



COMMONWEALTH of VIRGINIA

SARA REDDING WILSON
DIRECTOR

Department of Human Resource Management

101 N. 14TH STREET
JAMES MONROE BUILDING, 12TH FLOOR
RICHMOND, VIRGINIA 23219
(804) 225-2131
(TTY) 711

Dear Employee:

This *Employee Handbook* has been designed to serve as a quick reference for many issues relating to your employment with the Commonwealth of Virginia. **It is not a contract, nor is it an invitation to contract.**

In order to remain current, the *Handbook* treats most topics briefly and provides links to the Department of Human Resource Management's *Policies and Procedures Manual* and other sources of information. This *Manual* is updated as official policies change. The *Policies and Procedures Manual* is the authority in case of a disparity between the *Manual* and the *Employee Handbook*.

It is important for you to be familiar with the information in this *Handbook*. Please review it carefully. If you need to refer to the *Handbook* in the future, remember that the most recent version will be available on the DHRM Web site, where the links can also be used. In addition, your agency Human Resources office can provide assistance with questions relating to your employment.

Please sign below to indicate that you have seen and read this *Handbook*, and give the signed page to your agency Human Resource office. This page will be kept in your file.

We hope you will enjoy a rewarding career with the Commonwealth.

Department of Human Resource Management

Signature: _____

Printed name: _____

Agency: _____ Date: _____

TABLE OF CONTENTS

NOTICE.....	iv.
INTRODUCTION.....	v.
QUICK REFERENCE TO KEY WEBSITES	vi.
GENERAL CONDITIONS OF EMPLOYMENT.....	7
A. Hours of Work	7
B. Attendance	7
C. Hiring Requirements	8
D. Information About Your Paycheck.....	8
E. Probationary Period	8
F. Overtime.....	9
G. Office Closings	9
H. Telecommuting.....	10
I. Outside Employment.....	11
J. Alcohol and Other Drugs	11
K. Safety and Security in the Workplace	11
L. Layoff and Severance	11
M. Statement of Public Accountability	12
COMPENSATION	13
PERFORMANCE MANAGEMENT AND EVALUATION.....	14
BENEFITS AND PROGRAMS	15
A. Insurance and Income Replacement Programs	15
1. Group Life Insurance.....	15
2. Health Insurance	15
3. Employee Assistance Program	15
4. Virginia Sickness and Disability Program.....	16
5. Long-Term Care Insurance	16
6. Workers' Compensation.....	17
B. Time-Off Benefits, Paid and Unpaid	17
1. Annual Leave	17
2. Sick Leave.....	18
3. VSDP Leave.....	18
4. Leave Sharing.....	18
5. Family and Medical Leave Act	19
6. Compensatory and Overtime Leave.....	19
7. Administrative Leave.....	19

8.	Leave to Provide Community Service	19
9.	Military Leave	20
10.	Emergency/Disaster Leave	20
11.	Educational Leave and Educational Assistance.....	20
12.	Leave to Donate Bone Marrow or Organs.....	21
13.	Leave Without Pay	21
C.	Holidays	21
D.	Employee Recognition Programs.....	22
E.	Employee Suggestion Program.....	22
F.	Savings Programs.....	23
	1. Premium Conversion and Reimbursement Account Programs	23
	2. Deferred Compensation Plan.....	23
G.	Wellness Program.....	24
H.	Work/Life Programs	24
I.	Retirement Benefits.....	24
	EQUAL EMPLOYMENT OPPORTUNITY	25
A.	Equal Employment Opportunity.....	25
B.	Harassment.....	25
C.	Retaliation	25
D.	Violations and Enforcement	25
	DISCIPLINARY PROCESS.....	27
	EMPLOYEE RELATIONS ISSUES	28
	MISCELLANEOUS TOPICS	29
A.	Commonwealth of Virginia Campaign	29
B.	Electronic mail, Computer, and Telephone Use	29
C.	Gifts, Gratuities, and Rewards	29
D.	Intellectual Properties.....	29
E.	Nepotism	30
F.	Personal Appearance.....	30
G.	Political Activity	30
H.	Privacy of Records	30
I.	Rights of Employees to contact elected officials	31
J.	Smoking	31

NOTICE

This handbook contains general information about your employment with the Commonwealth and outlines policies and procedures that affect your daily work. It does not include specific provisions of the policies and procedures, nor does it create any employee rights or benefits. **The handbook is not a contract, nor is it an invitation to contract. Nothing in this handbook is intended to create or imply any contract rights.**

Discrimination on the basis of race, sex, color, national origin, religion, age, or political affiliation, or against otherwise qualified persons with disabilities is prohibited in all aspects of employment with the Commonwealth of Virginia.

INTRODUCTION TO EMPLOYEE HANDBOOK

Whether you are new to the Commonwealth of Virginia or are a continuing employee, this Employee Handbook is written to help you develop a satisfying career in service to Virginia by outlining the basic elements of the employment relationship between you and the Commonwealth.

This Handbook is designed for you as a classified employee of the Commonwealth. (Classified employees are salaried employees whose positions are subject to the Virginia Personnel Act.) The Employee Handbook contains basic information related to your employment and refers you to Department of Human Resource Management policies for specific details. These policies are found at the Web site of the Department of Human Resource Management (DHRM), www.dhrm.virginia.gov. Supervisors, managers, and Human Resource staff will also find information here that is useful to their work with employees.

This handbook does not include all information that may apply specifically to your agency because of the flexibility that agencies have to tailor policies to meet their management needs. Other specific information is available from your supervisor or your Human Resource office.

The official policies of the Department of Human Resource Management, some of which are discussed in this handbook, are revised frequently as the need arises. If any statements in this handbook differ from policy as contained in the *Policies and Procedures Manual*, the *Manual* governs.

