of counseling and/or disciplinary action.

If oral counseling occurs, the employee's immediate supervisor will keep a written record as to the date and time of the oral counseling.

For any disciplinary action taken against an employee other than oral counseling, a Disciplinary Action Report form must be completed by the employee's supervisor, who will acquire the necessary signatures. The employee's signature

on the form indicates he has read and understands the charges made against him. Signing the form does not indicate agreement with the charges made. The original copy will be placed in the employee's personnel file, with copies forwarded to the employee and the department head.

Disciplinary action that affects the pay of an employee (disciplinary probation, demotion in position and salary, suspension from duty without pay, and dismissal) will be approved (with his or her signature on the Disciplinary Action Report) by the department head and County Administrator before becoming effective. Disciplinary action resulting in a formal reprimand will be approved (with his or her signature on the Disciplinary Action Report) by the department head before becoming effective.

Written documentation of employee misconduct should be filed within five (5) working days of knowledge of the misconduct.

10.4. Types of Counseling and/or Disciplinary Action

Counseling and/or disciplinary action consists of any corrective measure(s) which is appropriate for an offense, including the following:

- Oral Counseling
- Letter of Counseling
- Formal Reprimand
- Disciplinary Probation
- Demotion in Position and Salary
- Suspension from Duty Without Pay
- Dismissal

Oral Counseling

The employee's immediate supervisor will meet with and advise the employee of the nature of a problem and discuss the action necessary to remedy the situation. This will be considered an informative session.

Letter of Counseling

The employee's immediate supervisor will meet with and advise the employee of the nature of a problem and discuss the action necessary to remedy the situation. Consequences of failure to address the problem should also be discussed.

Formal Reprimand

The employee's supervisor and department head will meet with and advise the employee of the nature of a problem and discuss the action necessary to remedy the situation. Serious consequences of failure to address the problem should also be discussed. An employee who receives two (2) formal reprimands within a period of one (1) calendar year may be subject to further disciplinary action, including any of the following: disciplinary probation, demotion in position and salary, suspension from duty without pay, and dismissal.

Disciplinary Probation

An employee may be placed on disciplinary probation for a period not to exceed six (6) months. If during this period the employee does not perform work requirements in a satisfactory manner (as determined by the department head and County Administrator), the employee will be subject to further disciplinary action, including any of the following: demotion in position and salary, suspension from duty without pay, and dismissal. If an employee is placed on disciplinary probation more than once during a calendar year, he will be subject to dismissal.

Demotion in Position and Salary

An employee may be demoted to a lower position and receive a reduction in pay. If an employee is demoted, he or she will also be considered to be on disciplinary probation. An employee cannot be demoted in position and salary more than once.

Suspension from Duty without Pay

In most circumstances, an employee may be placed on suspension from duty without pay for a period not to exceed twenty (20) working days. If an employee is placed on suspension from duty without pay more than once during a calendar year, he will be subject to dismissal.

If criminal charges are filed against an employee, the employee may be placed on suspension from duty without pay for a longer period of time pending completion of an investigation, court action, or any other such matter deemed serious enough by the employee's department head, County Administrator and the Board. If the employee is acquitted of the violation(s), he or she will be reinstated with back pay.

Dismissal

If other avenues of disciplinary action have been exhausted, or the infraction is of an extremely serious nature, the County Administrator may release an employee from the County service with the concurrence of the Chairman of the Board of Supervisors.

10.5. Causes for Counseling and/or Disciplinary Action

Some examples of causes for disciplinary action are, but not limited to, the following offenses:

- *Disobeying or failing to satisfactorily follow the directions/orders of an immediate supervisor, department head, or the County Administrator;*
- *Absence from work without permission; improper use of Sick Leave;*
- *Being habitually absent or tardy;*
- *Unauthorized use of working time and breaks; sleeping on the job;*
- *Harassing, intimidating, or being rude to a fellow employee or member of the public;*
- *Working under the influence of alcohol or illegal drugs; use of these substances in the workplace;*
- *Conviction of a criminal offense, which occurred in the workplace;*
- *Smoking in unauthorized areas;*
- *Unauthorized use of a weapon;*
- *Disclosing of information which has been deemed confidential by the County in accordance with the Virginia Freedom of Information Act, Va. Code § 2.2-3700 et seq.;*
- *Violation of the State and Local Government Conflict of Interest Act, Va. Code § 2.2-3100 et seq.;*
- *Unauthorized use, carelessness, or theft of County money or property;*
- *Jeopardizing the health, safety, or welfare of a fellow employee or member of the public;*
- *An employee that drives or is found to have knowingly driven a County vehicle with a suspended or revoked driver's license is subject to appropriate disciplinary action. In addition, the employee may be subject to quarterly Driving Record review for a period of one (1) year. Disciplinary action, up to and including termination from employment with the County, may be initiated in the event that an employee has an unacceptable driving record and/or loses his or her driver's license or driving privileges. Disciplinary action may also be taken if an employee engages in misconduct or demonstrates poor performance relative to operating a County vehicle as determined*

