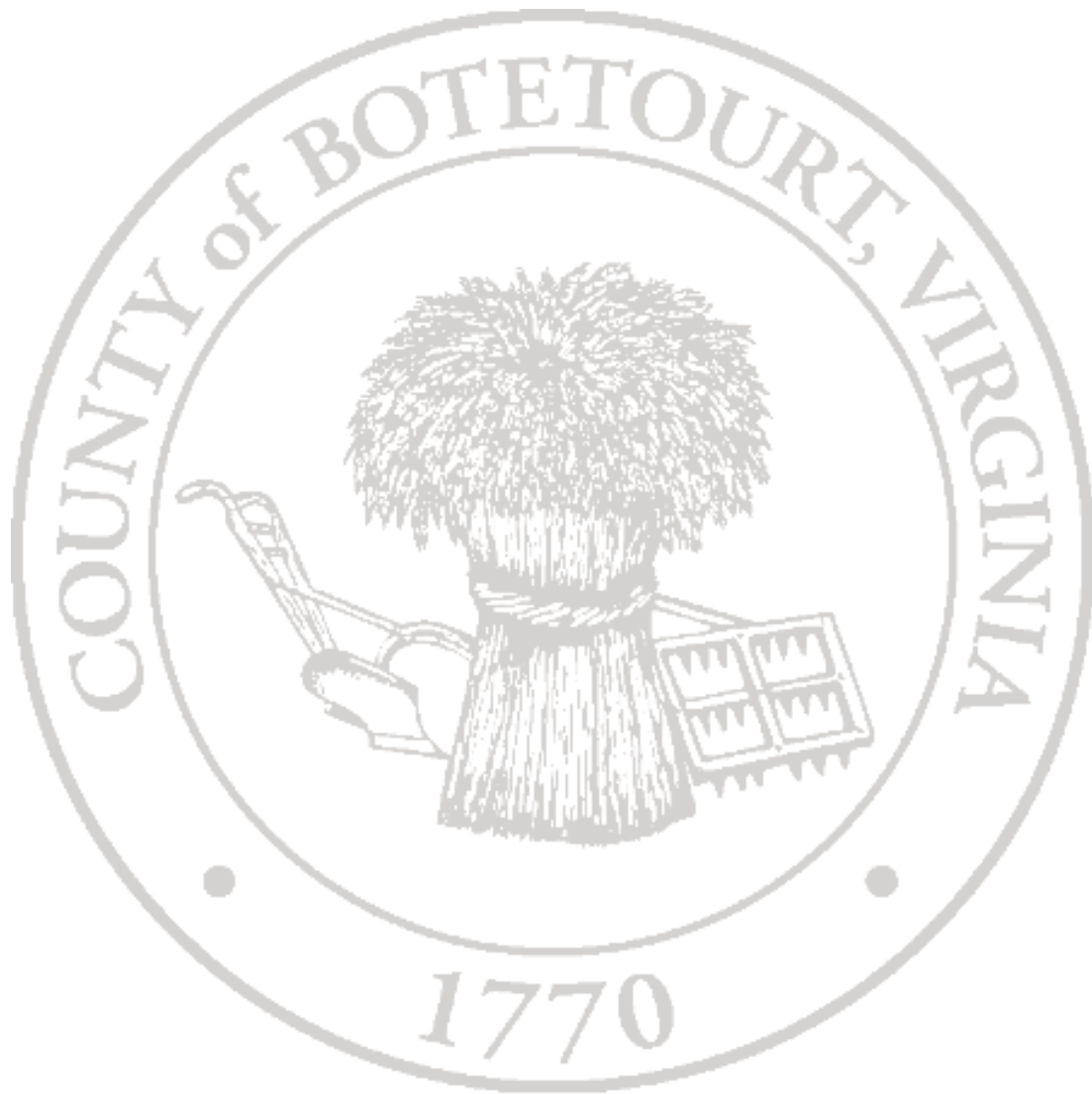


County of Botetourt, Virginia
Manual of Personnel Policies



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1. Introduction

1.1 Welcome

Welcome to employment with Botetourt County, Virginia! You are congratulated on your record of achievement and your selection for the position to which you've been hired.

This manual has been prepared to help familiarize you with County policies and procedures. It is not intended as a contract and does not create a contract of employment. Rather, it is a set of guidelines that will aid and assist you in your new duties and in building relationships with your new co-workers. Read it carefully. Become familiar with its provisions. And do not hesitate to ask for clarification whenever you have questions.

1.2 Purpose

It is the purpose of this manual to establish and maintain a uniform system for managing personnel matters; to comply with applicable employment laws; and to provide for the standards, terms, and conditions of employment with the County in a clear and comprehensive fashion to maximize the efficiency and orderliness of operations. It is further intended, by adoption and periodic amendment of these policies and procedures, that they serve as a guide for employees of the County in their routine work activities and relationships to the extent that the objectives of both the County and individual employees can be achieved.

1.3 Establishment of Policies

The policies contained herein have been established by legal action of the Board of Supervisors. Amendments shall be made at the Board's discretion to maintain legal compliance, operational effectiveness, and the general scope of desired workplace conditions.

1.4 Vision, Mission and Values Statement

The Botetourt County Board of Supervisors Mission and Values Statement is below. Employees are expected to act and to perform their work in a manner and by use of means consistent with this statement.

We, the Elected Supervisors of Botetourt County
Envision a community where county residents are attaining higher education and economic goals; are enjoying a quality of life marked by safety and security, environmental protection, quality business and residential development, and a variety of recreational and cultural opportunities; and are pleased with the value and cost of county government.

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Have a mission to generate and allocate revenues and establish policies and regulations in order to pursue public safety and educational goals, protect our environment and quality of life, enhance the local economy, comply with state and federal program mandates, provide other lawful services desired and supported by county residents.

Are dedicated to applying values-based principles in the everyday work of the Board and its staff, including commitment to:

Integrity, as a foundation for open and honest dealings with all and a desire to always choose the harder right rather than the easier wrong in our decision-making;

Excellence, through devotion to the strong work ethic and cooperative spirit that have been hallmarks of our citizens, in order to provide efficient and effective services for County residents and businesses;

Limited government and its associated qualities of equitable and just taxation and regulation, simplified structure and operations, and easy accessibility for County residents and businesses;

Respect for others, by recognizing that fairness and genuine empathy should be the basis for our engagement with the public at large;

Respect for the past and the future, by acknowledging that much of what makes Botetourt unique today is rooted in past decisions that preserved a special natural environment and quality of life, and that future generations deserve as much from us;

Accountability, individually and in teams, by always accepting responsibility for our behaviors, actions, and results; and

Loyalty in word and deed to each other and to our community.

Upon amendment of any part of this manual, the County will endeavor to use normal communication channels to apprise employees, in a timely fashion, of such changes and their effect, if any.

Each employee covered or affected by this manual is responsible for knowledge of and compliance with all provisions contained herein.

1.5 Legal Standing

This manual and the policies contained herein, and any other County policies, do not create a contract of employment. Employees may terminate their employment at any time; however, two weeks prior notice is requested.

1.6 Applicability

The policies contained in this manual, unless otherwise noted herein, apply to all employees hired under the authority of the Board of Supervisors of Botetourt County. Supplemental policies developed pursuant to the scope and authority of this manual and approved by the County Administrator, are also applicable to Emergency Services employees. To the extent that such supplemental policies differ from provisions of this manual, the supplemental policies shall govern. Such supplemental policies shall be maintained by and available from the County Administrator's Office.

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2. Administration

2.1 Administration of Policies

The County Administrator shall have responsibility for administration of the personnel program established by the Board of Supervisors, and is responsible for the recruitment, selection and appointment of employees as provided for by the Board in the County's approved budget.

2.2 Equal Employment Opportunity

It is the County's policy to employ, retain, promote, assign, compensate, terminate and otherwise treat any and all employees and job applicants on the basis of merit, qualifications and competence. This policy shall be applied without regard to any other factor except where an individual's sex, age or disability is a bona fide qualification criterion as permitted by law.

2.3 Americans with Disabilities Act

It is the County's policy to follow and comply with the Americans with Disabilities Act (ADA) of 1990, as amended, as well as the ADA Amendments Act of 2008, which protects qualified employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral and other aspects of employment on the basis of disability. The law requires the County to provide qualified employees with disabilities with reasonable accommodations that do not impose undue hardships.

2.4 Recruitment and Selection

The County Administrator, or his designee, shall determine the publicity required to obtain a reasonable pool of qualified applicants for each vacancy.

As determined by the Administrator, or his designee, the selection process may include written application, oral interview, written examination, skills assessments, drug/alcohol screenings, criminal background checks, a physical examination and/or a psychological assessment to determine an applicant's ability to perform the work required.

When a vacancy occurs, the Administrator shall determine whether the position shall be filled by promotion within or recruitment from outside the existing County workforce.

Employment, termination, and discipline are the responsibility of the Administrator.

Employee recruitment and retention activities shall be conducted pursuant to the following strategy:

The Botetourt County Board of Supervisors will recruit and retain quality public servants by providing meaningful work, competitive compensation, productive work environments, team-oriented working relationships, and recognition of dedicated and meritorious service.

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2.5 Work Routine

2.5.1 Work Schedules

The regular workweek will consist of eight hours per day, five days per week. Most employees will be assigned to a work schedule of 8:30 a.m. to 5:00 p.m., Monday through Friday. However, the County can assign employees to other days and hours within the workweek that begins at 12:01 a.m. Sunday and ends at 12:00 midnight of the following Saturday.

Other work shifts, days, hours, and periods can be established and modified by the County within the limits prescribed by law, based on operating conditions and requirements of the County. With approval of the County Administrator, department heads may grant employees the opportunity to work flexible work schedules so long as such a schedule does not diminish operational effectiveness, access or service to the public or other customers, or create an overtime liability that would not otherwise occur.

2.5.2 Punctuality and Attendance

Regular attendance and punctuality are essential for the efficient operation of each department. When an employee must be tardy or absent from work, it is the employee's responsibility to notify his/her department head as soon as possible. When possible, at least one day's advance notice shall be provided by the employee.

2.5.3 Meal Periods

The County provides and encourages employees to take meal periods as approved by the County Administrator or their department head. The standard meal period is thirty (30) minutes. Employees should not spend mealtime at the workstation and will therefore be relieved of duty entirely during the meal period, except under special conditions approved by their supervisors. Under certain circumstances where it is in the best interest of the County, employees may be required to consume a meal while actively engaged at work, whereupon employees shall be compensated, in pay or compensatory leave, for the meal period if working the period triggers overtime/compensatory leave.