QUICK REFERENCE TO KEY WEBSITES

http://www.dhrm.virginia.gov/	Department of Human Resource Management (DHRM) home page
http://www.dhrm.virginia.gov/hrpolicy/policy.html	DHRM Policies and Procedures Manual
http://www.dhrm.virginia.gov/compandbenefits.html	DHRM Compensation and Benefits
http://www.dhrm.virginia.gov/resources/manuals.html	DHRM manuals and handbooks
https://secure.doa.state.va.us/payline/	Department of Accounts Payline
http://www.edr.virginia.gov/index.htm	Department of Employment Dispute Resolution
http://www.varetire.org/	Virginia Retirement System

GENERAL CONDITIONS OF EMPLOYMENT

A. Hours Of Work – See *Policy 1.25, Hours of Work*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

A full-time classified employee works a schedule of 40 hours per week (“F” status) or 32 to 39 hours per week (“Q” status). Classified employees working a schedule of 20-31 hours per week are part-time (“P” status). There is no classified employment for a schedule of less than 20 hours per week.

For most jobs, an unpaid lunch break of 30 to 60 minutes (45 minutes is typical) is required. Your supervisor will schedule this for you. In addition, agencies may provide two 15-minute breaks, one morning and one afternoon, which are part of the paid day. These breaks are optional and may not be used to cover missed time or to extend the lunch period.

The standard workday is 8 hours. Unless otherwise indicated, official statements including policy and handbook references to “workday” mean an 8-hour period. If you work an alternate schedule, remember that official statements generally assume 8-hour days.

1. Some agencies have established flexible work hours to better meet their business needs. Normally, administrative offices must ensure adequate coverage during core business hours. In most cases, flexible schedules maintain a 40-hour workweek. Ask your supervisor if one of these schedules applies to you or is an option available to you.
2. Your agency may permit alternate work schedules in some cases. An example of an alternate schedule is four 10-hour days per week. Based on its business needs, an agency or work unit may decide not to permit alternate schedules, or may decide to discontinue them at any time.

Most *non-exempt* employees (those covered by the Fair Labor Standards Act) may work only those schedules that maintain a 40-hour workweek. For certain employees in law enforcement and health care delivery, the Fair Labor Standards Act (FLSA) permits arrangements, such as 28-day cycles, which do not require a 40-hour workweek. In these cases, the calculation of overtime is based on the alternative work cycle.

With agency approval, *exempt* employees (those not covered by the FLSA) may work a two-week schedule that results in 80 work hours in two weeks.

B. Attendance – See *Policy 1.60, Standards of Conduct*, and *Policy 1.25, Hours of Work*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

You are expected to report to work in accordance with the work schedule assigned by your supervisor, and you are responsible for letting your supervisor know as soon as possible if you expect to be late or absent. Ask your supervisor about your agency's procedure for reporting absences. Failure to notify your supervisor appropriately may result in disciplinary action including termination.

C. Hiring Requirements – See *Policy 2.10*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Employees hired into certain positions must complete a Statement of Personal Economic Interests as required by the Code of Virginia (§ 2.2-3100). Your Human Resource office will know whether you need to complete this statement.

All employees must meet certain conditions of employment. Additionally, agencies may require a background check which could include pre-employment tests and/or drug tests.

Certain state jobs are designated by agencies as “sensitive” according to the definition in the Code of Virginia, §2.2-1201.1. Final candidates for these positions are subject to a fingerprint-based background check, including current employees who apply for a sensitive position.

D. Information About Your Paycheck

1. Standard pay periods for classified employees are the 10th through 24th of a month and the 25th through the 9th of a month. Most classified employees are paid twice a month, on the 1st and 16th following the end of the pay period. When paydays fall on weekends or holidays, paychecks normally are distributed and direct deposits normally are made the last workday before the regular pay date. Ask your supervisor about your agency pay schedule. New state employees generally are required to participate in direct deposit.
2. Tax liens and garnishments are honored as directed by state and federal law. An employee will be charged a fee for processing certain garnishments. See the Commonwealth Accounting Policies and Procedures (CAPP) Manual <http://www.doa.state.va.us/procedures/AdminServices/capp/summary.htm> Topic 50405.

E. Probationary Period – See *Policy 1.45*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Classified state employees serve a probationary period of one year from their employment or re-employment date. This is a trial period during which the agency and employee learn whether the employee is suited for the job. This time

may be extended if the employee experiences absence(s) of more than 14 consecutive days and for certain other reasons. Except to make up for the employee's absence, the probationary period may not be extended for more than six additional months. If you are selected for a position that requires certification following completion of a prescribed training program, you must complete a new probationary period.

The state's grievance procedure is not available to probationary employees. However, if you believe you have been discriminated against in any condition of employment based on race, color, religion, national origin, sex, age, disability, or political affiliation, you may file a discrimination complaint through your agency's human resource department, with the Office of Equal Employment Services section of DHRM, or with the federal Equal Employment Opportunity Commission, <http://www.dhrm.virginia.gov/employeerelations.html>.

During your probationary period and throughout your employment with the Commonwealth, you should consult your agency Human Resource office for assistance with workplace issues of all kinds. This office can provide guidance and referral to other resources as needed.

F. Overtime – See *Policy 3.15, Overtime Leave, and Policy 1.25, Hours of Work*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Some positions involve occasional or periodic overtime work; employees must work overtime as required by their supervisors. Employees are designated as covered by the federal Fair Labor Standards Act ("non-exempt") or not covered ("exempt"). Agencies determine the exempt or non-exempt status of each employee using FLSA guidelines and based on the type of work done. For non-exempt employees, payment of overtime hours worked must comply with the Act.