- by his or her supervisor.
- Falsifying or lying on or about documents or records.
- Violations of provisions of this handbook.
- Secretive or surreptitious audio or video recording of any other County employee, supervisor, or manager without proper authorization from an employee's supervisor or manager. This does not include audio or video recordings with the consent of all parties or if the recording party notifies all other parties present of the intent to record. This does not include recording of public meetings.

10.6. Complaints and Grievances

Campbell County follows the State's grievance procedure, as amended, following § 15.2-1507 of the Code of Virginia. To the extent this handbook conflicts with Virginia Code section 15.2-1507, as amended, the language of the state code shall control.

Definition of grievance

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

- *Disciplinary actions, including dismissals, disciplinary demotions, and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;*
- *The application of personnel policies, procedures, rules and regulations;*
- *Discrimination on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability; and*
- *Acts of retaliation as the result of the use of or participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, has sought any change in law before the Congress of the United States or the General Assembly, or has reported an incidence of fraud, abuse, or gross mismanagement. For the purposes of clause (iv) there shall be a rebuttable presumption that increasing the penalty that is the subject of the grievance at any level of the grievance shall be an act of retaliation.*

Exclusive Right to Manage

Campbell County shall retain the exclusive right to manage the affairs and operations of government. Accordingly, the following complaints are nongrievable:

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. Failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
5. The methods, means and personnel by which work activities are to be carried on;
6. 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, termination, reduction in workforce, demotion or suspension from duties because of lack of work, reduction in work force, or job abolition;
7. The hiring, promotion, transfer, assignment and retention of employees within the local government; and
8. The relief of employees from duties of the County in emergencies. In any grievance brought under the exception to clause (vi) of this subdivision, the action shall be upheld upon a showing by the County that: (i) there was a valid business reason for the action and (ii) the employee was notified of the reason in writing prior to the effective date of the action.

Coverage of personnel. Unless otherwise provided by law, all non-probationary County permanent full-time and part-time employees are eligible to file grievances

For the purposes of this section, non-probationary includes employees who successfully complete their initial probationary period, including extensions, that begin at the time of employment or promotion, and who are subsequently

placed on a new probationary period due to performance or other reasons. The following are excepted from the grievance procedure:

1. Appointees of elected groups or individuals;
2. Officials and employees who by charter or other law serve at the will or pleasure of an appointing authority;
3. Deputies and executive assistants to the County Administrator;
4. Department heads or chief executive officers of government operations. Under the provisions of Va. Code § 63.2-219, the Director of Social Services is not excluded from this grievance procedure.;
5. Employees whose terms of employment are limited by law;
6. Temporary, limited term and seasonal employees;
7. Law-enforcement officers as defined in Va. Code § 9.1-500 *et seq.* whose grievance is subject to the provisions of Chapter 10.1 and who have elected to proceed pursuant to those provisions in the resolution of their grievance, or any other employee electing to proceed pursuant to any other existing procedure in the resolution of his grievance.
8. Law-enforcement officers as defined in Va. Code § 9.1-601 whose grievance is subject to the provisions of § 9.1-601 and relates to a binding disciplinary determination made by a law-enforcement civilian oversight body, except as permitted by subsection F of § 9.1-601.

Notwithstanding the exceptions set forth in this subdivision, local governments, at their sole discretion, may voluntarily include employees in any of the excepted categories within the coverage of their grievance procedures. The County Administrator, or his or her designee, shall determine the officers and employees excluded from the grievance procedure, and shall be responsible for maintaining an up-to-date list of the affected positions.