2.5.4 Overtime, Callback, and Emergency Work Hours

As circumstances or specific operational needs of the County dictate, it may become periodically necessary for employees to be available for work beyond their daily or weekly work schedule, or to return to work after departing the County premises, following completion of their normal work schedule. Either an extension of the workday or a returned resumption of work activity prior to the next scheduled workday may be treated as overtime for the purpose of eligible employee pay calculations, depending on the number of actual hours worked during the applicable work period. Employees will be compensated for overtime work hours pursuant to the "Fair Labor Standards Act" section of this manual contained below.

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Should an emergency occur, the nature of which affects County operations, employees may be required to work unusual or reduced schedules, or they may be laid off indefinitely.

2.5.5 Standby Policy

This policy applies to employees, generally in Public Works, Management Information Systems or other facilities support positions, whose responsibilities include standby duties in case of emergencies.

Certain employees may be specifically designated and required to be available and ready to work when needed to handle exceptional situations occurring outside of standard working hours. Unless circumstances require otherwise, employees will be scheduled on a rotating basis.

Employees assigned standby duty are not required to remain at their work stations and are free to engage in their own pursuits, subject only to the understanding that they leave word as specified by their supervisor or department head where they may be reached at all times while on standby duty, and, if necessary, report to work promptly as specified by the supervisor or department head. The employee must be fit and available for duty. Therefore, employees on leave or disability are not available for and shall not be compensated for standby duty. Standby duty periods shall be based on departmental needs and shall be determined by the department head. Employees on standby duty must notify their supervisor or department head as soon as possible of any situation or circumstance that would prevent the employee from immediately responding to a work call.

One (1) hour of compensatory time shall be earned by employees for each calendar day of standby duty served. Compensatory time earned for standby duty is not considered active work time and shall not be included in work time calculations for purposes of determining overtime or overtime compensation. Employees required to report for active work duty outside of scheduled work hours shall be compensated in accordance with the County's Overtime, Callback, and Emergency Work Hours policy (Section 2.5.4 of the Manual of Personnel Policies).

Employees on standby duty shall respond to work calls according to department policies and procedures. Failure to respond or to comply with department response standards shall result in forfeiture of standby compensation for the applicable calendar day. Further, failure of an employee to respond or to comply with department policies and procedures may result in disciplinary action up to and including termination.

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2.6 Employee Responsibilities

2.6.1 Conflict of Interest

In keeping with the Conflict of Interest Act, County employees are prohibited from using information gained while performing their job to further their own personal interests. There may be some County employees who are required to file a statement of their interests as prescribed by County ordinances or state law.

2.6.2 Confidentiality of Records

Many County employees will work in capacities where confidential data concerning the plans and affairs of the department or of individuals will be handled. It is of great importance that employees not discuss such plans or records with persons not authorized to have access to them. If there is a question as to whether the information should be released, then the inquirer should be referred to the appropriate department head or the County Administrator.

2.6.2.1 Protected Health Information

The Health Insurance Portability and Accountability Act (HIPAA) establishes a system of privacy protection for health information. In general, HIPAA provides that a “covered entity” may not use or disclose protected health information (PHI) except as expressly permitted. 45 C.F.R. §164.502(a) A covered entity is either a health care plan, a health care clearinghouse or a health care provider who transmits PHI electronically. Id., §160.102

Botetourt County is not a covered entity; however, in order to ensure the privacy of its employees’ medical information, the following policies are to be strictly followed.

Protected health information (PHI) cannot be disclosed or used except where expressly permitted.

In order to comply with these dictates, health information is not to be transmitted in any format to a third party unless otherwise authorized by law or the person about whom the information pertains has signed an authorization form and the County Administrator or his designee has authorized it. Authorization forms are available from the Human Resources Office.

All health information *must* be protected. This includes but is not limited to the following:

- Enrollment Applications
- Employment Physicals
- Drug Test Results
- Rescue Call Data

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2.6.3 Gifts

County employees are in a position of public trust and cannot accept gifts, gratuities, favors or rewards for any services performed in connection with County employment. In addition, it is unlawful to solicit, offer or accept money or anything of value in exchange for an appointment, promotion, or special privilege with the County. These limitations are not intended to prevent employees from accepting articles of negligible value which are distributed generally. If a question arises concerning a particular situation, an employee should consult the department head or County Administrator.

2.6.4 Outside Employment

While outside employment is not prohibited, such employment requires notice to the County Administrator and must not interfere with the performance of one's job or conflict with one's responsibility to the County. The County Administrator may, in his or her sole discretion, require that the employee provide written evidence of the outside employer's current workers' compensation insurance coverage for the employee. If it is determined by the County Administrator or department head that outside employment would diminish the efficient performance of duty, disrupt departmental operations, or create a conflict of interest, or if the employee refuses or cannot provide evidence of workers' compensation insurance coverage if required, the outside employment will not be permitted.

2.6.5 Political Activity

Employees of the County shall serve all County residents equally. The political opinions or affiliations of any resident will in no manner affect the quantity or quality of service received from the County.

An individual's political affiliation, preference, or opinion will in no way influence appointment, retention, or promotion of a County employee. However, employees may not campaign for office for self or others or display campaign posters or solicit campaign funds on County time or on County property, real or personal.

2.6.6 Personal Appearance Standards

The success of County operations is directly impacted by the image employees project and their conduct. Employees are therefore expected to dress in a manner consistent with the nature of work performed. If there are questions as to what constitutes proper attire, employees should consult with their supervisors. Employees who are inappropriately dressed, in the opinion of their supervisors, may be sent home and required to return to work in acceptable attire, and the period of absence will be treated as unpaid leave.

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2.6.7 Personal Use of County Time and Equipment

2.6.7.1 Telephone/Cell Phone

The County provides telephones for all employees who need them to conduct County business and provides cell phones as necessary. At the employee's request and upon the approval of the County Administrator or his/her designee, in lieu of providing a cell phone, the County may pay the employee a stipend for the employee to provide a use a personal cell phone for County business. During periods of leave extending beyond one pay period, cell phone stipends will terminate until the employee's return to work.

The use of County telephones for personal calls should not be made or received that will interrupt or interfere with the employee's work or that of co-workers or either prevent or hinder the use of the telephone for County business. Under no circumstances will personal calls be made or received at County expense.

2.6.7.1.1 Cell Phone Usage While Driving

Employees driving County owned vehicles or personal vehicles while conducting County business should remain alert and not engage in distracting behaviors, such as cell phone usage. Employees shall adhere to all federal, state or local laws regarding cell phone usage while driving. Should the need arise to either make or accept a call while driving, the employee shall make use of voice activated dialing, hands free speaking device or speakerphone. It is preferable that the employee find a safe place to pull over, place the vehicle in park and then proceed to make or answer the call. Text messaging, checking electronic mail, connecting to the internet, playing video games, or viewing a movie while driving is expressly prohibited.

2.6.7.2 Equipment

Unauthorized removal of County equipment or property from the premises of any County facility or use of County equipment or property for personal reasons is prohibited. Additionally, employees shall utilize County property, tools or equipment in a reasonable manner to assist in the performance of their job duties. Utilization deemed as inappropriate, reckless, abusive, negligent, in violation of standard and customary practices and procedures, or willful misuse of property, tools or equipment may result in disciplinary action.

2.6.7.3 Identification Cards

County employees are issued photo identification cards for business use. ID cards shall not be used for personal business or for any business activity that is not part of the employee's regular duties or as assigned. Employee IDs remain the property of Botetourt County and are to be returned to the County upon termination. Alteration or duplication of IDs is prohibited. Human Resources should be notified immediately of lost or stolen IDs.

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2.6.7.4 Time Theft

The County values each employee and the job they do. It is expected that employees will report to work and make every effort to use time wisely in the completion of assigned duties. Employees shall not use County time for personal reasons. This will be considered time theft and will be treated as such by the individual department head and County Administrator. Accordingly, “personal visits” between departments or offices while working prevents other employees from completing their duties and are considered time theft.

2.6.7.5 Computer Equipment

The County provides a computer and software for all employees who need them to conduct official County business. All computer equipment, hardware and software, is the property of the County. Misuse or inappropriate use of this equipment and/or software may result in disciplinary action.

2.6.7.6 Electronic Mail and Internet

The County provides electronic mail and internet access for employees to facilitate business communications. Employees are strictly prohibited from accessing other employees' electronic messages (emails) or electronic documents without permission or express authorization by an administrator pursuant to a legitimate business purpose. It is expected that employees will not use either electronic mail or internet access to view or transmit messages that could be reasonably interpreted as insulting, demeaning, threatening, hostile, or offensive by other persons. Examples include sexually explicit material, propositions, ethnic or racial slurs or other material that is construed as harassment. Conduct in violation of these standards may result in disciplinary action.

2.6.7.7 Personal Blogs

The County respects the rights of employees to exercise freedom of speech through personal blogs; however, blogging should not occur during working hours. Any expressions should be the personal view of the employee with no reference to the County or County business. Blogs should not include harassment of a coworker or other statements that may be reasonably construed as improper under the guidelines of the County Manual of Personnel Policies. Conduct determined to be in violation may result in disciplinary action.

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2.6.8 Standards of Conduct

It is the policy of the County to maintain the most harmonious, pleasant, and positive work environment possible and thereby make work relations an enjoyable experience for all. Employees are therefore expected to conduct themselves in a manner in the workplace which at all times is honest; respectful; courteous; responsive; supportive of co-workers and the public; compliant with established laws, policies, rules, regulations and procedures; and which reflects positively upon the County, its activities and employees. Workplace conduct contrary to these standards may result in disciplinary action. Likewise, conviction of any criminal offense may result in disciplinary action.

2.6.9 Disciplinary Action

Depending on the nature and circumstances of employee misconduct, discipline will normally be progressive and bear reasonable relationship to the misconduct. Illustrative types of discipline that may occur include: counseling; verbal reprimand; written reprimand; disciplinary demotion; suspension without pay; and discharge.

2.6.9.1 Notice

When the discipline contemplated is more than counseling or an oral reprimand, the County shall give the employee written notice of the charges against him/her and notice of the intent to take disciplinary action. The notice should also advise the employee of the employee's right to present his/her side of the matter, in writing or in person. The provisions of this section do not apply to employees in their initial period of employment.

