

02. PERSONNEL

2.3. Appointments

BOS Adopted – July 1, 2004

2.3.1. Qualifications for Appointment

A. Recruitment. Each position within the County government shall have a job analysis complete with job description, task lists and performance expectations. All vacancies shall be advertised based upon the requirements contained in the position description. EEO/AA standards shall be followed.

B. Identification. All applicants for employment must furnish references, be interviewed, and clear a criminal background check when deemed necessary, and/or be fingerprinted to determine criminal record prior to being considered for employment. When a job description requires the use of a County vehicle and/or transporting of citizens, the applicant's driving record will be checked.

C. Physical Standards. Applicants for employment and all County employees, except temporary or seasonal employees, may be given a physical examination at any time and, as a condition of employment, must meet the physical standards established for the position for which they apply. Physical examinations will be administered under the guidelines of the Rehabilitation Act of 1973. In addition, the County will adhere to the non-discriminatory policies set forth in this act, which means that reasonable accommodations will be made to allow handicapped persons to perform the essential functions of any position within the County's organizational structure.

D. Operators of County-owned Vehicles. Any applicant or employee who will operate a County-owned motor vehicle must possess a valid driver's license appropriate to the vehicle driven. Each employee who operates a County-owned motor vehicle must verify his license with the department head or supervisor each time a new license is issued by the Division of Motor Vehicles. Driving records may be required of employees who operate County vehicles.

E. Other Standards for Employment. Where other standards or requirements for a particular position are established which adhere to federal and state guidelines, all applicants shall be required to meet those standards as a condition of employment. Any standards developed must have the approval of the County Administrator or Board before being adopted, and shall then be entered on the applicable position or class description. Any substitution for or deviation from established standards must have prior approval of the County Administrator. The County Administrator may establish and must approve any tests or examinations which are developed and which are warranted to determine whether or not an applicant or employee meets established standards.

F. Applications with the Sheriff's Office shall be subject to testing as set forth in the Sheriff's Office policy regarding the application process.

2.3.2. Applying For Positions

A. Form of Application. All applicants for employment must prepare the State of Virginia application form with all requested information completed.

B. Application Process. All County departments and Constitutional Offices will adhere to the following regulations concerning application forms from prospective applicants:

1. All employment applications will remain on an active file status for one year after receipt of application.
2. When the applicant has an active application with the County, it is his/her responsibility to inform the County in writing that the application is to be submitted for consideration for a vacancy which is to be filled.
3. Vacancies will be advertised for a minimum period of two weeks in newspapers of general circulation. Each advertisement shall include a date by which applications are preferred and notice that the position shall remain open until filled.
4. If a position has been previously advertised, but no applicant was chosen due to the belief that no applicant was qualified or the responsibilities of the vacancy have been changed, the vacancy should be re-advertised.

D. Criminal Background Check Policy. (Amended June 18, 2003) Every applicant for employment shall authorize the County to conduct a criminal background check. Persons seeking a volunteer position, or permit or license with the County that requires (1) the handling of money; (2) provision of care for persons under 18, the elderly, or disabled persons; or (3) activities relating to law enforcement must complete the appropriate criminal background check form. Once applicants have been interviewed, those applicants for positions who are subject to the criteria of the County ordinance requiring Criminal Background Checks will be asked to:

1. Read and sign a County of Fluvanna Criminal History Check Notice to Prospective Employee, a Fluvanna County form authorizing a criminal history, and sex offender and crimes against minors registry search, and;
2. Complete a State Police form (SP-167) for requesting only a Criminal History Record Check if only handling money; or, complete a State Police form (SP-230) for requesting a Criminal History Record Check **and** Sex Offender and Crimes Against Minors Registry Search if caring for children, elderly, or the disabled..

Applicants will be advised that the records check will be conducted only after a job offer is made and that the satisfactory outcome of the record check is a condition of continued employment.

(See Fluvanna County Code, Sec. 17-3 for the full text of the policy.)

All applicants with the Sheriff's Office are subject to criminal background checks at any stage of the application process.

D. Hiring of Felons and Misdemeanants. It shall be the policy of the County to employ individuals without a criminal record. However, for certain job positions, the hiring of persons previously convicted of felony or misdemeanor offenses may be allowed upon approval of the County Administrator with the consent of the Board of Supervisors. Constitutional Officers retain sole discretion in the hiring of felons and misdemeanants in their respective offices.