Grievance procedures

1. **Step 1:** An employee who has a grievance will discuss the problem directly with his immediate work supervisor. The grievance need not be reduced to writing at this step. Personal face-to-face meeting is required at this and all subsequent steps. However, the grievance shall be limited to an incident or series of incidents, the last of which shall have occurred within thirty (30) days of the initiation of this procedure. With the exception of Step III, the only persons who

may normally be present in the management step meeting are the grievant, the appropriate official at the level at which the grievance is being heard, and the appropriate witnesses for each side. Witnesses shall be present only while actually providing testimony.

2. **Step 2:** If the grievance is not resolved with ten (10) working days after the completion of Step I, the grievant may file a written grievance with his Department Head or Constitutional Officer, with a copy provided to the County Administrator. This statement will be the employee's explanation of what has occurred, and include what relief is expected.

The employee's Department Head or Constitutional Officer will then meet with the grievant within two (2) working days of receipt of the written statement. If the Department Head or Constitutional Officer is the immediate supervisor as set forth in Step I, the written Step II will still be submitted to that Department Head or Constitutional Officer.

A written reply by the Department Head or Constitutional Officer shall be made to the grievant within three (3) working days following the completion of this step. A copy of the grievant's statement and the Department Head or Constitutional Officer's response shall be given to the County Administrator.

At this step, the grievant, at his option, may have present a representative of his choice. If legal counsel represents the grievant, the local government likewise has the option of being represented by counsel.

3. **Step 3:** If the Department Head or Constitutional Officer response does not resolve the grievance, the grievant may proceed with the grievance by requesting a panel hearing. This request shall be made in writing to the County Administrator and state the reason for a panel. The Department Head or Constitutional Officer must receive the request within seven (7) working days of the grievant's receipt of the response from Step II, with a copy provided to the County Administrator.

4. **Step 4:** Qualifying grievances shall advance to this final step as described below:

- a. *Grievances shall be determined at this step by hearing before an impartial panel, consisting of one member appointed by the grievant; one member appointed by the Agency Head and a third member selected by the first two selected panel members. In the event that an agreement cannot be reached as to the final panel member, the Chief Judge of the Twenty-Fourth (24th) Judicial Circuit*

shall select the third panel member. 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 the grievant, person residing in the same household as the grievant and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parents, child, descendant 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.

- b. There shall be a chairperson of the panel, and when panels are composed of three (3) persons (one each selected by the respective parties and the third from an impartial source); the third member shall be the chair person.*
- c. Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representative at the hearing. Such representatives may examine, cross-examine, question and present evidence on behalf of the grievant or respondent before the panel without being in violation of the provisions of Va. Code . §54.1-3904.*

Compliance

1. After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, 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 workdays of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to County Administrator, or his designee.

2. The County Administrator, or his designee, at his option, may require a clear written explanation of the basis for just cause extensions or exceptions. The County Administrator, or his designee, shall determine compliance issues. Compliance determinations made by the County Administrator shall be subject to judicial review by filing petition with the circuit court within 30 days of the compliance determination.

Qualification for panel hearing

1. Decisions regarding grievability and access to the procedure shall be made by the County Administrator, or his designee, at any time prior to the panel hearing, at the request of the County or grievant, within 10 calendar days of the request. No county attorney or attorney for the Commonwealth shall be authorized to decide the question of grievability. A copy of the ruling shall be sent to the grievant. Decisions of the County Administrator, or his designee, may be appealed to the Campbell County Circuit Court for a hearing on the issue of whether the grievance qualifies for a panel hearing. Proceedings for review of the decision of the County Administrator or his designee shall be instituted by the grievant by filing a notice of appeal with the County Administrator within 10 calendar days from the date of receipt of the decision and giving a copy thereof to all other parties. Within 10 calendar days thereafter, the County Administrator or his designee shall transmit to the clerk of the Campbell County Circuit Court: a copy of the decision of the County Administrator, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the court shall also be furnished to the grievant. The failure of the County Administrator or his designee to transmit the record shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the County Administrator to transmit the record on or before a certain date.

2. Within 30 days of receipt of such records by the clerk, the court, sitting without a jury, shall hear the appeal on the record transmitted by the County Administrator or his designee and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require. The court may affirm the decision of the County Administrator or his designee, or may reverse or modify the decision. The decision of the court shall be rendered no later than the fifteenth day from the date of the conclusion of the hearing. The decision of the court is final and is not appealable.

Final Hearings

1. Qualifying grievances shall advance to a panel hearing, as described below:

- a. The panel shall consist of one member appointed by the grievant, one member appointed by the agency head and a third member selected by the first two. In the event that agreement cannot be reached as to the final panel member, the chief judge of the Campbell County Circuit Court shall select the third panel member. 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 a 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.