2.6.9.2 Procedure

- The disciplining supervisor should consult with an Administrator prior to initiating disciplinary action. This does not apply to management actions taken to protect property or personnel or public safety or to prevent the continuation of employee misconduct.
- If the supervisor determines that disciplinary action is appropriate, he/she shall, unless deemed impractical or inappropriate, notify the employee of disciplinary action through a face-to-face meeting.
- The County Administrator or other administrative staff in the employee's chain of command may also participate in or conduct the meeting.

2.6.9.3 Documentation

- As practicable and appropriate, disciplinary action is to be documented in writing by the disciplining supervisor and/or an administrator. When applicable, the document should also provide clear instruction as to the supervisor's expectations

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- of the employee, and any applicable timelines by which the employee is required to demonstrate compliance.
- Insofar as practicable, the disciplinary document is to be submitted to the employee for his/her signature and dating acknowledging his/her notification of its content.
 - Original copies of all written disciplinary documentation shall be sent to Human Resources for placement in the employee's personnel file.

2.7 Initial Period of Employment

2.7.1 Definition

The work and conduct of an employee during the first six months of the original appointment or re-appointment is considered a working test period or initial period of employment. During this time, an employee is required to demonstrate his or her fitness to the duties of the position and suitability as an employee of the County. An employee may be dismissed at any time during the initial period of employment and shall have no right of appeal, except where discrimination is claimed. Those employees with charges of discrimination shall have the right of appeal through the grievance procedure. Upon successful completion of the initial period of employment, the employee will become a regular employee.

2.7.2 Evaluation

Employees in the initial period of employment will be evaluated by their supervisors after three months from the date of employment and written documentation of the evaluation will be placed in the individual's personnel file. This evaluation is intended to give both the employee and the supervisor the opportunity to discuss their working relationship and make improvements. The employee in the initial period of employment will be evaluated again one week prior to the completion of the six-month period. During the evaluation, the supervisor has the option to transfer this employee to regular employment after completion of the initial period, to extend the initial period if approved by the County Administrator, or to terminate this employee if approved by the County Administrator.

2.7.3 Benefits

Full-time employees in the initial period of employment may accrue both annual leave and sick leave at the prescribed rates. During the initial period of employment the employee may use sick leave, if necessary, after it has accrued. Likewise, during the initial period of employment the employee may use compensatory leave, if earned, as approved by his/her supervisor. Annual vacation leave may not be used by employees during the initial period of employment. Health and Dental insurance benefits are effective first of the month following completion of a 30-day waiting period from the date of employment. All other benefits such as VRS life insurance, VRS retirement plan and

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the 457(b) Deferred Compensation plan will be effective the first full month of employment.

2.8 Pay

County employees are paid once each month on the last working day of the month. Salary levels will be determined and adjustments made in accordance with the County's pay and performance appraisal plan.

2.9 Overtime

Employees subject to the Fair Labor Standards Act must receive payment or compensatory leave for all work performed beyond 40 hours in a week. Such payment must be at a rate of time and one half (whether cash or compensatory leave). Such compensatory leave cannot be accumulated beyond 240 over-time leave hours (160 overtime hours worked X 1 1/2 = 240 overtime hours).

Executive, administrative, and professional employees are exempt from the Fair Labor Standards Act.

Detailed provisions for the administration of provisions of the Fair Labor Standards Act as it applies to employees of Botetourt County are included within the "Overtime/Compensatory Time" (Section 5.8).

2.10 Part-Time and Temporary Employees

Such employees are usually hired for a particular length of time and are paid on a monthly basis. Part-time and temporary employees are not eligible for the benefits received by the regular employee, except that permanent part-time employees (whose employment is for an indefinite period):

- Shall receive full pay for half of each paid holiday period; and
- May participate in the County's 457 deferred compensation program.

It is the responsibility of the department head, with the approval of the County Administrator, to inform the employee, upon hiring, what type of appointment he or she will have.

2.11 Travel Reimbursement

Those employees required to travel in connection with their work will be reimbursed for their travel expenses. The County Administrator may establish eligible costs and maximum reimbursement rates and amounts for travel expenses.

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2.11.1 Private Vehicles

Those employees using their own vehicle for work-related travel must keep a record of beginning and ending odometer readings, or by use of a trip meter. Upon completion of County business travel, the mileage must be submitted to the County Bookkeeper. Reimbursement will be at the then current rate established by the County Board of Supervisors, and will be on a monthly basis unless otherwise authorized by the County Administrator.

2.11.2 County Vehicles

County vehicles will be refueled at the County fueling station whenever possible. Holders of fuel credit cards may utilize them as circumstances require. Employees may also pay with personal funds and be reimbursed on a monthly basis upon submission of an approved reimbursement request and receipt to the County Bookkeeper.

The primary driver of a County vehicle is responsible to ensure the proper routine maintenance, care, and repairs of his or her vehicle. The Central Garage should be used for available services and should be contacted for maintenance and care information.

2.11.3 Vehicle or Equipment Accidents

In the event of an accident in either a County or private vehicle in County use, the employee should report the accident to a law enforcement officer(s) and collect personal contact, vehicle and insurance information from any other involved drivers.

The employee should not make or sign any statement admitting or denying responsibility. The employee should not make or sign any statement regarding his or her physical condition except to medical personnel. The employee should not talk with any party other than law enforcement personnel and his or her supervisor about the facts of the accident. Under no circumstances should the employee talk with any representative of the media.

The employee must report all accidents, no matter how minor, to his or her supervisor as soon as possible.

In the event of an accident while operating a County owned vehicle or piece of equipment or while operating a privately owned vehicle or piece of equipment in performance of County business the employee shall be required, at County expense, to submit to a drug and alcohol screening where there is a personal injury and/or reasonable ground to suspect improper or illegal drug and/or alcohol use.

2.11.4 Other Travel Expenses

Those employees required to travel overnight may request advance funds. These may be obtained by submitting an advance request to the County Administrator. Employees may

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choose to be reimbursed for travel expenses. Receipts must be submitted when returning from travel, or requesting reimbursement.

All travel and related expenses are subject to prior authorization by the Deputy County Administrator or the County Administrator. Expenses not authorized prior to travel may be denied for cause, in which case the expenses shall be the sole personal responsibility of the employee.

2.12 Inclement Weather Policy

2.12.1 General

Employees are responsible for reporting to work on time regardless of weather conditions with exceptions as provided below. When conditions exist, such as snow, ice or other storms that cause transportation or reporting to work problems, the employee must contact his or her immediate supervisor. If in the supervisor's opinion, the employee is not required, the supervisor may permit the employee to take annual leave or compensatory time as appropriate. If the employee is required to work, all time absent will be without pay. No employee will be granted leave if it requires another employee to work overtime, unless approved by that department head or the County Administrator.

2.12.2 Extreme Weather Conditions

In extreme weather conditions, some or all County offices may be closed or their opening delayed, as determined by the County Administrator. When this occurs, the local radio stations will announce the delay or closing. Delay and closing information will also be recorded on the County's website and main switchboard message service that can be reached by calling 473-8220. If an employee believes that his/her personal safety would be at risk by reporting to work, he/she may notify his/her supervisor immediately and take annual vacation leave or compensatory time instead of reporting for work that day. If annual vacation leave or compensatory time is not available to the employee, he/she may take leave without pay. Appropriate leave forms must be completed on the next day that the employee reports to work.

2.12.3 Essential Personnel

Essential personnel are those employees who must report to work during inclement weather, regardless of authorized closings. A roster of essential personnel shall be posted and maintained by the County Administrator in his/her office.

2.12.4 Non-Essential Personnel

Employees who are not considered essential personnel will not be required to report to work and will not be penalized during authorized closings. Employees other than essential personnel that do report during authorized closings will not be credited with

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compensatory time unless authorized or approved by the department head or the County Administrator.

2.13 Nepotism

It is the policy of the County not to place immediate family members in a supervisor-subordinate relationship within the same department, regardless of the working relationship. The immediate family shall include: spouse; children (including step, foster and in-laws); siblings (including step); parents (including step); grandparents (including step); grandchildren (including step) of the employee and his/her spouse; and any other person living in the same household as the employee.

2.14 Smoking

In the interest of public health, safety, welfare and protection of County property, it is the policy of the County that smoking and the use of other tobacco products is allowed in designated areas of employee worksites. No smoking or other tobacco use is permitted inside any worksite building or in County vehicles. This policy is applicable to employees of the County, State and Constitutional offices and the general public alike.

Violations of this policy will result in appropriate disciplinary action by the County Administrator in cooperation with Constitutional officers and State office managers where appropriate.

2.15 Drug and Alcohol Abuse Policy

2.15.1 Purpose

The County is committed to the safety and well being of its employees and the public it serves. It is the County's intent to establish and maintain a work force and work environment free from the adverse effects of alcohol and controlled substances, and to comply with the requirements of the Federal Drug-Free Workplace Act.

Employees reporting to work must be able to perform their assigned duties safely and competently; employees must be free from the effects of alcohol or controlled substances, which impair judgment and job performance, and may result in accident or injury to self, other employees, or the general public. This policy is intended to support the County's commitment to provide services to the public with a qualified, capable, and fit-for-duty workforce.

Any employee who has a substance abuse problem may, at any time, elect to obtain assistance for his or her problem by admission to a drug or alcohol abuse treatment program. Employees are strongly urged to seek such assistance before their problem becomes a matter of public knowledge or has affected his or her ability to effectively perform his or her job responsibilities.

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2.15.2 Prohibitions

The manufacture, distribution, dispensation, possession, purchase, sale, or use of alcohol or a controlled substance in the workplace is prohibited. Employees found in possession of, or under the influence of alcohol, or controlled substances not legally prescribed by their physicians, shall be subject to disciplinary action, up to and including dismissal, in addition to facing possible legal consequences.

The possession, use (unless in administering a controlled substance prescribed by a physician), gift, distribution, or sale of a hypodermic syringe needle or other instrument or implement prohibited by Article 7 of the Drug Control Act, is likewise prohibited, and employees are cautioned that simple possession of such paraphernalia while in the workplace is prohibited and cause for disciplinary action, up to and including dismissal.

2.15.3 Responsibilities

2.15.3.1 Employees

Employees shall notify their supervisors in writing, no later than three calendar days following a conviction, if convicted of violating:

- A criminal drug law, based on conduct occurring in or away from the workplace; or
- An alcoholic beverage control law or law that governs driving while intoxicated based on conduct occurring in the workplace.