Non-exempt employees are normally paid overtime at time and one-half their regular rate for hours worked over 40 during a workweek. Agencies may elect to grant overtime leave instead of overtime pay. In this case, the employee must be notified in advance. Overtime leave hours do not expire, and there is a maximum number of overtime leave hours an employee may accrue. Thus, an employee must take paid time off to avoid exceeding his or her agency limit. Employees receive pay for accrued overtime hours when leaving state service and at certain other times specified in policy.

Exempt employees typically are not compensated for working overtime. However, in unusual circumstances, agencies may choose to provide straight-time compensatory leave or pay.

G. Office Closings – See *Policy 1.35, Emergency Closings*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

When weather conditions or an emergency situation forces late openings, early closings, or full-day closings of state agencies, classified employees may be paid for these periods. Decisions regarding such closings are made by the following authorities:

- For administrative agencies in the city of Richmond and in Chesterfield, Henrico, and Hanover counties – the Governor;
- For state colleges and universities – the college or university president; and
- For state operations or branch offices of administrative agencies outside of Richmond – the responsible agency head or appropriate facility or operations director.

Closing decisions normally are announced on local radio and television stations.

Be sure you know the radio or television stations that will announce closings in your area. Closing announcements also appear on the DHRM web site, <http://www.dhrm.virginia.gov/>. You are responsible for knowing this information and for acting accordingly.

Certain personnel may be “designated” by their agencies as being required to work during authorized closings. They may earn compensatory leave or pay for hours worked during periods of closing.

H. Telecommuting – See *Policy 1.61* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Agencies may designate certain positions and certain employees for telecommuting (teleworking). This practice enables employees to conduct some of their work from their homes or from another site other than the central workplace.

State agencies are encouraged to develop telecommuting and alternative work schedule arrangements where high standards of employee performance and service delivery can be maintained.

I. Outside Employment – See *Policy 1.60, Standards of Conduct*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

As a state employee, your obligation to your state job is considered to be your primary duty. An employee must receive approval from his or her agency *before* taking on an additional job, including self-employment. An employee who already has other employment when he or she enters state service or moves from one agency to another must inform the hiring manager and seek approval to continue the other employment. An employee may be disciplined for outside employment that occurs during work hours or that is deemed to affect work performance.

J. Alcohol And Other Drugs – See *Policy 1.05* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

The Commonwealth intends to maintain a workplace free from the adverse effects of alcohol and other drugs. Employees are forbidden to use these substances at the workplace or to come to the workplace while under the influence of these substances. In addition, employees are expected to notify their supervisors if they are convicted of violating any criminal drug law, either within or outside the work place, or if they are convicted of violating any alcohol beverage control law or law that governs driving while intoxicated, based on conduct occurring in the workplace. Violation of policies related to these matters can result in serious disciplinary action including termination.

Because of the nature of the work, some agencies require drug testing before a final employment offer is made. Some positions may also require ongoing random drug testing and/or as-needed drug or alcohol testing.

K. Safety And Security In The Workplace – See *Policies 1.80, Workplace Violence, and 2.30, Workplace Harassment*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

As an employer, the Commonwealth of Virginia makes every effort to ensure a safe and healthy workplace for its employees as well as for customers, patients, business colleagues, and visitors. Harassment (sexual or other), threats of violence, and violent acts will not be tolerated in the state workplace. Policy 1.80 provides guidance regarding the kinds of actions which will not be tolerated in the workplace, and describes the responsibility of state agencies to take certain measures to promote safety and security in the work environment. Violation of policies related to these matters can result in serious disciplinary action including termination.

All state employees are covered by the Virginia Workers' Compensation Act. In addition, the Workers' Compensation section of the Department of Human Resource Management offers services such as training and consultation in workplace safety and loss control.

You should consult your Human Resource office if you have concerns in this area. Incidents of workplace violence should be reported immediately through appropriate channels in your agency.

L. Layoff And Severance – See *Policies 1.30, Layoff; 1.57, Severance Benefits; and 1.65 Temporary Work Force Reduction*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Business needs, including economic constraints, may require an agency to re-configure or reduce its workforce. Policy 1.30 (Layoff), Policy 1.57 (Severance Benefits), and Policy 1.65 (Temporary Work Force Reduction) outline procedures for agencies to follow and rights of employees in these situations.

Employees may be identified for layoff using a number of factors, including business needs, job functions, and employees' length of continuous state service. Severance benefits are based on salary and length of continuous state service and may sometimes be used by eligible employees for enhanced retirement. Restricted employees (those paid from non-continuing sources of funds) and part-time employees should check these policies and consult their Human Resource offices to find out whether they are eligible for layoff and/or severance benefits.

Your agency may experience variations in work flow which make temporary staff reductions advisable. Policy 1.65, Temporary Work Force Reduction, explains how agencies should implement these short-term reductions and defines the rights of employees during such actions.

M. Statement Of Public Accountability

State agencies are public institutions supported by the Commonwealth of Virginia, a public employer committed to serving the interests of the taxpayers and accountable to them for the effective use of public funds. Therefore, it is the policy of the Commonwealth that employees are not paid for time that they do not work, unless they use leave time, such as annual leave or sick leave, accrued under human resource policies. You will be placed on Leave Without Pay, and your paycheck for that pay period will be reduced, if you are absent from work for personal reasons or because of illness or injury, even for periods of less than one day, if you do not use accrued leave because (1) you do not request use of accrued leave or your request is denied, (2) your accrued leave has been exhausted, or (3) you request leave without pay.

If your position is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA), there will be no deductions from your compensation for periods of absence from work of less than one day, except for the reasons and circumstances specifically described in the preceding paragraph or for infractions of safety rules of major significance.