- b. There shall be a chairperson of the panel and shall be the person selected by the first two members of the panel.
- c. Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representatives at the hearing. Such representatives may examine, cross-examine, question and present evidence on behalf of the grievant or respondent before the panel without being in violation of the provisions of § 54.1-3904.
- d. The decision of the panel shall be final and binding and shall be consistent with provisions of law and written policy.
- e. The question of whether the relief granted by a panel is consistent with written policy shall be determined by the County Administrator, or his designee, unless such person 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 Campbell County.

2. Rules for panel hearings.

- a. The panel has no authority to formulate policies or procedures or to alter existing policies or procedures;
- b. The panels has the discretion to determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and, at the request of either party, the hearing shall be private;
- c. The County shall provide the panel with copies of the grievance record prior to the hearing, and provide the grievant with a list of the documents furnished to the panel, and the grievant and his attorney, at least 10 days prior to the scheduled hearing, shall be allowed

access to and copies of all relevant files intended to be used in the grievance proceeding;

- d. The panel has 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 a full and equal opportunity is afforded to all parties for the presentation of their evidence;
- e. All evidence is to be presented in the presence of the panel and the parties, except by mutual consent of the parties;
- f. Documents, exhibits and lists of witnesses are to be exchanged between the parties in advance of the hearing;
- g. The majority decision of the panel acting within the scope of its authority is final, subject to existing policies, procedures and law;
- h. That the panel's decision shall be provided within 15 days to all parties; and
- i. The panel may facilitate a fair and expeditious hearing, with the understanding that the hearing is not intended to be conducted like proceedings in courts, and that rules of evidence do not necessarily apply.

Implementation of final hearing decisions

Either party may petition the Campbell County Circuit Court for an order requiring implementation of the hearing decision.

Notwithstanding the contrary provisions of this section, a final hearing decision rendered under the provisions of this section which would result in the reinstatement of any employee of a sheriff's office, who has been terminated for cause may be reviewed by the Campbell County Circuit Court upon the petition of the County. The review of the circuit court shall be limited to the question of whether the decision of the panel was consistent with provisions of law and written policy.

CHAPTER 11

RETIREMENT, INSURANCE & BENEFITS



Chapter 11 – Retirement, Insurance & Benefits

Retirement, Insurance, and Additional Employee Benefits

11.1. Overview of Retirement, Insurance, and Additional Employee Benefits

It is County policy to provide retirement, insurance and additional benefits to eligible employees. The County reserves the right to make changes to benefit plans, as needed and authorized by Board of Supervisors' approval.

Social Security and Worker's Compensation are the only benefits available to employees paid on an hourly basis, part-time salaried employees, contracted employees, and those who may be termed "temporary employees" by virtue of contract employment for a period of less than one year, unless otherwise specified.

11.2. Virginia Retirement System

Full-time regular employees are required by Chapter 1, Title 51.1 of the Code of Virginia (Va. Code § 55.1-100 *et seq.*), to participate in the Virginia Retirement System (VRS). The County will contribute the employer portion of the cost and the employee will contribute their portion of the cost of coverage. These costs are set annually by the VRS.

If an employee leaves County service before retirement, he may elect to continue membership in the VRS by leaving his funds intact and becoming a deferred member. Or, he may elect to receive a refund of the employee's share of accumulated contributions plus interest. Refund of the county's contribution is dependent upon vesting schedule provisions, per the VRS handbook.

VRS service retirement benefits are available to qualified employees. VRS disability retirement benefits (regular non-work related or work related) are available to qualified employees.

11.3. VRS Life Insurance – Group Insurance

Full time regular employees are also required by title 51.1, Chapter 1 of the Code of Virginia (Va. Code § 55.1-100 *et seq.*), to participate in a State Group Life Insurance Plan, which is administered by the VRS. These costs are set bi-annually by the VRS and paid in its entirety by the County. This life insurance provides benefits such as accidental dismemberment, natural death, and accidental

death. For a complete listing of benefits, please refer to the appropriate VRS member handbook.

11.4. Major Medical Plan – Group Insurance

All Campbell County full-time employees and elected officials, as defined in the classification schedule of the current Health Insurance Contract, are eligible to participate in a County Comprehensive Major Medical Group Plan. Specific coverage information is distributed annually to all employees and to all new employees at the time of employment.

