

02. PERSONNEL

2.1. Objectives and Administration

BOS Adopted – July 1, 2004

2.1.1. Objectives and Scope. The specific objectives of the County's Personnel Management System shall be to:

A. Provide a clear statement of policies, rules, regulations and standards that shall govern the conduct of all County employees and the Board of Supervisors with regard to personnel practices and policies.

B. Provide a definition of rights and procedures that regulate the personnel actions of the County and its employees.

C. Define the rights and responsibilities of all County employees who are not otherwise exempted from these policies.

D. Establish and maintain a sound salary structure that will attract and retain qualified employees.

E. Establish and maintain salary ranges that will assure internal equity of compensation based on systematic evaluation of each job.

F. Maintain the salary structure in a proper relationship with competitive pay practices in the local labor market in which the County competes.

G. Assure each County employee a performance and salary review at specified intervals.

H. Provide an effective control of salary payments on a uniform basis.

2.1.2. Authority. The Board of Supervisors is empowered under the Code of the Commonwealth of Virginia to establish departments, to employ personnel and to set salaries. These regulations are intended to cover all facets of the County's Personnel Management System in accordance with that grant of authority. It is recognized that such authority has been delegated to the County Administrator. Under the direction of the County Administrator, a personnel officer may be assigned for the daily administration of the classification and pay plan. The Constitutional Officers, including the Treasurer, Commissioner of Revenue, Commonwealth's Attorney, Clerk of Circuit Court, and Sheriff shall retain authority over their respective employees as defined by this policy.

2.1.3. General Principles

A. The Policies and Procedures Manual of Fluvanna County will contain policies and procedures governing employees of Fluvanna County. It will state the County's policies and

procedures to be followed with regard to employment, promotion, demotion, dismissal and any other activities dealing with personnel which is deemed necessary in order to clarify the County's or employee's position in the personnel system.

B. It is the fundamental policy of the County of Fluvanna that a fair and uniform personnel management system be established for its employees in order to ensure the most effective provision of services to the citizens of the community. It shall be the policy of the County of Fluvanna that:

1. Employment shall be based on merit and fitness, without regard to age, sex, race, religion, political affiliation, disability, or national origin.

2. Just and equitable compensation, benefits, and incentives and conditions of employment shall be established and maintained.

3. County employees shall be paid in relation to the duties and responsibilities of their position and performance shall be a major factor in justifying salary adjustments and increases.

C. Participation in this personnel policy by appointees of Constitutional Officers is by no means a contract. Appointees are still at will employees working at the discretion of the Constitutional Officer. Further, County paid positions under the supervision of a Constitutional Officer are governed by the policies of their respective office.

2.1.4. Rules

A. Applicability of Rules. The rules, regulations and other administrative provisions established herein shall apply to all employees of the County, except any employees specifically exempted by action of the County Board of Supervisors. Constitutional officers and their employees are covered by this plan. School Board employees are excluded.

The County Administrator or his designee has the authority to take appropriate action in dealing with cases of violation of the established rules. The responsibility and authority for the enforcement and administration of the rules and regulations set forth herein are delegated to the County Administrator or his designee. All Constitutional Officers are the final arbiters of alleged rules violations when it pertains to their respective employees.

B. Dissemination of Rules. The County Administrator will make public complete copies of all rules and changes thereto within thirty days, and shall be responsible for maintaining a complete current set of rules, and for bringing these rules to the attention of all County employees. Each County employee shall have their own personal copy of the plan and updates within thirty (30) days of changes.

C. Interpretation. These regulations are intended to cover most personnel problems and actions for which the County Administrator is responsible. Those not specifically covered shall

be interpreted by the County Administrator or his designee in keeping with the intent of these regulations.

D. Amendments. This Personnel Policy and Procedures Manual may be amended from time to time by action of the Board of Supervisors.

2.1.5. Definitions and Terminology

A. Administrative Decrease – a pay reduction within the pay range of a position as disciplinary action resulting from unsatisfactory job performance or misconduct. Department Heads working under the County Administrator that administer an administrative decrease must submit a letter of justification to the County Administrator. In the case of Constitutional Officers, a letter of notification shall be submitted to the County Administrator.

B. Administrative Termination - employees who are hired by appointing authorities to fill positions that are later determined to be unavailable in the budget of the respective departments, or who are found not to meet the minimum qualifications of the position, following the actual start of work, shall have their employment administratively terminated as soon as convenient following the determination of the discrepancy.

C. Anniversary Date - The anniversary date shall be defined as the date on which the employee is employed by the County. This date shall be used to determine leave accrual rates.

D. Appointing Authority – that officer or body having authority under the laws or policies of the County to make appointments to positions. Unless otherwise specified, the appointing authority shall be construed to mean the County Administrator or his designee.

E. Board – shall mean the Fluvanna County Board of Supervisors

F. Change in Pay Grade for Job – the County Administrator, with consent of the Board of Supervisors, may change the pay range for an established job when determined that the present pay range is not commensurate with the duties and responsibilities of the job.

G. Class or Class of Positions – a group of positions sufficiently alike in duties to justify the same class title and pay grade.

H. Classification – the entire process of assigning and reassigning individuals to positions, positions to classes, and classes to grades; to the end that employees will be employed and compensated on the basis of merit, fitness, and actual duties performed, so that there may exist comparable pay for comparable work.

I. Completion of Temporary Employment – the separation from employment of a temporary employee who has worked through the last workday the temporary position is available. Employees separating prior to the last workday shall be governed by the appropriate separating action.