COMPENSATION

See Policy 3.05, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Your total compensation includes both your salary and the state's benefits package. In addition to salary, classified employees are eligible to receive several kinds of paid time off, group health insurance (with a state contribution to the premiums for full-time employees), state-supported membership in the Virginia Retirement System, life insurance, short- and long-term disability coverage (for VSDP participants) and others. Many of these benefits are explained in this Handbook, and the Benefits Administrator in your agency's Human Resource office can give you detailed information.

Classified positions are assigned to approximately 300 roles (titles) within about 60 career groups and seven occupational families. Each role is assigned to one of nine pay bands. Both the employee and the job are assessed for pay purposes using specified factors. Various pay practices are used to establish your original salary and to guide the movement of your salary during your career. Agencies retain some latitude to develop their own salary administration plans within the broad framework set by DHRM policies.

The state does not guarantee any specific pay increases or any certain timetable for pay increases. Funds to support employee pay increases may be provided and earmarked by the Governor or the legislature, or may be identified by the agencies within their own budgets. The legislature and Governor may provide for general pay increases in some years. These typically are linked to the employee's satisfactory job performance.

In addition to Policy 3.05, the Human Resource Management Manual provides information about compensation practices. You may refer to this manual at <http://www.dhrm.virginia.gov/resources/manuals.html>.

PERFORMANCE MANAGEMENT AND EVALUATION

See Policy 1.40, Performance Planning and Evaluation, and Policy 1.45, Probationary Period, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>

It is important for you to clearly understand what you will be expected to do in your job. One way to get this information is through the Employee Work Profile (EWP), a description of the work you will be assigned to do and the level of performance you are expected to achieve. You will receive an EWP shortly after you begin work, and it will be reviewed annually thereafter. The EWP may be revised as needed.

The EWP may also include a Development Plan that describes specific steps you should take to improve job-related competencies (behaviors, knowledge, and skills) during the coming performance evaluation period.

During an employee's probationary period, the supervisor prepares reports on the new employee's progress. After probation, employees receive an annual performance review. You may also receive ongoing feedback concerning your performance during the performance cycle.

Along with pay practices mentioned in Policy 3.05, your performance rating may affect your salary increases.

BENEFITS AND PROGRAMS

A. Insurance Coverage And Income Replacement Programs

1. Group Life Insurance – See the VRS web site at www.varetire.org.

All classified state employees are enrolled in the group life insurance plan administered by the Virginia Retirement System (VRS) at no cost to the employee. This plan provides life insurance and accidental death and dismemberment insurance during your employment.

The amount of your life insurance coverage for death from natural causes is your annual salary rounded to the next highest thousand, then doubled. The benefit for accidental death is double the natural death benefit.

Through a plan also administered by VRS, active insured employees may purchase optional life insurance for themselves, their spouses, and their minor children. Premiums are paid through payroll deduction. In some cases, some coverage may be continued into retirement. Your agency's Benefits Administrator can provide additional information on Optional Life Insurance.

2. Health Insurance – See <http://www.dhrm.virginia.gov/compandbenefits.html>.

When an employee is hired, he or she has a specified length of time to decide whether to enroll in the state's health insurance program or to waive coverage. Your agency Benefits Administrator will let you know about important deadlines. The state's program, administered by the Department of Human Resource Management, includes hospitalization, medical, mental health, dental, surgical, prescription drug, and other coverage. An employee may choose membership for employee only, membership for employee and one dependent, or family membership for the employee and two or more dependents. The employee's portion of the premium is paid by payroll deduction. The state contributes a monthly amount toward the cost of this benefit for employees in full-time status (F or Q). Part-time classified employees (P status) may participate in the state's group health insurance but do not receive a state contribution to their premium costs.

3. Employee Assistance Program

The Virginia Employee Assistance Program (VEAP) offers help to employees and their family members who need counseling and treatment referrals for alcohol and substance abuse problems and for various

personal difficulties including legal, financial, and relationship concerns. The employee or family member may seek these services directly, or a supervisor may encourage an employee to use VEAP resources because of employment issues that may be adversely affecting work performance. All services are provided under strict guidelines of confidentiality.

VEAP services are available for all state employees enrolled in the Commonwealth's health care plan and their covered family members. For additional information, ask your agency Benefits Administrator or your insurance carrier for contact information.

4. Virginia Sickness and Disability Program (VSDP) – See *Policy 4.57*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

All classified employees hired on or after January 1, 1999, are enrolled in VSDP; many employees already working at that time have made the choice to join the program. The chief purpose of this program is to provide income replacement to employees when they are unable to work because of short-term (up to 180 calendar days) or long-term illness or disability.

The program also provides:

- return-to-work services,
- paid sick leave time of up to 80 hours per year, based on months of state service, to be used for the employee's own short occasions of sickness/injury or for personal doctor visits,
- paid leave time of up to 40 hours per year for other family and personal reasons, and
- a long-term care component.

Eligible employees may use up to 33% of their available sick leave balance for absences for family illness or disability that are covered by the Family and Medical Leave Act (FMLA).

Details about VSDP are available in the VSDP Handbook and under Benefits at <http://www.dhrm.virginia.gov/compandbenefits.html>.

5. Long-Term Care Insurance

The Commonwealth of Virginia offers long-term care insurance to eligible state employees, retirees, and certain family members under a contract awarded to a third-party vendor. Long-term care typically provides assistance when necessary to accomplish normal activities of daily living, such as eating, dressing, and getting in and out of bed. This is an optional benefit which you may choose to purchase through payroll deduction.