Participation is not mandatory, but for full-time employees who choose to participate, the County will pay an amount to be approved in each annual budget toward the costs. The amount of County participation is subject to change.

11.5 Eligibility and County Participation

Full-time Employees

1. Employees will be eligible for participation on the first of the month following the first paycheck.
2. When an employee terminates, unless he/she requests otherwise in writing, the usual premium will be deducted from the final pay check, providing coverage for the following month.
3. Elected officials (Board members) as defined in the classification schedule of the Health Insurance Contract are eligible to participate in the group health insurance plan. Premiums will be the same as those established for full-time employees, with the County paying the same employer rate for elected officials as for full-time employees.
4. An employee who is on properly approved Leave without Pay for an entire month may continue coverage in accordance with the Family Medical Leave Act (FMLA) by payment (on a monthly basis) of the cost of the insurance premium.
5. If husband and wife are employed full-time by the County and/or County School System and either elects family coverage, the County will discount the employees' portion of the premium, as applicable. (Both employees must be established as full-time. Part-time employment does not qualify).

6. Changes in insurance coverage outside the annual open enrollment period will be governed by IRS rules on “qualifying events” covered in the section 125 cafeteria plan.

7. Benefits-eligible employees returning to full-time employment, following a separation from full-time Campbell County service, will begin accruing leave, short-term disability, and other related benefits per their most recent start date. Those who continued employment within a VRS system organization may retain their VRS Plan 1 or VRS Plan 2 status toward retirement, if keeping contributions whole within the VRS program. Others returning to a benefits-eligible position who have liquidated their VRS account status will start new VRS contributions in the VRS hybrid program upon their first date of re-hire. Law enforcement and Public Safety personnel who qualify for VRS Plan 2 coverage will retain that status in the VRS system, but be subject to Campbell County’s new hire accruals for time, short-term disability, and other County benefits.

Part-time Employees

Part-time employees who have been administratively changed from full-time to part-time employment may elect to continue existing health care and/or dental plan coverage according to COBRA guidelines and provided they pay the full cost of the premium (i.e., no premium/HSA contribution by the Board).

Retirees

1. Retired employees eligible for VRS retirement benefits may continue their insurance with the County by paying the same monthly premium established by the Board towards premiums being paid for active employees until age 65, if they apply at the time of retirement and

- were hired prior to July 1, 2006 and retire with at least ten (10) consecutive years of County service immediately preceding retirement, or
- were hired on or after July 1, 2006 and prior to July 1, 2010 and retire with at least fifteen (15) consecutive years of County service immediately preceding retirement.

2. Retired employees eligible for VRS retirement benefits with at least 15 years of consecutive county service immediately preceding retirement (regardless of when hired) may continue their health insurance until age 65, provided that they pay 100% of the employer cost of the premium established for employees in that classification. Employees must apply at the time of retirement and be qualified subject to Va. Code § 15.2-1517.

***Note: consecutive** years of County service immediately preceding retirement is based on part-time or full-time employment. However, the employee must be in full-time status at the time of retirement to qualify for the health insurance benefit.

Employees who leave County employment and are subsequently re-employed will fall within the guidelines of the category corresponding with their **re-hire** date.

3. Employees who have retired due to line-of-duty injuries, regardless of when hired or length of service, may continue their health insurance with the County insurance plan until age 65 if they elect to pay the full employer cost of the premium established for employees in that classification, if they are qualified subject to Va. Code § 15.2-1517.

4. Retired employees upon reaching age 65 should seek information regarding enrollment in Medicare A and B, and joining a Medicare supplement and Part D plan, with the retiree funding all premiums.

5. The retired employee must be eligible for, apply for, and collect a retirement benefit from the Virginia Retirement System (VRS) with said retirement effective the first day after the last workday.

6. Employees who retire after July 1, 2006, regardless of age, who are eligible for retiree health insurance coverage and who elect to return to work with another organization where they are eligible for health insurance benefits, will forfeit their eligibility to remain on the County's Group Health Insurance Plan.

7. Health insurance coverage will be offered at retirement to the retiree and covered dependents (eligibility is based on the active employee's consecutive years of employment with Campbell County and the employee's health insurance/coverage type at the time of retirement). Once the retiree or covered spouse/dependent becomes eligible for Part A, B, and D of Medicare (normally age 65), they must be removed from the County's insurance and elect Medicare.