Employees shall report any conduct of other employees that appear in violation of this policy to their supervisors.

All County employees shall provide full assistance to legal authorities in investigating and prosecuting charges of illegal drug-related activity by County employees.

2.15.3.2 Management

Each supervisor and department head has the responsibility to immediately report violations, as well as any reasonable evidence to suspect that an employee is manufacturing, distributing, dispensing, in the possession of or is under the influence of alcohol or a controlled substance to the County Administrator. The supervisor or department head and the County Administrator shall work together to investigate the possible violation, obtain the facts, and determine appropriate action.

The County Administrator shall notify any granting Federal agency within five days after receiving notice from an employee or otherwise receiving actual notice of a criminal law conviction against an employee for conduct occurring within the workplace and in connection with that Federal agency's grant.

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Department heads and supervisors shall assist in ensuring that the workplace is free of controlled substances and that their departments meet the requirements of the Drug-Free Workplace Act.

2.15.4 Screening

In an effort to identify and eliminate controlled substance/alcohol abuse, which affects an employee's ability to safely and competently perform his/her duties, urinalysis and blood tests and breathalyzers may be used where there is a reasonable ground to suspect improper or illegal drug and/or alcohol use.

Candidates selected to fill positions which are classified as high risk positions, public safety positions, or jobs requiring the regular and routine operation of County vehicles or other motorized equipment, will be required to complete a drug/alcohol test prior to employment with the County.

All County employees in positions which are classified as high risk or public safety positions, and all County employees who are subject to the Commercial Drivers License Program (who are required to drive a 26,000 pound or greater vehicles as part of their County duties) will be required to undergo a periodic random drug/alcohol screening process as outlined below.

2.15.4.1 Conditions and Procedures

Screening of employees may take place under any of the following conditions:

- Change in Position. Employees who are being transferred, promoted, or demoted may be required to complete a drug screening prior to appointment.
- Reasonable Cause. Testing may occur when the employee's work performance is impaired and workplace behavior indicates that an employee is under the influence of drugs/alcohol. Such behavior must be witnessed by at least one supervisor.
- Post-Accident. Following any on-duty accident which causes either property damage or personal injury, or where supervisors have reasonable suspicion to believe that the involved employee(s) is under the influence of, has been using, or is in possession of alcohol or controlled substances in violation of this policy.
- Random. Employees who are in positions as outlined in the above section will be required to undergo periodic random screenings. Human Resources or Supervisor(s) will notify those employees randomly selected by the lab. When notified, the employee should report directly to the testing sight within the hour.

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Any employee who is relieved of duty due to reasonable suspicion of alcohol or drug abuse shall not be permitted to operate a County vehicle or County equipment. Every attempt shall be made to locate a family member or friend to transport the employee. If this is unsuccessful, a co-worker may drive the employee home or other transportation may be arranged at the County's expense.

Any employee who routinely drives a County vehicle/equipment and who tests positive for alcohol/drug use shall be immediately disqualified from driving and taken off the road.

2.15.5 Discipline

Employees performing work while impaired by alcohol and/or drugs, and employees refusing to participate in or absenting themselves from a drug or alcohol screening test required by this policy shall be subject to disciplinary action, up to and including dismissal.

2.16 Discrimination, Harassment, Retaliation and Workplace Romance Policy

2.16.1 Purpose

It is the policy and intent of the Botetourt County Board of Supervisors to provide a professional, businesslike work environment free from all forms of discrimination and harassment, including race, color, gender/sex (whether or not of a sexual nature), religion, national origin, age or disability. Retaliation for opposition to prohibited discrimination/harassment or participation in the complaint process will not be tolerated. The County will exercise reasonable care to prevent or correct promptly any discriminatory or harassing behavior on the part of any of its employees. It is also the intent of this policy to provide clear guidance and guidelines regarding supervisor-subordinate relationships.

2.16.2 Discrimination, Harassment and Retaliation Prohibited

Any and all forms of unlawful discrimination and/or harassment, including sexual harassment, are strictly prohibited. Retaliation against persons who oppose unlawful discrimination and/or harassment or participate in the complaint process is prohibited. Most people recognize discrimination and harassment based upon race, color, religion, national origin, age and disability, but are sometimes confused with regard to harassment based upon gender/sex. Thus, while this policy applies to all forms of discrimination and harassment, examples of harassment based upon gender/sex are provided below.

Sexual harassment is unwelcome conduct based upon gender that is a term or condition of employment. It is discriminatory treatment on the basis of gender that is so objectively offensive as to alter the conditions of employment. An alteration of conditions can be

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either provision of or deprivation of job benefits based upon a response to unwelcome sexual demands or conduct that creates an intimidating, hostile, or offensive work environment even if there is no tangible job action.

The behavior can be written, verbal or physical and may be but need not be sexual in nature. Harassment may occur between co-workers or between supervisors and subordinate employees. It may sometimes occur between a non-employee and an employee. Examples of sexual harassment could include, but are not limited to, the following:

- Derogatory statements because of one's gender;
- Offensive and/or inappropriate touching of another;
- Offensive and/or inappropriate written materials or photos;
- Offensive and/or inappropriate audio materials;
- Sexual comments or gestures;
- Questioning another about sex; and
- Jokes of a sexual nature.

2.16.3 Complaints and Resolution

2.16.3.1 Complaint Procedures

Any employee who experiences discrimination, harassment, or retaliation should clearly state to the offending party that such behavior is offensive to them. The employee should also immediately notify his or her immediate supervisor. If the offending party is the employee's supervisor, the employee should immediately notify his or her supervisor's superior. Reports may also be made directly to the County Administrator. If the conduct involves the County Administrator, the report may be presented to Human Resources. If an employee makes a complaint to the supervisor and the supervisor takes no action, the employee should report directly to the County Administrator.

No employee shall be retaliated or discriminated against or in any other manner suffer professionally as a result of his or her filing any bona-fide complaint under this policy.

2.16.3.2 Investigation

Supervisors shall immediately report any complaint of discrimination, harassment, whether sexual or otherwise, or retaliation to the County Administrator. All complaints of discrimination, harassment or retaliation will initiate a prompt and impartial investigation that will remain confidential to the extent possible given the circumstances. The investigation will be documented, including, but not limited to, statements of all parties involved, including the complainant, the accused and witnesses, if any.

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2.16.3.3 Disciplinary Action

The County will take prompt and appropriate corrective action when it is determined that discrimination, harassment or retaliation has occurred. Violation of this policy may be grounds for disciplinary action, up to and including termination.

2.16.4 Supervisor-Subordinate Relationships

In the interest of preventing sexual harassment, favoritism, and indiscreet conduct in the workplace, the following policies govern all supervisor-subordinate relationships among Botetourt County employees:

2.16.4.1 Notification of Romantic Relationships

If an employee becomes involved in a romantic relationship with his or her supervisor or a subordinate, the employee shall promptly disclose the relationship to the County Administrator. The County Administrator shall investigate the relationship to ensure that it is voluntary and consensual.

If favoritism, indiscreet conduct or harassment is suspected, it will be investigated in accordance with the County's discrimination, harassment and retaliation policy.

2.16.4.2 Discontinuation of Reporting Association

In no event shall a supervisor-subordinate working relationship be maintained where a romantic relationship exists between a supervisor and subordinate. The County Administrator shall, in consultation with the parties, determine the best method of discontinuing the reporting association between the parties. If transfer of one of the parties is involved, the County Administrator shall use his or her best effort to ensure it shall be done with the transferred party's consent and shall not result in reduction in opportunity for the transferred party.

2.17 Grievance Procedure

2.17.1 Policy

The most effective accomplishment of the work of the County requires prompt consideration and equitable adjustment of employee grievances. It is the desire of the County to adjust grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be grievances that will be resolved only after formal appeal and panel review.

2.17.2 Definition of Grievance

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

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- a) disciplinary actions, including dismissals, disciplinary demotions, and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;
- b) the application of personnel policies, procedures, rules and regulations, ordinances, and statutes;
- c) discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin or sex; and
- d) acts of retaliation as the result of the use or participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth of Virginia, has reported any violation of such law to a governmental authority, has sought any change in law before the Congress of the United States or the General Assembly of Virginia, has reported an incidence of fraud, abuse, or gross mismanagement, or has reported a violation of the Personnel Policy to his/her supervisor or other County authority.

2.17.3 Management Responsibilities; Non-Grievable Complaints

The County retains the exclusive right to manage the affairs and operations of government. Accordingly, the following complaints are non-grievable:

- a) establishment and revision of wages or salaries, position classification or general benefits;
- b) 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;
- c) the contents of ordinances, statutes or established personnel policies, procedures, rules and regulations;
- d) failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
- e) the methods, means and personnel by which work activities are to be carried on;
- f) 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, layoff, demotion or suspension from duties because of lack of work, reduction in work force, or job abolition;
- g) the hiring, promotion, transfer, assignment and retention of employees within the County government; and
- h) the relief of employees from duties of the County government in emergencies.

In any grievance brought under the exception to provision (f) above, the action shall be upheld upon a showing by management 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.

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2.17.4 Coverage of Personnel

All County government permanent full-time and permanent part-time employees who have successfully completed their initial period of employment are eligible to file grievances with the following exceptions:

- a) Appointees of elected groups or individuals;
- b) Officials and employees who by law serve at the will or pleasure of an appointing authority;
- c) Deputies and executive assistants to the County Administrator;
- d) Department heads, agency heads and chief executive officers of government operations;
- e) Elected officials;
- f) Temporary, limited term and seasonal employees; and
- g) Any other employee electing to proceed pursuant to any other existing procedure in the resolution of his or her grievance.

Subject to the provisions of the above paragraph, the County Administrator or his or her designee shall determine the officer and employees excluded from the Grievance Procedure and shall be responsible for maintaining a current list of positions excluded from the Grievance Procedure.

Constitutional Officers' employees shall not have access to the County's Grievance Procedure unless their inclusion in the Grievance Procedure is agreed to in writing by both the Constitutional Officer and the County.