6. Workers' Compensation – See *Policies 4.60, Workers' Compensation, and 4.57, Virginia Sickness and Disability Program Leave*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

If you incur a work-related injury or illness, you may be eligible for benefits under the Workers' Compensation Act. In addition, the Commonwealth provides employees covered by the Virginia Personnel Act benefits to replace lost income and to compensate for certain permanent losses to the body. Workers' Compensation benefits include a return-to-work program to help employees resume productive activity. Procedures and benefits may vary depending on whether you are in the Traditional Sick Leave program or in the Virginia Sickness and Disability Program (VSDP). Your agency Human Resource office can provide more detailed information.

It is important to report a work-related injury as soon as possible. Your Human Resource office can help you with this process.

B. Time-Off Benefits, Paid And Unpaid

The Commonwealth provides paid leave time to employees for a variety of reasons. The various types of leave are outlined below. Refer to the specific policy for more detailed information. In general, all leave must be scheduled in advance and approved by your supervisor. Ask your supervisor about your agency policies and procedures for scheduling, taking, and reporting leave.

1. Annual Leave – See *Policy 4.10* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Annual Leave is earned (accrued) at the end of each completed pay period, at a rate set according to your total amount of state salaried service; new full-time employees start by accruing four hours per pay period. Classified employees who work less than 100% but at least 50% accrue at a rate proportionate to the percentage worked.

You can carry accrued annual leave hours forward from one leave year to the next up to the carryover limits, which are also based on state service. When you separate from state service or experience certain other status changes, you will receive payment for unused annual leave, up to established payout limits. Annual Leave is available for personal uses such as vacation. Ask your supervisor for approval to use this leave ahead of time.

2. Sick Leave – See Policy 4.55 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Traditional Sick Leave is not available to employees hired on January 1, 1999, or later. Traditional Sick Leave is granted at the rate of five hours per completed pay period regardless of length of service. Payout limits and other provisions are explained in Policy 4.55.

Eligible employees may use up to 33% of their available sick leave balance for absences for family illness or disability that are covered by FMLA.

3. VSDP Leave – See Policy 4.57 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

VSDP Family and Personal Leave and VSDP Sick Leave amounts are granted to participants in the Virginia Sickness and Disability Program upon hire and at the beginning of the leave year, January 10. Hours remaining from the previous year do not carry over. Length of state service (shown in months) determines the amount of these types of leave. The VSDP Employee Manual at <http://www.varetire.org/Members/BenefitPlans/Disability.html> provides further information.

4. Leave Sharing – See Policy 4.35 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Employees may donate annual leave hours they have accrued to help other employees who are eligible to receive the leave and who are experiencing Leave Without Pay. Employees covered by the Traditional Sick Leave policy may request to receive Leave Sharing donations when they are in a Leave Without Pay status because of their own personal illness or injury or because of the illness or injury of a family member for which the employee is using Family and Medical Leave (FMLA). Employees covered by the Virginia Sickness and Disability Program may request to receive Leave Sharing donations when they are in a Leave Without Pay status because of a *family member's* illness or injury for which the employee is using Family and Medical Leave. The agency continues to make its contribution to the health care premium for the time covered by FMLA leave.

If you want to donate leave or request to use donated leave, you should consult your agency Human Resource office.

5. Family and Medical Leave Act – See *Policy 4.20* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

The Commonwealth complies with the federal Family and Medical Leave Act (FMLA) in providing leave with or without pay to eligible employees for situations defined in that Act. State policies and procedures apply to many situations covered by FMLA. Because FMLA is a designation rather than a separate type of leave, an employee may also use other kinds of leave while in FMLA leave status. An eligible employee on FMLA leave continues to receive the state contribution to health insurance, and FMLA provides reemployment rights to employees under certain conditions. Employees may use up to 33% of their traditional sick leave or available VSDP sick leave to cover absences for family illness or disability covered by FMLA.

6. Compensatory and Overtime Leave – See *Policies 3.10 and 3.15* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Some employees may be eligible to earn paid leave for work performed overtime or during non-scheduled work times. The Fair Labor Standards Act (FLSA) governs application of these leave types for employees covered by the Act (non-exempt).

7. Administrative Leave – See *Policy 4.05* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

The Commonwealth grants employees paid time off for certain reasons related to court proceedings (including jury duty); for some kinds of service to official state councils, boards, etc; for some activities related to employee relations processes; and reasonable time to interview for state positions. Eligibility criteria and specific conditions are explained in Policy 4.05.

8. Leave to Provide Community Service – See *Policy 4.40* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

As an employer, the Commonwealth supports employees' responsibilities to their children and communities through Community Service Leave with up to 16 hours of paid leave per leave year. Parents are encouraged to participate in school activities through the high school level. All employees are encouraged to volunteer through community organizations to perform direct services in child development and to provide voluntary "hands-on" services as part of an organized community service project. Read the policy to learn how this leave type may apply to you.

9. Military Leave – See *Policy 4.50* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Employees who are members of the Commonwealth's militia (including National Guard) are granted paid military leave while providing military service when called forth by the Governor. Employees who serve in the National Guard, Naval Militia, or in a branch of the military reserve are entitled to as much as 15 days of paid military leave for federally funded training or active duty per federal fiscal year. Employees called for more than 15 days of active federal duty in a federal fiscal year may use accrued leave balances in order to remain on the state payroll. Employees who exhaust their leave balances or who choose not to use them for military duty may be placed on Military Leave Without Pay.

In compliance with federal requirements, employees are guaranteed reinstatement to their original position or a comparable position for up to five years of cumulative military service, with certain exemptions to the five-year cap. If you are a member of the National Guard or a military reserve unit, you may want to review your benefits under the Uniformed Services Employment and Reemployment Act (USERRA). Some state benefits continue for all or part of a term of military leave, as detailed in Policy 4.50.