If the retiree or dependent(s) are less than 65 and become Medicare eligible due to a disability, the member may elect to enroll in the corresponding employer sponsored group health plan with prescription (Rx) coverage removed, provided they have enrolled in Medicare A, B and D. The term "disability" will be determined by using the applicable Social Security criteria. In no event is coverage in the group health plan available past age 65.

8. The policy will be terminated once the policyholder/retiree reaches age 65. Any spouse and/or dependents remaining on the policy will be offered coverage under the guidelines established by COBRA (i.e., no premium/HSA

contribution by the Board).

9. Spouse and/or dependent coverage may continue in the event of death of the retired employee until the deceased retiree would have turned 65 (or until the spouse and/or dependent becomes eligible for Medicare, whichever comes first) provided they pay the full employer cost of the premium (i.e., no premium/HSA contribution by the Board).

Benefits-eligible employees who are enrolled at the dual spouse rate may continue receiving the reduced rate upon retirement until one or both parties turns 65 years of age or becomes Medicare eligible. Dual enrollment in the benefits program for reduced family rate is contingent upon both spouses meeting criteria for insurance coverage.

10. Continuation of health care coverage should be requested during the plan's annual Open Enrollment. There may be no lapse in coverage under the group plan and subsequent re-coverage. A dependent or spouse not already covered by the plan may not be added after retirement starts. However, later additions to the family such as a new spouse or child may be added to the health plan.

11. Campbell County will administer the Optional Health Credit Program according to VRS guidelines and Code of Virginia regulations.

12. In extenuating circumstances, the County Administrator is authorized to declare an individual eligible for coverage under the County health insurance program, if such declaration is in the best interest of the County. The County Administrator will report to the Board of Supervisors any such exceptions granted.

13. Board of Supervisors members who discontinue service on the Board and were elected prior to July 1, 2006 and are age 50 or older with at least ten (10) consecutive years of County service; or who were elected on or after July 1, 2006 and prior to July 1, 2010 and are age 50 and older with at least fifteen (15) consecutive years of County service, may continue their insurance by paying the same monthly premium established for active employees until age 65.

However, the said Board members must apply at the time their service on the Board is discontinued.

Any Board Member completing at least fifteen (15) years of consecutive service on the County Board immediately preceding their retirement may continue their health insurance provided that they pay 100% of the employer cost of the premium until age 65. The Board member must apply at the time their service on the Board is discontinued.

Upon reaching age 65 retired Board members are encouraged to enroll in Medicare Part A, B, and D and research Medicare supplement options, with the retired board member funding all premiums. Per insurance carrier eligibility guidelines, in no event is coverage in the group health plan available past age 65.

COBRA

Under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) employees, spouses, and dependent children who qualify may elect to continue group health coverage for up to 18 or 36 months upon termination of employment, depending on the reason for eligibility. There will be no premium or HSA contribution by the Board for coverage elected under COBRA.

11.6 Social Security/Unemployment Compensation

The County is required by law to participate in the Federal Government's Social Security and unemployment programs, which offer numerous benefits to qualified employees.

11.7 Other Insurance

The County may elect from time-to-time to provide, for payroll deductions, other optional benefits, with the cost of premiums paid entirely by the employee. These options are available on the employee portal.

11.8 Deferred Compensation Plan

This optional benefit, provided by the National Association of Counties, is a tax-deferred retirement program (federal and state taxes, but not Social Security taxes). This plan is funded solely through employee payroll deductions. The County does not contribute to the employee's cost of maintaining the plan unless otherwise specified by the Board of Supervisors.

11.9 Direct Deposit of Payroll Earnings

Finance & Management Services will direct deposit payroll earnings into account(s) at specified bank(s), credit union(s), etc. Employees are encouraged to sign up for this benefit upon hire.

11.10 Flexible Benefits Plan

The County has an optional "Cafeteria Plan," which allows employees to pick and choose among three benefit accounts: Health Insurance Premium Expense, Health Savings Contributions, and Dependent Care Assistance. Contributions to the plan are tax-deferred (federal, state and Social Security taxes); however, the County does not contribute to the employee's cost of maintaining the plan.

11.11 Employee Assistance Program

The County will provide an employee assistance program (EAP) to all employees. EAP is a service designed to help employees and their families resolve personal concerns which may interfere with work or home life. EAP works with the employee to achieve optimum wellness and best work performance.