2.17.5 Procedures

The following steps shall be followed by all eligible employees in pursuing a grievance:

Step 1. Within twenty calendar days following the event giving rise to the grievance, the employee shall present his grievance orally to his immediate supervisor (even if the immediate supervisor is a department head), The immediate supervisor shall hold a meeting with such employee for informal discussion of the employee's complaint within five (5) work days of the report of grievance, and within five (5) work days from the meeting, the immediate supervisor shall communicate, either orally or in writing, to the employee the immediate supervisor's response to the employee's complaint. If the supervisor fails to respond within five (5) work days or if the employee is not satisfied with the supervisor's response, the employee may proceed to Step 2. The only persons who may be present at the Step 1 meeting are the grievant, the supervisor, and appropriate witnesses. Witnesses shall be present only while actually providing testimony.

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Failure to request the informal meeting with the immediate supervisor within the time specified in this section shall be a bar to this Procedure.

Step 2. If the employee is not satisfied with and does not accept the Step 1 response, or if the immediate supervisor fails to respond within the required time frame, and the employee wishes to proceed to Step 2 of this Procedure, the employee shall submit his grievance in writing on the form provided for the purpose by the Department of Human Resources and shall file the form with the employee's department head, with a copy to the Department of Human Resources, within five (5) work days following his immediate supervisor's response or the deadline for such response, whichever occurs first.

The grievance shall fully set forth the date on which he or she advised the immediate supervisor of the grievance, the nature of the grievance and the specific relief sought by the employee. The grievant shall specify facts sufficient to show that the complaint is grievable, that the grievant is covered by the procedure, and that the grievance is timely. The department head shall meet with the employee within five (5) work days following receipt of the written grievance. Within five (5) work days from the meeting, the department head shall inform the employee in writing of his decision. The only persons who may be present at the Step 2 meeting are the grievant, the supervisor, and appropriate witnesses. Witnesses shall be present only while actually providing testimony.

A copy of the decision of the department head shall be forwarded to the Department of Human Resources by the department head.

Step 3. If the employee is not satisfied with and does not accept the Step 2 response, or if the department head fails to respond within the required time frame, and the employee wishes to proceed to Step 3 of this Procedure, the employee shall file the written form requesting a meeting with the County Administrator, with a copy to the Department of Human Resources, within five (5) work days following receipt of the decision of the department head or the deadline for such response, whichever occurs first. The County Administrator shall meet with the employee within five (5) work days after receipt of the request. Persons present at this meeting are the employee, the County Administrator, appropriate witnesses, and, at the employee's option, a representative of his or her choice. If the employee is represented by legal counsel, the County likewise has the option of being represented by counsel. The County Administrator shall give the grievant a response within five (5) work days following the meeting. A copy of the decision of the County Administrator shall be forwarded to the Department of Human Resources.

Step 4. If the employee is not satisfied with and does not accept the Step 3 response, or if the County Administrator fails to respond within the required time frame, and the employee wishes to proceed to a panel hearing, the employee shall file the written form requesting a panel hearing with the County Administrator, with a copy to the Department of Human Resources, within five (5) work days following receipt of the decision of the County Administrator or the deadline for such response, whichever occurs first. A copy

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of the written decision of the department head and the County Administrator shall be attached to the request.

The panel shall consist of one member selected by the aggrieved employee, one member selected by the department head, and one member selected by agreement of the other two members, which third member shall be chair of the panel.

If the first two panel members cannot agree on a third member, the chief judge of the circuit court of Botetourt County shall appoint the third panel member. Such 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 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, step-parent, child, step-child, descendants of a child, sibling, step-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 such an attorney shall serve as a panel member.

2.17.6 Qualifications for a Panel Hearing; Grievability

Decisions regarding grievability and access to the procedure shall be made by the County Administrator, or his designee. Only after the County Administrator, or his designee, has determined that a complaint is grievable may a grievance be advanced through Step 3 of this Procedure. When the question of grievability arises at an earlier step, or whenever the question of access to this procedure arises, management or the grievant may request a ruling on grievability or a ruling on access, as the case may be, by the County Administrator. The County Administrator or his designee shall render a decision within ten (10) calendar days of receipt of the request. Neither the County Attorney nor the Commonwealth's Attorney shall be authorized to decide the issue of grievability. A copy of the ruling shall be sent to the grievant, the department head and the Department of Human Resources. Such decisions may be appealed to the County circuit court for a hearing on the issue of whether the matter is grievable, whether or not the grievant is covered by the Procedure, and whether or not the grievance is timely. Proceedings for review of the decision shall be instituted by the grievant 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, or his designee, shall transmit to the clerk of the court to which the appeal is taken: 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

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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.

Within thirty (30) calendar 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 decision of the court shall be rendered no later than the fifteenth day from the date of conclusion of the hearing. The decision of the court is final and may not be appealed.

2.17.7 Rules for Panel Hearings

- Panel hearings are intended to be informal, administrative proceedings, not judicial proceedings with the formalities of court proceedings.
- Panels do not have authority to:
 - formulate policies or procedures or to alter existing policies or procedures;
 - circumscribe or modify the rights of the County as outlined in this Procedure;
 - exonerate an employee from all discipline when the guilt of the employee is admitted or is shown by the greater weight of the evidence; or
 - grant relief greater than that which the grievant has requested in the grievance forms.
- Panels do have 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 in accordance with the Virginia Freedom of Information Act.
- Prior to the hearing, copies of the grievance record shall be provided to the panel by the County. At the same time, a list of the documents furnished to the panel shall be provided to the grievant and the administration. At least ten (10) calendar days prior to the scheduled panel hearing, the grievant and his or her attorney and the administration and its attorney shall, upon request, be allowed access to and copies of all relevant files each intends to be use in the panel hearing
- Documents, exhibits, and lists of witnesses shall be exchanged between the grievant and administration at least ten (10) calendar days in advance of the panel hearing, unless otherwise agreed by the parties or their counsel.
- Panels have the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence. All evidence, when admitted, shall be marked and made part of the record.
- Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representatives at the panel hearing. Such

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representatives may examine, cross-examine, question and present evidence on behalf of the grievant or respondent before the panel.

- All evidence shall be presented in the presence of the panel and the parties, except by mutual consent of the parties. The grievant shall present his or her evidence first, followed by the presentation of evidence by the administration.
- Following presentation of the evidence, the panel may declare the hearing closed and may deliberate in closed session in appropriate cases.
- Panel decisions shall be provided in writing by the panel chair to all parties not later than fourteen (14) calendar days following the conclusion of the panel hearing.
- The panel may vary the details of the hearing procedure to facilitate fair and expeditious hearings, with the understanding that the hearings are not intended to be conducted like proceedings in courts, and that rules of evidence do not necessarily apply.
- The hearing may be reopened by the panel on its own motion or upon application of a party for good cause shown at any time prior to the issuance of the panel decision.
- The majority decision of the panel, voting in open session and acting within the scope of its authority, shall be final and shall be consistent with provisions of law and existing written policies.
- 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 of the County. This decision shall be final and not subject to appeal.

2.17.8 Implementation of Panel Decisions

Either party may petition the County circuit court for an order requiring implementation of the panel decision.

2.17.9 Compliance

Any time limit in the Procedure, except the time to initially bring a grievance to the attention of the immediate supervisor, may be waived by mutual agreement at the step in question.

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 (5) work days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the County Administrator, or his designee.

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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. Such compliance determinations shall be subject to judicial review by filing a petition with the circuit court within thirty (30) calendar days of the compliance determination.

2.17.10 Costs

The grievant must bear any costs involved in employing representation or in preparing or presenting his or her case.

2.17.11 Recording; Transcript of Panel Hearing

The use of recording devices or a court reporter is not permitted at any Step of this Procedure until the panel hearing. Upon request, the County shall cause a transcript to be made of any panel hearing, and a transcript shall be provided to either party upon request. The party requesting the transcript shall do so in writing and shall pay the expense of preparing such transcript.

3. Classification of Positions

3.1 Pay and Classification Plan

A classification plan has been established and is maintained and filed within the office of the County Administrator. The County Administrator shall make all assignments of positions to classes and of classes to grades, and this authority may not be delegated. Positions that are sufficiently alike in duties and responsibilities will be accorded the same pay scales. The County Administrator shall allocate each position covered by the classification plan to its appropriate pay schedule.

3.2 Maintenance of Plan

Department heads shall be responsible for bringing to the attention of the County Administrator any material change in the nature of duties, responsibilities, working conditions or other factors affecting the classification of any position. Following receipt of such information he or she shall evaluate the position and determine if the classification should be changed.

The County Administrator shall be responsible for the allocation of new positions, which are under the control of the Board of Supervisors, to an existing class or will cause new classes to be established as needed, subject to review and approval of the Board of Supervisors.

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4. Pay and Performance Plan

4.1 Objective

The County pay and performance plan is intended to provide for the efficient and equitable administration of employee compensation while encouraging top performance, promoting employee morale, and increasing communication between employees and supervisors.

4.2 Administration

The County pay and performance plan is the official pay plan for all employees under the general jurisdiction of the County Administrator and Board of Supervisors, and is formally adopted annually by the Board. The plan is maintained and filed within the office of the County Administrator.

4.2.1 Pay Plan

The pay plan is intended to serve the dual purpose of providing for employee compensation and to provide a forum of formal goal setting and supervisor-employee performance evaluation.

The overall management of the plan rests with the County Administrator, but it is the responsibility of each employee, both supervisor and employee, to participate in the plan to ensure its implementation and proper administration.

The plan provides for a formal pay range for each position classification. Each permanent full-time employee shall be assigned, by the County Administrator, a position classification and a compensation level within the position classification range. The position classification shall reflect the duties and responsibilities of the job. The level within the range shall reflect a combination of the length of service, relative experience, and level of performance of the individual filling the position.

The movement of employees within range of the position classification shall be based on longevity, experience, and performance with pay levels to be determined by the County Administrator within the constraints of Board appropriated funds.

The Board will annually review the ranges and determine whether to adjust the entire range for inflation. The County Administrator will recommend appropriate inflation adjustments based on formal indices.

Once an employee reaches the top of the range in his or her position classification, then that employee is only eligible for cost-of-living adjustments approved by the Board. In a case of outstanding performance, additional compensation above top level may be provided if specifically approved by the Board.

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The County Administrator will from time to time review the position classifications of various jobs to ensure that the job duties and responsibilities are in line with the range of compensation for the position.

Normally, pay level adjustments will be made with the implementation of a new fiscal year, however, under unusual circumstances of performance, or in the case of a new employee hired on a probationary basis, adjustments may be made during the year if Board appropriations are existing or specifically approved.