10. Emergency/Disaster Leave – See *Policy 4.17* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Employees with specific, needed skills may receive up to 80 hours of paid leave to give requested assistance in officially-declared disaster areas, typically in cases of large-scale flood, fire, ice storm, or a similarly destructive natural event. To qualify for this leave, the services provided must not be within the regular job duties of the called employees. In addition, employees who are the *victims* of major disastrous events, such as destruction of their primary residence, are sometimes eligible for paid leave under this policy. Employees called to provide emergency service through active duty in the military or National Guard are covered by the Military Leave policy, #4.50.

11. Educational Leave and Educational Assistance – See *Policy 4.15 and Policy 5.10* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Employees may be allowed leave time to take courses related to their work. This may be with full, partial, or no pay, and/or tuition payment. Financial assistance for costs related to such courses is sometimes available from the employee's agency. Educational Assistance Agreements often include work obligations. Agencies develop the details of their own policies in this area, so consult with your agency Human

Resource office and see your agency's policies for further explanation of these programs.

12. Leave to Donate Bone Marrow or Organs – See *Policy 4.37* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

Employees may use up to 30 workdays in a calendar year to donate their bone marrow or an organ and to recover from the procedure.

13. Leave Without Pay – See *Policy 4.45* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

In certain situations, you may ask for or need to be placed in a Leave Without Pay (LWOP) status. This status preserves some benefits of employment and permits reinstatement of other benefits if you return to paid status. LWOP does not separate you from state service, and many benefits are not affected, especially if the period of LWOP is not long. In order to avoid unintentional LWOP, you should learn to manage your paid leave carefully. Employee-initiated LWOP must be approved by your agency.

Leave Without Pay may be Unconditional (reinstatement to the pre-leave position is guaranteed) or Conditional (reinstatement will occur only if the pre-leave position remains available).

- C. Holidays** – See *Policy 4.25* at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

As mandated by state law, the following days are generally observed as paid holidays for state employees:

- New Year's Day (January 1)
- Lee-Jackson Day (Friday before the third Monday in January)
- Martin Luther King Day (third Monday in January)
- George Washington Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Columbus Day (second Monday in October)
- Veterans Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- The day after Thanksgiving Day
- Christmas Day (December 25)

The Governor or the President of the United States may designate additional holiday time.

When a holiday falls on Saturday, it will be observed on the preceding Friday; when a holiday falls on Sunday, it will be observed on the next Monday. If a holiday falls on an employee's scheduled day off, other than a weekend, the employee will be granted up to 8 hours of compensatory leave. If an employee is required to work on a holiday, the employee may be eligible for pay plus compensatory leave.

Some agencies observe a different holiday schedule, but the number of paid holidays is the same for all agencies. Regardless of the schedule worked, full-time (F) classified employees receive 8 hours of Holiday Leave for a full-day state holiday. If you work an alternate work schedule, talk with your supervisor or Human Resource office about holiday leave. Holiday leave is prorated for classified employees who work less than a 40-hour schedule ("Q" and "P" status employees).

D. Employee Service And Recognition Programs

Employee Service and Recognition Programs – See *Policy 1.10, Service Recognition, and Policy 1.20, Employee Recognition Programs*, at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

If you make State employment your career, you may receive periodic Service Awards for your years of service. Policy 1.10, Service Recognition, describes the general state policy. Some agencies have developed their own Service Awards program. Your Human Resource office will have information about your agency's program.

Policy 1.20 directs agencies to develop programs to recognize employees for their contributions to agency objectives and to state government, and outlines requirements for the program. A Handbook following the policy contains detailed information to help agencies develop programs that suit their objectives and culture. Awards to employees may include money, non-monetary items, or paid leave time. Ask your supervisor or Human Resource office about your agency's program.

E. Employee Suggestion Program

Employee Suggestion Program – See <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

The Employee Suggestion Program (ESP) was created to recognize and reward employees for ideas that improve the efficiency or effectiveness of the Commonwealth. If you make a suggestion through ESP that saves time, money, or resources, or will improve productivity or safety, and that is outside of your ability to implement in the normal course of your job, you may be eligible for an award. If your suggestion is adopted, you may receive a certificate and either

cash or paid leave time. The ESP Procedures Manual and Suggestion Evaluation Form can be found following Policy 1.21 on the Web. Forms and additional information are available at <http://esp.dhrm.virginia.gov/>. Your Agency ESP Coordinator can give you more information about this program.

F. Savings Programs

1. Premium Conversion and the Reimbursement Account programs are subject to regulations established by the Internal Revenue Service (IRS). You will find more detailed information from your agency Benefits Administrator and at the Health Benefits web site at <http://www.dhrm.virginia.gov/genlbenefits/flex/flexiblebenefits.html>.
 - a. Premium Conversion
This feature reduces your net cost by allowing you to pay your portion of your health insurance premium with pre-tax salary.
 - b. Medical and Dependent Reimbursement Accounts
Employees are eligible to enroll in the medical and/or dependent care reimbursement program, which allows payment of certain out-of-pocket expenses with pre-tax dollars. Talk with your agency Benefits Administrator about waiting periods or eligibility requirements.
2. Deferred Compensation Plan (DCP) – See <http://www.varetire.org/Members/BenefitPlans/DefComp.html>.

Through this program, you may direct a portion of your salary into an investment program by payroll deduction **before** state and federal taxes are applied. Typically, employees choose to receive the deferred income after retirement when they are likely to be in a lower tax bracket. A third-party administrator (TPA) manages the program, including the investments, and will help you select from a variety of investment options. Further information is available from this TPA and from the Virginia Retirement System, which administers the program. Your Benefits Administrator will be able to provide phone numbers for reaching them.