2.3.3. Selection Process

A. Recommendations and Appointments. Department heads shall examine applications and interview applicants for employment and recommend applicants for appointment to vacancies existing within their departments. Appointments shall be made on the basis of ability, training, and experience without regard to age, race, religion, sex, national origin, handicap, or political affiliation. The County Administrator, or Constitutional Officers for their respective employees, shall approve all employees of the County covered by this manual.

B. Form of Interview. Each interview may be conducted by a selection committee or by an individual who is authorized to conduct an interview. A single list of questions shall be used for all of the interviews for a single position. Questions may be changed for subsequent interviews for new vacancies in a similar position.

C. Steps in the Selection Process. The steps in the selection process shall be followed in the order as they appear here:

1. Review and screening of all employment application forms;
2. Employment interview;
3. Employment tests will be administered by Department Heads as directed by the County Administrator for departments under his authority; Constitutional Officers (or their designee) are responsible for administration of testing in their respective offices.
4. Reference checking shall be performed by the County Administrator or Department Head or their designee for which the vacancy is to be filled;
5. A criminal background check authorization shall be filled out, if determined to be necessary based on the policy, before an employment offer is made to an applicant;
6. Physical examination, if necessary;
7. Final selection decision.

2.3.4. Orientation

A. Training. After employees have been hired, they will be given an orientation to the County organization, leadership program, and their job. In addition, they will receive necessary training to perform their job. Furthermore, present employees must periodically have their skills updated. Orientation and training of new employees and the training of longer-term employees are a major responsibility of the County Administrator, Constitutional Officers, the personnel officer, and department heads.

B. Responsibility of Orientation. The responsibility for orientation shall be shared between the County Administrator and the new employee's immediate department head or Constitutional Officers for their respective employees.

C. Orientation Packet. Each new employee shall receive an information packet from the personnel and/or finance department to supplement the oral orientation program. New employees shall be required to sign a form indicating that they have received the information packet. The packet shall contain: a copy of the personnel manual or handbook, all benefit information, tax forms, department policies, etc.

2.3.5. Background Checks for Employees and Volunteers

(Revised Nov 16, 2016)

A. Policy

1. Every person who provides services for Fluvanna County as an employee or as a volunteer shall undergo a criminal background check prior to providing such services. Nothing in this policy shall be construed to prevent the Department head, Agency head, or Constitutional Officer with a reasonable basis from obtaining, at any time, a background check on any applicant, employee, or volunteer. Any refusal to consent to a background check may lead to not being considered for a position within the County, or further disciplinary actions, up to and including dismissal for employees and volunteers.

2. County Library and Parks and Recreation Department employees and volunteers shall also undergo subsequent annual background checks in December.

3. Employees must report any criminal arrests, charges, or convictions to their Department head, Agency head, or Constitutional Officer within twenty-four (24) hours or at the earliest possible opportunity. Failure to make the required report may constitute a violation and may result in disciplinary action, up to and including dismissal. The same policy applies for volunteers who hold a position of trust with access to vulnerable populations.

4. No person having been convicted of any crime, under Virginia law, federal law or the law of any other state, district or territory of the United States, shall be employed by the County or accepted as a volunteer unless a waiver is approved as hereinafter provided.

5. Any conviction as to which the applicant shall have received an absolute pardon or which shall have been set aside by a court of competent jurisdiction.

B. Waivers may be approved when any of the following conditions exist:

Conviction:	Must be at least:
Crimes of fraud, dishonesty or moral turpitude (e.g., larceny, forgery, bad checks)	10 years old
Felony DUI	10 years old
Felony Drug	10 years old
Misdemeanor Drug	10 years old
Misdemeanor DUI	5 years old
Conviction of any Class 1 or Class 2 Misdemeanor involving reckless and/or dangerous driving behaviors	2 years old
Where the applicant has received an absolute pardon	N/A
Where the applicant's conviction has been set aside by a court of competent jurisdiction	N/A

A waiver shall not be approved for any applicant who shall have been convicted of two or more misdemeanors unless the County Administrator or respective Constitutional Officer shall determine that the most recent conviction is far enough in the past to indicate that behavior change has occurred (3-5 years, depending on the nature of the crime).