4.2.2 Performance Appraisals

Each employee and his or her supervisor shall have at least one formal goals and objectives or performance expectation planning session and one formal performance evaluation session during the year. The intent of this plan is not to limit such sessions to one each, but to mandate at least one, and allow as many as may be appropriate for the individuals and the job responsibilities involved.

The result of the performance expectations planning session should at a minimum include a mutual listing of key objectives or expected level of performance for the upcoming year.

The result of the performance evaluation session shall at a minimum produce a written correspondence to the County Administrator indicating that the evaluation took place and what the general level of performance was for the evaluation period. The correspondence shall be signed by the supervisor and the employee and shall be on a standard form provided by the County. If the employee disagrees with any portion of the performance appraisal report, he or she may so note it when signing the appraisal report. The appraisal correspondence, or report, will become a part of the employee's personnel records and will be considered in pay plan implementation.

5. Employee Benefits

5.1 Holidays

Any day declared as a legal holiday by the Board of Supervisors, the Governor of the Commonwealth of Virginia, or the President of the United States shall be observed as an official holiday and offices shall be closed. Traditional holidays include:

New Years Day	January 1
Lee-Jackson Day	Friday preceding the 3 rd Monday in January
Martin Luther King, Jr. Day	3 rd Monday in January
Washington-Lincoln Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4

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Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veterans' Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Day	December 25

If a holiday falls on a Saturday, the preceding Friday shall be observed as a holiday. If a holiday falls on a Sunday, the following Monday shall be observed as a holiday.

County employees who, due to work schedule, are unable to observe any of the above holidays, may be granted compensatory leave at the discretion of the County Administrator.

If a holiday falls during an employee's period of Sick Leave, Leave Without Pay, Military Leave, Short-Term Disability or Long-Term Disability, the employee is not entitled to and shall not receive compensatory leave in observance of the holiday.

Full-time employees shall receive full pay for holidays. Permanent part-time employees shall receive full pay for half of each holiday period (i.e., for an 8-hour holiday, receive 4 hours paid time; for a 4-hour holiday, receive 2 hours paid time).

5.2 Annual Vacation Leave

5.2.1 Accrual

The amount of annual vacation leave a regular full-time employee earns each month or year depends upon the number of years of service with the County, as shown in the following table:

<u>Years of Service</u>	<u>Hours per Month</u>	<u>Hours per Year</u>
0 to 5	8	96
5 to 10	10	120
10 to 15	12	144
15+	14	168

During the first month of employment, however, annual vacation leave is earned in hourly increments in proportion to the length of the month worked. Monthly time accrues on the last working day of the month and is available for use at the beginning of the next month.

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Up to forty-five (45) days (360 hours) of unused annual vacation leave may be carried over to the following year. Accumulation of leave will be adjusted at the end of each calendar year. Leave accumulated in excess of forty-five (45) days (360 hours), if not taken by December 31, will be lost. No exceptions to this carry-over policy will be permitted.

Annual vacation leave shall be accumulated but cannot be taken during the six-month; initial period of employment. Unexpected time off required during the initial period of employment shall be taken without pay or as compensatory time if such is available. During any absence without pay or during any short- or long-term disability, annual vacation leave will not accrue.

Temporary, part-time, and substitute employees shall not receive annual vacation leave benefits.

5.2.2 Administration

All requests for annual vacation leave shall be scheduled based on the needs of the County and shall be submitted for approval to the department head on a form approved by the County Administrator.

Annual vacation leave shall not be used in increments of less than fifteen (15) minutes.

When a holiday falls within an employee's annual vacation leave period, the holiday shall not be counted as an annual vacation leave day.

Annual vacation leave may be used to supplement sick leave if necessary.

All annual leave must be requested and approved not less than three (3) working days in advance by the immediate supervisor. In addition, not more than one year's earned annual vacation leave may be taken consecutively without approval from the immediate supervisor and consent from the County Administrator.

An employee separating from County service will be paid for up to forty-five (45) days of accumulated annual vacation leave at the employee's rate of pay on the day of separation. For purposes of this section, "day of separation" means the final day that the employee is considered to be employed by the County. Payment will normally be made in lump sum on the first payday following the day of separation, but will not be made until all County equipment has been returned, the employee has completed an exit interview, and the County Administrator is satisfied that there are no outstanding debts owed the County by the employee. At the request of the employee, payment for accumulated annual vacation leave may be distributed over a series of not more than three consecutive pay periods. In no case shall the aggregate total of payments exceed the amount due on the day of separation.

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All permanent employees should give two weeks notice of resignation. Any annual vacation leave taken during this period must be approved by the immediate supervisor and must not interfere with the ongoing work effort of the department.

Used or planned leave must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.3 Sick Leave

5.3.1 Purpose

Sick leave is intended to provide employees paid time off for treatment of personal illness or injury not covered by the Workers' Compensation Act, for the birth and postnatal care of the employee's child(ren), for the reception and immediate care of adopted children, and for personal medical and dental appointments that cannot be scheduled during non-work hours. Leave may also be used for time off for the care of the employee's immediate family during periods of illness or injury.

Immediate family for purposes of this section shall include only spouse, children (including step and foster), grandchildren, siblings, parents, grandparents, father- and mother-in-law, and brother- and sister-in-law and legal wards of the employee. Assisting immediate family members following the birth of a child when there is *not* illness or injury (examples: caring for older siblings of the newborn and/or assisting a son or daughter in providing newborn care) does not qualify for use of sick leave. In this situation an employee would be able to request to use available earned comp time or annual leave.

Sick leave is provided to the employee as an aid in time of need and should only be used when necessary. Sick leave shall not be used to supplement annual vacation leave.

5.3.2 Accrual

Sick leave is provided to all permanent full-time employees at the rate of 10 hours per month of County service, except that, during the first month of service, sick leave is accrued on an hourly basis proportional to the portion of the month worked. Monthly time accrues on the last working day of the month and is available for use at the beginning of the next month.

Sick leave does not accrue during periods of leave without pay or disability. Temporary, part-time, and substitute employees do not receive sick leave benefits.

Sick leave may be accumulated without limit.

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5.3.3 Administration

Sick leave shall not be used in increments of less than fifteen (15) minutes.

The County Administrator or his/her designee may require a doctor's or dentist's certificate to verify the reason for any period of sick leave.

Sick leave for purposes of caring for an in-law as provided above may be used only after the employee has first used at least three (3) days of accumulated vacation or compensatory leave for the specific illness or injury. If the employee does not have vacation or compensatory leave available, the County Administrator or Deputy County Administrator may approve Leave Without Pay or, in his or her sole judgment as justified, an advance vacation leave credit.

When an employee leaves County service through resignation or VRS retirement, he or she will be paid for accumulated sick leave as of the day of separation as follows:

- Upon resignation, the employee will be paid \$10 per unused sick day up to a maximum payment of \$1,600.
- Upon retirement, the employee will be paid \$20 per unused sick day up to a maximum payment of \$3,200.

In no case, however, shall an employee receive payment for unused sick leave until, to the satisfaction of the County Administrator, all County property and equipment has been returned to the County, the employee has completed an exit interview, and the County Administrator is satisfied that there are no outstanding debts owed the County by the employee. Payment will normally be made in lump sum on the first payday following the day of separation. At the request of the employee, payment for accumulated sick leave may be distributed over a series of not more than three consecutive pay periods. In no case shall the aggregate total of payments exceed the amount due on the day of separation.

Used or planned leave must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.3.4 Compliance

It is in the employee's interest to use sick leave judiciously and only when needed to prevent financial hardship which can result from loss of pay during an extended absence. Any employee found to abuse his or her sick leave benefit by taking sick leave for purposes other than those for which it is authorized, or for making false statements about an illness or injury, shall be denied sick leave pay and may be subject to disciplinary action.

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5.3.5 Sick Leave Bank

All employees eligible for sick leave benefits but not eligible for short-term disability benefits through the Virginia Retirement System are eligible to participate in the County's Sick Leave Bank. The Bank has been established for the purpose of allowing employees to donate earned sick leave for their benefit or the benefit of other employees who may suffer extended absences from work due to illness or accident, and who do not have sufficient accumulated leave to avoid time off without pay. Participation in the Bank is completely voluntary.

5.3.5.1 Enrollment

Employees may enroll in the Sick Leave Bank by donating at least one day (eight hours) of accumulated sick leave to the Bank, and by submitting an application to the Human Resources Office as follows:

- within the first thirty (30) days of employment provided that the employee has earned and not used the eight hours required to establish membership; or
- not later than December 15 for membership effective January 1 of the following year.

No enrollment, except for new employees, will be effective sooner than January 1 of the following year.

Employees must be able to provide satisfactory evidence of good health at the time of enrollment, and shall not be eligible to utilize leave from the bank within the first six months of membership.

Membership in the Bank shall be continuous unless the employee informs the Human Resources Office in writing prior to December 15 of his or her decision to terminate membership effective January 1 of the following year.

5.3.5.2 Use

- The Sick Leave Bank may be utilized only by participating members and only for illnesses or injuries experienced by a participating member. Excluded uses of the Sick Leave Bank include but are not limited to maternity and paternity leave, elective surgery or treatment, and leave not authorized in writing by a physician. The County Administrator, or his designee, shall decide all issues of eligibility and shall approve all withdrawals from the Sick Leave Bank.
- To utilize the Bank, employees must provide written certification from their treating physician justifying the absence and indicating the anticipated length of absence to Human Resources as soon as the need is known.
- An employee must first exhaust all accrued sick leave, annual vacation leave, and compensatory leave prior to accessing the Sick Leave Bank. The Sick Leave Bank is intended to assist employees once all available paid leaves are exhausted and prior to

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the employee's eligibility for any type of disability benefits. The Bank may not be used to supplement or substitute for available disability or workers' compensation benefits.

- Employees utilizing time from the Bank will continue to accrue sick leave and annual leave monthly at the same rate as if they were actively at work. However, time accrued while utilizing the Bank must be applied each month toward time off in order for the employee to remain eligible for the Bank.
- No employee may utilize more than forty-five (45) days of paid leave per year from the Bank.
- Leave utilized from the Bank does not have to be replaced by the employee except as provided for continued membership.

5.3.5.3 Administration

Each member shall automatically be assessed one day (eight hours) of sick leave effective January 1 of each year as that member's minimum annual contribution to the Bank.