The Commonwealth supports employee participation in this plan by offering a Cash Match Program. Deferred Comp participants who sign up for Cash Match will receive a contribution to their accounts each pay period of an amount equal to one-half of the employee's own contribution, up to an established maximum. The maximum matching amount is set by the legislature.

G. Wellness Program

CommonHealth is the state's wellness program for employees, families, and retirees offering a range of health-related activities and resources at participating agencies. CommonHealth benefits also include a special program for expectant parents, called Baby Benefits. Information about CommonHealth is available on the Web at <http://www.chp-online.com/commonhealth/>.

H. Work/Life Programs – See

<http://www.dhrm.virginia.gov/worklife/worklifetoc.html>.

Work/Life Programs are designed to improve balance between work and personal life. The state offers a number of Work/Life programs to state employees. These services and programs may vary by agency. Contact your Human Resource office for additional information.

I. Retirement Benefits

Retirement Program - See www.varetire.org.

Classified employees are covered by the state's defined-benefit retirement program. Upon retirement, the Virginia Retirement System (VRS) provides monthly retirement benefits for eligible, qualifying employees, who may choose among a variety of retirement options. In addition, VRS administers other programs, including short-term and long-term disability programs (through the Virginia Sickness and Disability Program), life insurance, and deferred compensation. For more information, contact your Benefits Administrator or VRS.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

See Policies 2.05, Equal Employment Opportunity, 2.10, Hiring, and 2.30, Workplace Harassment at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>

- A.** The Commonwealth is committed to providing **equal employment opportunity** for all employees and job applicants regardless of their race, color, religion, sex, age, national origin, disability, and political affiliation. Employment discrimination based upon these traits is unlawful under both state and federal law. Equal opportunity extends to all aspects of employment including hiring, transfers, promotions, training, termination, working conditions, compensation, benefits, and other terms and conditions of employment. The Commonwealth complies with federal and state equal employment opportunity laws and strives to keep the workplace free from all forms of unlawful discrimination, including harassment and retaliation.
- B.** **Harassment** is any unwelcome verbal, written, or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, color, national origin, age, religion, disability, marital status, or pregnancy that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.
- C.** **Retaliation** is any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against one or more individuals for exercising their rights (or supporting others for exercising their rights) under the Commonwealth's EEO policies.
- D.** **Violations and Enforcement**
Unlawful discrimination in any form is a serious offense that will not be tolerated in state employment. The Department of Human Resource Management's *Policies and Procedures Manual* sets forth the relevant policies of the Commonwealth. If you believe you are a victim of unlawful discrimination, several avenues of redress are available to you, including processes within your agency, the grievance procedure, and the state and federal discrimination complaint processes.

Supervisors or employees found to have engaged in unlawful discriminatory conduct are subject to disciplinary action, including termination.

DHRM's Office of Equal Employment Services (OEES) is responsible for enforcing policies concerning equal employment opportunity. This office investigates and resolves complaints of unlawful employment discrimination. If you wish to submit a complaint or allegation, you may obtain the needed forms from your agency's Human Resource office, by contacting the OEES, or from the

DHRM web site. Employees may also file complaints under the Grievance Procedure or directly with the federal Equal Employment Opportunity Commission.

DISCIPLINARY PROCESS

See Policy 1.60, Standards of Conduct at
<http://www.dhrm.virginia.gov/hrpolicy/policy.html>

Policy 1.60, Standards of Conduct, provides guidance to employees and supervisors by outlining (1) standards of appropriate conduct; (2) behavior that is unacceptable; and (3) corrective actions that agencies may take to address behavior and employment problems. The standards apply to full-time and part-time classified and non-probationary employees (generally, those covered by the Personnel Act). In addition, agencies may refer to the Standards of Conduct in evaluating the behavior of employees not covered by the Personnel Act. The Standards of Conduct also explain procedures for imposing suspensions either during investigation of employee behavior or as part of the discipline.

The Standards of Conduct policy addresses workplace conduct or behavior and outlines a three-tier system based on the seriousness of the behavior and the corresponding agency response. While discipline or even termination may be required, the goal of the Commonwealth is always for the employee to be a constructive, contributing member of the work force. Therefore, **progressive discipline** is recommended, so that minor and/or first offenses generally receive such corrective actions as counseling or low-level disciplinary action. Major and/or repeated offenses generally should result in more severe consequences, including an official Written Notice and, in the most serious cases, termination. The policy explains the importance of **due process** and how it is applied, especially when suspension, termination, disciplinary demotion, or disciplinary transfer may result. Due process gives the employee an opportunity to respond to the allegations before discipline is imposed.

Note that although Policy 1.60 describes a variety of actions that may be addressed through the disciplinary process, the list of actions in the policy is not all-inclusive. Listed actions are intended as examples of the levels of severity of possible infractions. Supervisors and managers should become familiar with the Standards of Conduct, and should review them carefully when applying any disciplinary action. Policy 1.60, Standards of Conduct, can be found in its entirety in DHRM's on-line policy manual at http://www.dhrm.virginia.gov/hrpolicy/policy/pol1_60conduct.pdf.

As with all workplace issues, you should refer to your Human Resource office if you have questions or concerns about the Standards of Conduct, or about specific situations.

Non-probationary employees may challenge disciplinary actions through the Employee Grievance Procedure, which is administered by the Department of Employment Dispute Resolution (DEDR). Detailed information on these procedures is available from DEDR.

EMPLOYEE RELATIONS ISSUES

The Department of Employment Dispute Resolution (EDR) is available to advise employees on work-related problems, use of the grievance procedure, and mediation. It also assists employees and managers in exploring options for resolving work-related conflicts. See <http://www.edr.state.va.us/grievance.htm>.