Purpose

The County will provide confidential assistance and/or referral on a voluntary basis to employees when personal problems or concerns are troubling an employee, or when those problems are contributing to, or may contribute to, deteriorating job performance. The EAP is provided as a service to employees. In itself, use of the EAP, by self-referral or supervisory referral, is not an indication of illness, inadequacy, or disability. All people have problems in their lives; thoughtful, intelligent people seek appropriate assistance with their problems.

Policy

The County recognizes that a wide range of problems, not directly associated with one's job function, may have an adverse effect on an employee's job performance. Further, personal problems of a family member can also affect an employee's job performance. When marital or family discord, financial or emotional crises, alcohol or drug problems, illness, or other difficulties interface with or threaten job performance or conduct, the County offers assistance through the EAP. There is no desire to intrude on the employee's private life. These problems are recognized as progressive and potentially destructive, but they are also recognized as treatable. The County stands ready to assist employees and their families who are willing to help themselves.

Practice

Early recognition of the troubled employee, through application of job performance standards, is a proper function of management. Employees with identifiable performance problems that are not the result of deficits in knowledge, skills, education, and/or working conditions may have personal problems affecting job performance. The County actively supports rehabilitation efforts,

when applicable and appropriate, through employee group health benefits, sick leave, and disability policies. An employee may be referred to the EAP by County supervisory personnel or colleagues because of a condition that may affect his or her job performance or because the employee is troubled and seeks help. The decision to accept assistance is the responsibility of the employee. Employees are encouraged to self-refer. Immediate family members of full-time employees are also eligible for employee assistance services.

Confidentiality

All records and information about referral, assessment, and treatment will be maintained by the EAP and treated as confidential. No information concerning a client's personal problems will become a part of the employee's personnel record. If the County refers an employee to the EAP because of performance-related issues, the only information the EAP will disclose to the referring person is whether the employee has followed through on the EAP referral. Except as set forth herein and in situations of dangerousness, or as may otherwise be required by law, no information, oral or written, will be disclosed without the express written permission of the employee.

Employee Discipline and Job Security

Employees participating in the EAP will not be given preferential treatment, nor will they be subject to any special regulations by the County. EAP participation will not immunize an employee against discipline, including discharge, by reason of an infraction of work rules or the rules of conduct. All employees will be evaluated strictly on job performance criteria, irrespective of their participation in the EAP. An EAP client may be disciplined for his or her continued unsatisfactory job performance. An employee's job security or future career advancement will not be jeopardized as a result of his or her participation in the EAP.

Procedure

The immediate supervisor or manager is responsible for monitoring an employee's job performance. In the case of deteriorating performance, the supervisor or manager, following established procedures, should work with the employee in an effort to reestablish accepted levels of performance. Whether or not it appears that the substandard performance is or may be due to problems or impairment, the supervisor should refer the employee to the EAP only as part of a performance improvement plan. Employees referred by the County will be afforded work time to receive EAP recommended services. In the case of a job-performance-related referral, the supervisor will do all of the following:

- *Document, as part of a performance improvement plan, that the*

- *employee was made aware of the EAP as a resource.*
- *Notify the EAP that a referral has been made.*
- *Provide relevant documentation of the performance problem to the EAP.*

Employees and, in the case of full-time employees, family members experiencing problems, whether or not they affect the job performance of that employee, are encouraged to voluntarily seek information, referral, and related services on a confidential basis by contacting the EAP. Employees who self-refer for EAP services are expected to use normal County leave procedures to participate during work hours.

CHAPTER 12

EMPLOYEE APPRAISALS



Chapter 12 – Employee Appraisals

12.1. Evaluation Plan

All employees and regular part-time employees will be evaluated on an annual basis to review their prior fiscal year performance and establish goals and objectives for their future year performance on a date set forth by the County Administrator. The purpose of appraisals is to provide management and employees an opportunity to discuss goals and objectives, a fair and accurate method of rating employees for raises, promotions, improvement of performance and dismissals.

12.2. Method of Evaluation

Employees will be appraised by their immediate supervisors through thoughtful and careful assessment of the employee in light of each performance characteristic. Supervisors are to provide verbal and written comments as appropriate to ensure quality work, recognition of strengths and employee coaching in areas which need improvement.

Performance management is a year-round process, with reviews submitted to the Public and Employee Relations Department by the end of each fiscal year for inclusion in employee personnel files.

The County Administrator will be the appraiser of all department heads and employees within his or her area of responsibility.