At no time shall the Sick Leave Bank balance fall below forty-five (45) days. At the point that the balance is forty-five (45) days, each member shall be assessed an additional day of sick leave. Members shall be notified of any such assessment, and the assessment shall be made unless the member chooses to immediately terminate membership. Should continuing membership be insufficient to maintain the required minimum balance, the Bank will be closed for the remainder of the calendar year and any remaining leave balance in the Bank will be returned to its donors, insofar as they are still, at such time, employed by the County.

Members that have no accumulated sick leave at the time of any assessment shall be assessed against the next sick leave day accrued.

Members and non-members may donate sick leave to the Bank in excess of the membership requirement at any time. However, non-members may not join the bank and become eligible for bank benefits except as provided under the enrollment procedures specified above.

Upon termination of employment or of membership, no employee shall be allowed to withdraw sick leave previously donated to the Bank.

Should the Sick Leave Bank be abolished by action of the Board of Supervisors for any reason, any balance of sick leave then held in the Bank will be returned to its donors, insofar as they are still, at such time, employed by the County.

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5.4 Bereavement Leave

Any absence from work of up to three (3) days during a calendar year, due to death in an employee's immediate family, shall be provided as paid bereavement leave to all permanent full-time employees except during periods of sick leave, military leave, leave without pay, short-term disability and long-term disability.

For purposes of this section, "immediate family" shall include the employee's: spouse; children (including step, foster, and in-laws); parents (including step and in-laws); siblings (including step and in-laws); grandparents (including step and in-laws); grandchildren (including step); and any other person living in the same household as the employee.

Employees wishing to take time off from work for purposes of bereavement in excess of bereavement leave provided may take annual vacation leave or compensatory leave, if available, as approved by their supervisors.

5.5 Civil Leave

Leave with full pay shall be granted an employee for any absence necessary for serving on a jury, or attending court as a witness under subpoena. Compensation to employees for civil duties, as by jury or witness, shall be turned over to the County when the employee receives his normal pay for the time he/she was on civil leave. An employee may choose to charge civil days to annual vacation leave, in which case he/she may keep any payment. Civil Leave is not available to employees during periods of annual vacation leave, sick leave, leave without pay, short-term disability or long-term disability.

Used or planned leave must be reported on the appropriate form to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.6 Military Leave

Employees shall be granted a leave of absence without loss of annual vacation or sick leave for annual active duty training as a member of the National Guard or any reserve component of the armed forces of the United States for a period not exceeding fifteen (15) calendar days. Employees on military leave do not accrue annual vacation or sick leave while on military leave. The employee will not receive any pay for holidays that fall during that time. While on military leave, the employee may continue their health and dental insurance coverage if leave continues beyond one pay period by payment of the employee and County shares of the premium.

An employee who is absent for emergency duty with the National Guard under orders of the Governor as provided by law shall be entitled to leave of absence without pay for the period of ordered absence.

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A permanent employee who enters on active duty or who received orders in any of the armed forces of the United States shall be entitled to military leave without pay and to reinstatement to the same job, or in some cases, a comparable position upon return from active duty as prescribed by public law.

Used or planned leave must be reported on the appropriate form to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.7 Family and Medical Leave Act

Basic Leave Entitlement:

Under the federal Family and Medical Leave Act, covered employers are required to provide and eligible employees may take up to twelve (12) work weeks of unpaid job protected leave during any 12-month period for any one of the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth
- to care for the employee's child after birth, or placement for adoption or foster care; the exception being if both employees work for the same employer they are entitled to a combined 12 work weeks of leave
- to care for the employee's spouse, son, daughter, or parent with a serious health condition
- for a serious health condition that makes the employee unable to perform the employee's job

A serious health condition is defined as:

- an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or
- continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

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Military Family Leave Entitlements:

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12 week leave entitlement to address certain qualifying exigencies that includes:

- attending certain military events, attending certain counseling sessions and attending post-deployment reintegration briefings
- arranging for alternative childcare
- addressing certain financial and legal arrangements

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12 month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list.

Eligibility and Administration of Family and Medical Leave:

To be eligible for leave, employees must have been employed by the county for at least twelve months and must have provided at least 1,250 hours of service in the preceding twelve month period.

Only unpaid leave is required to be provided under the law. However, employees shall be required to substitute accrued paid leave for any part of the required twelve weeks.

FMLA leave shall run concurrently with periods of sick leave without pay and periods of short-term disability.

The County uses a twelve month rolling back calendar to determine eligibility for Family and Medical Leave. This means the twelve month period is measured backward from the date an employee uses any FMLA leave.

Employees request FMLA leave by giving their supervisor at least 30 days notice in advance of a foreseeable leave and as soon as possible for an unforeseen leave. Certification of a health care provider is required for approval of FMLA leave.

This leave entitlement does not need to be used in one block; leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations.

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During FMLA leave, employers must maintain the employee's health coverage under the group health plan on the same terms as if the employee had continued to work.

FMLA makes it unlawful for an employer to interfere with, restrain, or deny the exercise any right provided under FMLA; discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

An employee may file a complaint with the U. S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information on the Family and Medical Leave Act, employees should contact their supervisors or the Human Resources Office.

5.8 Overtime/Compensatory Time

The County, as an entity of local government, adheres to all applicable provisions of the U. S. Fair Labor Standards Act. The following are statements that the Board of Supervisors has adopted to coincide with the provisions of the Act and to provide its employees explanations of their rights under the Act.

5.8.1 Accumulation and Use

The County Administrator and Deputy County Administrator are eligible for overtime compensation in the form of discretionary leave. This discretionary time is not necessarily on an hour for hour basis and may be taken after working overtime hours. These employees are not eligible for and do not receive compensatory leave.

Department Heads and Professionals (position classifications to include those of engineers, purchasing agents, planners, building inspectors, etc.) may accumulate up to 240 hours of compensatory time. This compensatory time will be on an hour for hour basis. It is expected that compensatory time will be taken off within a reasonable time after it is accumulated. This may be taken at the manager's discretion and according to the work load of the department. However, such time cannot be accumulated beyond 240 hours. Hours beyond 240, as of December 31 of each year, will be forfeited by the employee.

For employees in positions other than those described above who work beyond forty (40) hours in a seven day work week, compensatory leave is accumulated at the rate of time and one half. Overtime performed by an employee in which the total hours worked in a

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week do not exceed forty (40) will be accumulated at straight time rate. Example: If an employee works a holiday that falls during a regular work week and total hours worked including the holiday, is 40, the eight hours worked on the holiday are accumulated at eight hours compensatory leave. If an employee works a sixth day in a normal five day work week, resulting in a total of 48 hours worked, the eight hours worked on the sixth day are accumulated as 12 hours of compensatory leave. The same provision applies to work weeks in which leave is taken. If an employee is on sick leave on Tuesday and works on Saturday and, therefore, the total hours worked in the week do not exceed 40, the extra time worked on Saturday is accumulated at straight time, i.e., eight hours of compensatory time.

The standard meal period (30 minutes) will apply when calculating compensatory time off for part of a work day and for calculating accrued compensatory time worked during a day. Working through a meal period will be the equivalent of the standard meal period of 30 minutes.

Work-related travel outside of normal work hours is not eligible for overtime/compensatory time unless approved in advance by the County Administrator or Deputy County Administrator.

Employees earning compensatory leave may carry over from year to year up to 240 hours of compensatory leave. All hours accumulated beyond that limit will be taken as compensatory leave, which can be taken as the individual department's work load allows. The County reserves the right, at any time, to pay an employee for hours worked above the regular work week rather than allow accrued compensatory time on the appropriate straight time or time-and-one-half basis.

Compensatory time is reimbursable upon separation from County service. Under no circumstances will overtime be paid except as specified above.

Compensatory time which was accumulated by employees prior to the adoption of this personnel policy shall be honored by the County. Employees who have accumulated such compensatory time will be compensated upon separation from the County on an hour-per-hour basis consistent with unused annual leave.

All accumulation of compensatory time must be approved by an administrator, the employee's department head, or the employee's supervisor in advance of such accumulation and is subject to review by the County Administrator.

Compensatory time earned must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was worked. Compensatory Time Earned forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

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5.8.2 Wage Basis, Pay Period, Time Sheets

Botetourt County pays wages based on the job classification and relative experience of each employee. Employees will be paid on a monthly basis and shall be paid on the last working day of each pay period. Time worked for the month must be reported on a time sheet and sent to the Bookkeeper in Financial Services nine (9) days prior to the last working day of the month to allow sufficient processing time to be included in the current pay period.

5.8.3 Administration and Record Keeping

The County Administrator or his or her designee is responsible for administration and maintenance of records pertaining to personnel operations.

Records shall be kept showing hours worked per day for each employee and amount of compensatory (overtime) for the work period. These records shall be maintained on each program site, open to inspection by approved authorities (by the County Administrator's orders only). Additional information relative to medical, annual vacation or other time may be placed on the record. These records shall be reviewed on a monthly basis for payroll and leave computation.

All records shall be kept in accordance with the applicable Records Retention and Disposition Schedules of The Library of Virginia.

5.8.4 Meal Periods

At no time should a non-exempt employee spend meal periods at the work station, unless approved in advance as provided above. Any such work can be considered as a basis for overtime (compensatory). (This includes eating at desk and answering phones or doing other work.) This provision also applies to time before the work day begins and after it ends.

Employees may not voluntarily perform work at the work site prior to the beginning of the work day or after scheduled quitting time. Failure to adhere to this requirement is subject to disciplinary action. On site supervisors shall monitor this and be held responsible and accountable for proper implementation. It is recognized that upon occasion this situation may necessarily occur. In those cases, the procedures regarding accumulation of compensatory time shall apply.

5.9 Leave Without Pay

Upon request of an employee, the County Administrator may grant, for reasonable cause, a leave of absence without pay for a specified period of time. Approval will be based on the needs of the County at the time of request. If leave without pay is approved, annual vacation leave and sick leave will not accumulate during this non-pay status. The employee will not receive any pay for holidays that fall during that time. While on leave without pay, the employee may continue their health and dental insurance coverage if leave continues beyond one pay period by payment of the employee and County shares of

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the premium. If the employee is covered by Virginia Retirement System, the employee must pay the employee's share of the life insurance premium.