As a classified employee, you will have access to the State Grievance Procedure after you have completed your Probationary Period. This procedure allows you to bring your concerns to the attention of upper management. For example, you may believe that a policy was misapplied, or there may be a dispute between you and a co-worker or supervisor.

Before seeking dispute resolution through the Grievance Procedure, you may choose the less formal alternative of mediation. The Commonwealth Mediation Program for state employees is a voluntary process whereby trained mediators work with the parties in strict confidentiality to resolve work-related conflicts. You may learn if your agency utilizes this program by calling your Human Resource staff or DEDR.

Administrative Leave Policy 4.05 provides for employees to use a reasonable amount of work time to pursue these remedies. Resolution step meetings, grievance hearings, and meetings with DEDR counselors may generally be charged to Administrative Leave.

MISCELLANEOUS TOPICS

A. **Commonwealth of Virginia Campaign**

The Commonwealth of Virginia Campaign is the voluntary employee charitable giving program that raises funds for numerous non-profit health and humanitarian organizations throughout the state, the nation, and the world. Contributions are tax deductible and can be made in lump sum or by payroll deduction. Each agency has a CVC Coordinator who can provide further information. This is the only charitable giving program authorized by the Commonwealth to operate within the state workplace.

B. **Electronic mail, computer, and telephone use**

Many jobs provide access to computer equipment and the Internet so that employees can perform their work tasks. Policy #1.75, Use of Internet and Electronic Communications Systems, expresses the general guidelines for use of these systems and provides for agencies to adopt more specific guidelines that may be suitable to their needs. In general, the equipment and systems should be used for business purposes. Personal use should be limited to minor occasions. Users should expect their system use to be monitored. Certain specified Internet uses, such as transmitting obscene, discriminatory, or fraudulent material, are strictly forbidden at all times.

Telephone use should follow a similar pattern. The telephone is provided so that employees can conduct state business. Personal use should be limited and does not include long distance calls. Lengthy or frequent personal phone calls may constitute an abuse of work time and may result in disciplinary action under the Standards of Conduct.

C. **Gifts, Gratuities, and Rewards**

As a state employee, you are in a position of public trust. Therefore, you may not accept gifts, gratuities, favors, or rewards for any services you perform in connection with state employment other than from the agency where you work. Likewise, it is unlawful for employees to solicit, offer, or accept money or any thing of value in exchange for appointment or selection to a position at a higher salary, or for special privilege with any state agency. Violation of this policy will be handled through the Standards of Conduct.

D. **Intellectual Properties**

While employed by the state, many employees work on projects or develop materials that also have worth outside of state government. The Code of Virginia (§ 2.2-2822) and policies developed by institutions of higher education also address these matters. You may obtain information and guidance related to intellectual property from your agency Human Resource staff.

E. Nepotism

The Code of Virginia (§ 2.2-3106) prohibits (as a conflict of interests) supervision by an employee of a member of his or her immediate family. Immediate family includes the spouse and any other person residing in the same household as the employee who is a dependent of the employee or of whom the employee is a dependent. (See the Conflict of Interests Act in the Code of Virginia, § 2.2-3100 and following.)

F. Personal Appearance

As an employee of the Commonwealth, you should come to work dressed and groomed appropriately for your working conditions. Your agency may apply more specific requirements for dress and grooming based on their business needs.

G. Political Activity

State employees may not campaign for themselves or for anyone else during work hours, nor can they use state equipment or resources for political activities. Further, no employee is to be rewarded or discriminated against in any way for participating or not participating in political activities outside of the workday and work place. Before beginning any political activity, you should determine whether such activity violates the Virginia Conflict of Interests Act.

The political activities of employees in state agencies that are funded in whole or in part by federal loans or grants are subject to the conditions of the Hatch Act, a federal law limiting political activities of government employees. If you are in a position that receives any federal funds, you may not:

1. stand as a candidate for any public or political party elective office in a partisan election (one in which any candidate runs as representative of a political party whose presidential candidate received electoral votes in the preceding presidential election);
2. directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value for political purposes; or
3. use official authority or influence to interfere with, or to influence, the results of an election or nomination for office.

H. Privacy of Records – See Policy 6.05 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>

Your personnel record, maintained by your employing agency, is the property of the Commonwealth.

The Virginia Freedom of Information Act (FOIA) provides that an employee may have access to information contained in his or her personnel records with the

exception of reference letters and mental and medical records when the treating physician has indicated that a review of such records might be injurious to the employee's health. The contents of an employee's personnel file may be disclosed to third parties only as provided in the Virginia Freedom of Information Act, the Privacy Protection Act, and Policy 6.05, Personnel Records Disclosure.

If you apply for credit of any kind that will require a credit check or other investigation, you may give written authorization to the Human Resource office to release the needed information.

I. Rights of Employees to contact elected officials

State employees shall not be prohibited or restricted in expressing their opinions to state or local elected officials on matters of public concern, nor shall they be subject to acts of retaliation because they have expressed such opinions.

Matters of public concern – those matters of interest to the community as a whole, whether for social, political, or other reasons including discussions that disclose any (i) evidence of corruption, impropriety, or other malfeasance on the part of government officials; (ii) violations of law; or (iii) incidence of fraud, abuse, or gross mismanagement.

J. Smoking

The Commonwealth of Virginia promotes a productive and cooperative working environment. No special rights are granted to smokers or nonsmokers. Employees must strive to assure that any personal habits do not interfere with the effective production of work, and must adhere to regular break times.

Some agencies have established smoke-free or tobacco-free buildings or parts of buildings. Smoking on elevators and in restrooms is prohibited.