J. Demotion – the change of an employee from a position in one class to a position in another class having a lower pay grade and possibly requiring the performance of less responsible duties.

K. Dismissal – an involuntary separation from employment initiated by the employing authority as a result of the employee’s unsatisfactory work performance or misconduct.

L. Employee – for purposes of this policy, employee shall be interpreted to mean both employees reporting to the County Administrator as well as appointees of the Constitutional Officers.

M. Exempt Employee - one who works whatever amount of time is necessary in order to perform the duties of their job (8 hours a day or 40 hours per week are not break points of any sort). These employees are not exempt from the provisions of this plan, however, they are exempt as defined by the Fair Labor Standards Act.

N. Failure to Appear - a failure by an employee to report to work during the first scheduled workday following appointment without previous notification to the appointing authority. Such employee shall be considered having failed to appear and the employee’s record noted accordingly.

O. General Increase – an increase to the pay range for all jobs. General increases are usually awarded at the beginning of each fiscal year or July 1. General increases are not dependent on an employee’s individual performance or job, but rather take effect as cost of living adjustments.

P. Grade or Pay Grade – the numerical designation of a fixed salary range assigned to a position, class, or group of classes.

Q. Immediate Family – a biological parent or individual who stood in place of the parent and was charged with the duties and responsibilities of the parent or a parent-in-law; a biological, adopted, or foster child, a stepchild, or legal ward, or a child of a person standing in place of the parent; and a husband or wife as recognized under the laws of the Commonwealth of Virginia for the purpose of marriage. These definitions of family are different under the Family Medical Leave Act; for FMLA definitions, see section O of this policy.

R. Merit Increase – advancement in pay of an employee to the next higher step in the pay grade, based upon display of merit in performance of duties and not requiring a change in basic duties.

S. Original Employment – the initial period of continuous employment with the County of Fluvanna. An individual beginning employment with the County for the first time shall usually be placed at the minimum step of the pay range established for the job in which employed. Occasionally, however, based on a new employee’s prior experience and proficiency in the same or related capacity, placement may be accelerated within current budget restraints up to 15% above the minimum, upon approval of the County Administrator.

T. Personnel Department – shall refer to the County Administrator or such other person as the County Administrator shall designate to handle personnel matters.

U. Position Description – a detailed written description of the specific duties assigned to and performed by a particular employee, to serve as the basis for classification.

V. Probationary Period – at least six (6), but not more than twelve (12), initial calendar months of employment following an original employment or re-employment during which an employee is required to demonstrate, by actual performance, his/her fitness for the duties to which he or she is appointed, and his/her general fitness and suitability as a public employee.

W. Promotion – advancement to a higher pay grade granted to an employee in conjunction with increased job duties and responsibilities. When employees are promoted, their salary may be increased to the minimum range for that job at the recommendation of the department head and County Administrator.

X. Reclassification – a reassignment of the duties and responsibilities of a position, to an employee whose classification does not accurately reflect the actual duties performed; such changes may or may not result in a change of title or grade. When such position cannot accurately be described or compensated by assignment to an existing grade, the County Administrator shall establish a new grade and title. Reclassification differs from promotion in that the actual duties of the employee have not changed. A reclassification is reassignment of the employee's regular and continuing duties to a more descriptive and commensurate range.

Y. Re-employment – the employment period following a separation from County employment of more than thirty (30) consecutive calendar days from the date of separation. A returning employee who is re-employed will usually be placed at the minimum range of the position's approved pay grade. Occasionally, however, based on the returning employee's prior proficiency and experience in the same or related capacity, an acceleration may be made upon recommendation by the department head and approval of the County Administrator. All time earned in previous employment shall not be counted towards the probationary period, annual leave, service awards, or other longevity based employment conditions or benefits. Rather, only that time earned following actual reemployment shall be counted.

Z. Reinstatement – the employment period following a return to duty in the same class within thirty (30) consecutive calendar days from the date of separation. An individual returning to the employment of the County within thirty (30) days of separation, shall return to duty in the same position subsequent to the approval of the department head and the County Administrator. The appropriate pay range for all reinstated employees shall be determined by the County Administrator. Anniversary dates for all reinstated employees will remain unchanged, except when a reinstated employee has missed one full pay period or more from their position prior to reinstatement, in which case the anniversary date will be amended to reflect the days missed to the nearest full pay period. All time earned previous to reinstatement shall be counted towards the probationary period, annual leave, etc. However, actual time missed prior to reinstatement shall be discounted from actual annual leave accrual to the nearest pay period.

AA. Resignation – a voluntary separation from employment through written notification to the employing authority initiated by the employee. Written notification shall indicate the actual date and hour the resignation is to become effective and be signed by the employee.

BB. Retirement – the separation of a full-time employee who is scheduled to begin receiving retirement benefits.

CC. Suspension – temporarily prohibiting an employee from performing his or her duties. The suspension period shall always be without pay.

DD. Transfer Between Departments - if a transfer between departments involves a promotion or demotion, the rules of the appropriate action shall apply. When employees transfer between departments to the same position no change of status or anniversary date occurs.

EE. Oral Reprimand – a discussion between the supervisor and the employee wherein the employee is advised and cautioned with reference to unsatisfactory work performance or misconduct.

FF. Written Reprimand – a written documentation to the employee from the supervisor wherein the employee is advised and cautioned with reference to his unsatisfactory work performance or misconduct.