C. Convictions Not Eligible for Waiver. Convictions that are not eligible for waiver are as follows:

1. Abduction;
2. Felonies involving violence including but not limited to rape, sexual assault, homicide, malicious wounding, unlawful wounding, and domestic assault or battery;
3. Child/adult abuse or neglect;
4. Crimes which involve the exploitation of a child or an incapacitated adult;
5. Felony arson;
6. Felony or misdemeanor crime against a child or incapacitated adult which causes harm;
7. Neglect or abuse by a caregiver or a person in a custodial or supervisory relationship;
8. Pornography crimes involving children or incapacitated adults including but not limited to, use of minors in filming sexually explicit conduct, distribution and exhibition of material depicting minors in sexually explicit conduct or sending, distributing, exhibiting, possessing, displaying or transporting material by a parent, guardian or custodian, depicting a child engaged in sexually explicit conduct;

9. Purchase or sale of a child;

10. Sexual offenses including but not limited to incest, sexual abuse, or indecent exposure.

D. Waiver Requests

1. All waiver requests will be evaluated by the Department or Agency head who will make a written recommendation to the County Administrator for review. Waiver authority within a constitutional office will be considered and made by the respective Constitutional Officer.

2. The decision shall be final if the County Administrator disapproves the waiver from either a Department head or Agency head. Constitutional Officers retain sole authority of any waiver decision within their respective offices.

3. Waivers approved by the County Administrator shall also require the final consent of the Board of Supervisors.

4. In evaluating waiver requests, the County Administrator, Board of Supervisors, and Constitutional Officers shall give due consideration to the guidelines issued by the Federal EEOC for employers by considering the criminal history of job applicants, evaluation of the incident(s) based on consultation with appropriate professionals, and the following factors:

a. The relationship between the incident and the type of employment or service that the applicant/employee will provide.

b. The applicant/employee's employment or volunteer history before and after the incident.

c. The applicant/employee's efforts and success at rehabilitation.

d. The likelihood that the incident would prevent the applicant/employee from performing his or her responsibilities in a manner consistent with the safety and welfare of the consumers served by the agency.

e. The circumstances and/or factors indicating the incident is likely to be repeated.

f. The nature, severity, number, and consequences of the incidents disclosed.

g. The circumstances surrounding each incident, including contributing societal or environmental conditions.

- h. The age of the individual at the time of the incident.
- i. The amount of time elapsed since the incident occurred.

2.3.6. Employee Identification Card Program. Fluvanna County is committed to providing employees and the public with the highest quality of public service in the safest possible environment while conducting business. As part of this goal, the County is instituting an identification card program for County employees.

BOS Adopted - Nov 5, 2014

A. Policy. The County will issue employee identification (ID) cards to all full-time employees and part-time employees who work on a regularly scheduled basis. Employee ID cards may also be issued to other employees or volunteers who come in direct contact with the public, work in remote job sites, or as requested by the department/agency head or Constitutional Officer.

B. Employee ID Card Information

1. Employee's photo
2. Employee's name
3. Employee's County ID number
4. Employee's title and department
5. Some departments/agencies or Constitutional Officer may require additional information as needed.

C. Process to Obtain an Employee ID Card. Human Resources (or designees) processes the photo ID cards for all departments, agencies, and Constitutional Officer staff, except for the Sheriff's Office and the Department of Social Services.

1. New employees will generally receive their Employee ID card at their new hire orientation meeting, but at minimum, Employee ID cards will be issued within 2 weeks of an employee's first work day.
2. All employees who have a name, job title, or department change will receive a new Employee ID card within 2 weeks of the change.
3. Employees shall turn in the old Employee ID card to Human Resources, prior to receiving the new card with the change.

D. Employee ID Carried / Worn. The employee ID card must be carried or worn at all times when an employee is acting in an official capacity.

1. Department/Agency heads and Constitutional Officers will determine when their employees shall wear the employee ID card so that it is visible to the public.

2. Field employees shall carry their ID card at all times in a manner that does not interfere with any equipment or their activities.

3. The Employee ID card shall be used as identification during duty hours if requested by a member of the public or another County employee.

E. ID Cards May Not be Shared. At no time shall an employee share his/her employee ID card with any person.

F. ID Cards Property of Fluvanna County. All employee ID cards are the property of Fluvanna County.

G. Reporting Lost or Stolen Cards. An employee shall report all lost or stolen employee ID cards immediately to their Supervisor and the Human Resources Office.

H. Termination or Resignation. Upon Termination or resignation from County employment, employees are required to turn over their Employee ID card to their supervisors who will send the ID to Human Resources.