5.10 Workers' Compensation Leave

An employee incapacitated by injury or illness as defined by the Workers' Compensation Act shall be entitled to benefits as provided by that Act. Benefits for qualifying illnesses or injuries include compensation for time missed from work and the payment of medical benefits. Illnesses or injuries resulting from an employee's work may or may not qualify for benefits. Determinations of qualification and the award of benefits are made by the County's workers' compensation insurance carrier. Information about benefits and procedures are available from Human Resources.

Every employee or his representative shall immediately on the occurrence of an accident or as soon thereafter as practicable, give or cause to be given to his supervisor, or the County, a written notice of the accident. The notice shall state the name and address of the employee, the time and place of the accident, the nature and cause of the accident, and the injury. Failure to give written notice in the manner described above within 30 days of the accident may prejudice the employee's rights to compensation and the payment of medical benefits under Virginia's workmen's compensation laws. Time missed from work due to an illness or injury qualifying for Workers' Compensation Act benefits will not be applied against any of the employee's accrued leave balances. The employee may not substitute accrued paid leave for benefits provided under the Act.

5.11 Retirement

The County is a participant in the Virginia Retirement System (VRS). The Commonwealth of Virginia supplements federal social security benefits with provisions for retirement due to disability or age. Each pay period, the County makes contributions to every employee's retirement account.

An employee leaving County service before retirement may withdraw the total of his or her contributions to the system plus accrued interest or may elect to have the contributions remain in the plan.

The VRS administers several retirement plans for local government employees in Virginia. Which plan an employee participates in is determined, primarily, by the employee's initial participation date. Retirement plan terms, conditions and benefits vary and detailed information is available from VRS. Currently, County employees may be enrolled in Plan 1, Plan 2 or the Hybrid Retirement Plan through VRS. All new VRS participants not employed in a hazardous duty position as of January 1, 2014, are required to participate in the Hybrid Retirement Plan.

Hybrid Retirement Plan participants are eligible for short- and long-term disability benefits in accordance with the plan. As a result, Hybrid Retirement Plan employees are not eligible to participate in or receive County sick leave bank benefits.

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The County also is a participant in the VRS 457(b) deferred compensation plan. This plan allows employees to contribute before-tax dollars, up to maximum deferral limits established by the IRS, through a salary deferral agreement into investment accounts of their choosing. These contributions remain tax free until withdrawal at retirement. The county matches employee contributions dollar-for-dollar up to authorized limits. For more information, contact Human Resources.

5.12 Social Security

All employees are required to participate in the federal Social Security System. Appropriate amounts will be deducted from the employee's salary as provided by federal law.

5.13 Life Insurance

Life insurance coverage is provided to permanent full-time employees. The cost of such insurance is paid fully by the County. The amount of life insurance is twice the employee's annual salary rounded up to the next highest \$1,000 in the event of natural death. In the event of accidental death, the insurance is double the natural death benefit. For example: if an employee has a salary of \$25,300, the employee is insured for \$52,000 in the event of natural death and \$104,000 in the event of accidental death. Employees covered under the County provided life insurance plan may also purchase additional life insurance, from one (1) to four (4) times their annual salary, up to carrier limits, through the VRS Optional Group Life insurance program. For more information, contact Human Resources.

5.14 Health Insurance

The County offers to permanent full-time employees and their dependents group health insurance that includes hospitalization, medical, prescription drug, surgical and major benefits. The County pays the premium cost for the employee. The employee has the option of purchasing dependent coverage through payroll deduction. The employee has the option to continue this health insurance coverage for a limited time upon retirement, termination or other severance from the County provided that the employee pays the entire cost of coverage and any administrative fee applied as permitted by law. For more information, contact Human Resources.

5.15 Dental Insurance

Group dental insurance is offered to permanent full-time County employees. The County pays the premium cost for the employee. The employee has the option of purchasing dependent coverage through payroll deduction. Coverage includes preventative services,

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basic services, and major services. The employee has the option of purchasing dependent coverage. For more information, contact Human Resources.

5.16 Retiree Medical Insurance Coverage

5.16.1 Purpose

To define the eligibility requirements for retiree medical insurance coverage when an employee retires under VRS regular or disability retirement guidelines, subject to the provisions of Virginia Code § 15.2-1517.

5.16.2 Policy

An employee who has completed 15 years of uninterrupted service with the County and retires in accordance with the Virginia Retirement System (VRS) regular or disability retirement guidelines may continue the same medical insurance coverage in effect at the time of retirement. Coverage is available to the retiree until age 65. If coverage is dropped or reduced after disability or regular retirement begins, coverage cannot be reinstated.

Qualified retirees are responsible for the premium for this medical insurance coverage. When providing this coverage, the County may rate retirees separately from active employees who are covered under the employee group plan.

5.16.3 Procedure

Employee

The employee must notify the Human Resources Office of his or her desire to continue health insurance coverage at the time of retirement. Upon authorization by the retiree and the County, monthly health care premiums may be taken directly from the retiree's monthly retirement check in accordance with VRS guidelines.

Dependent Coverage

The dependent must be enrolled in the County's group medical insurance plan six (6) months prior to the retirement of the employee. A qualifying event supersedes the six (6) month requirement. Coverage is no longer available for a spouse and/or dependent child(ren) when the retiree reaches age 65.

Payments

The County is responsible for the administration of the health insurance program. Unless deducted by VRS, monthly health care premiums must be paid to the County by the 1st of each month. After the 8th, a late fee equal to 7% of the amount due may be charged. If

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payment is not received within 15 days, coverage may be cancelled and cannot be reinstated.

Should a retiree choose to pay by personal check and the check is returned to the County for any reason, then the County reserves the right to add an additional \$20.00 returned check fee to the original premium amount and submit it for payment. If a check is returned for a second time during the calendar year, payment must be made by cash or money order.

5.16.4 Disclaimer

Nothing in this policy is intended to create or construe to create a contract or guarantee of benefits for any specific period of time. The County reserves the right to change or modify these benefits at any time in accordance with Board policy or federal or state laws.

6. Training/Continuing Education Program

Purpose

The purposes of this Tuition Assistance Policy are to:

- improve County services and operations through continuing skills development and education by County employees;
- support succession planning and the effective and smooth transition of positions, responsibilities and leadership from one employee to the next; and to
- enhance the County's ability to recruit and retain quality employees dedicated to delivering excellence.

Applicability

This policy applies to non-mandated training and education only. It does not apply to, substitute for, or replace job-required training or education. Training and education mandated by an employee's supervisor shall be provided at the County's expense. This policy does not apply to training or education approved prior to January 1, 2010.

Employee Eligibility

To be eligible to apply for the benefits of this policy, an employee must:

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- be a full-time, permanent, non-probationary employee of the Botetourt County Board of Supervisors;
- have a minimum employee performance rating of satisfactory on the performance evaluation immediately prior to applying; and
- for course work that is part of a General Equivalency Diploma (GED) or post-secondary degree program, have worked at least twelve consecutive months for the Board of Supervisors immediately prior to applying.

Course/Program Eligibility

- all activities under this policy must be approved before the start of the activity by the County Administrator or his designee
- all courses, seminars, workshops, programs, etc. must be either directly related to an employee's current position, or must be directly related to recommended or required educational qualifications for a potential future movement into another existing position under the authority of the Board of Supervisors
- post-secondary degree program courses must be taken through an institution that is accredited by a generally recognized accreditation entity
- approval of a course that is part of a program of study does not necessarily obligate the County to approve future courses in that program of study

Reimbursement Eligibility

- the employee must accept and agree in writing to an employment commitment/repayment obligation as provided herein
- the course must be successfully completed; if graded, the employee must receive a grade of "C" or better for any undergraduate courses and must receive a grade of "B" or better for any graduate level courses
- tuition and fees required to enroll in a course or to attend an accredited institution and approved in advance by the County Administrator or his designee are reimbursable

Ineligible Expenses

- books, supplies, parking fees, travel and any other expense not approved in advance as a reimbursable expense (certain expenses may be tax deductible and employees should consult their tax advisor)
- expenses, including reimbursable expenses approved in advance, for which the employee is offered funding from another source including financial aid, scholarships, grants, gifts or stipends

Reimbursement Amount

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- for a non-grade course that is directly related to the employee's current job, 100% of eligible expenses will be reimbursed by the County upon satisfactory completion
- for a graded course that is directly related to the employee's current job, eligible expenses will be reimbursed based on the final grade received as follows:
 - Undergraduate Level Courses
 - for a grade of "A" -- 100%
 - for a grade of "B" -- 90%
 - for a grade of "C" -- 80%
 - Graduate Level Courses
 - for a grade of "A" -- 100%
 - for a grade of "B" -- 90%
- for a non-grade course that is related to a potential future position, 50% of eligible expenses will be reimbursed by the County upon satisfactory completion
- for a graded course that is related to a potential future position, eligible expenses will be reimbursed based on the final grade received as follows:
 - Undergraduate Level Courses
 - for a grade of "A" -- 50%
 - for a grade of "B" -- 40%
 - for a grade of "C" -- 30%
 - Graduate Level Courses
 - for a grade of "A" -- 50%
 - for a grade of "B" -- 40%
- no reimbursement will be provided for courses not completed as outlined above
- in no case shall reimbursement to an employee in any County fiscal year exceed \$2,000 for job related courses or \$1,500 for courses related to a potential future position.
- all County reimbursements are subject to annual appropriation by the Board of Supervisors and the availability of funds

Employment Requirement/ Reimbursement Repayment

An employee receiving reimbursement under this policy is required to maintain employment with the Board of Supervisors for one year for each \$1,000 reimbursed by the County within a twelve-month period. Periods of short- or long-term disability shall not count towards the employee's employment period for purposes of this section. The one-year employment requirement begins as of the date the employee successfully

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completes the course and may run simultaneously with employment requirements of other courses.

Whether voluntary or involuntary and regardless of reason or cause, upon termination of employment prior to the employee's completion of the above employment requirement, the employee shall repay to the County the amount of reimbursement the employee received from the County proportional to the length of the work requirement fulfilled by the employee. Repayment shall first be made through deduction of any accumulated sick or annual leave otherwise payable to the employee upon termination. Any remaining repayment due shall be billed to the employee according to a schedule approved by the County Administrator or his designee. Except in cases of demonstrated hardship, repayment should not extend beyond twelve months of the employee's termination date.

Administration

The employee must provide documentation satisfactory to the County Administrator or his designee demonstrating compliance with all provisions of this policy.

Nothing in the policy shall preclude the inclusion of additional requirements or conditions on the employee's obligations under this policy as may be deemed appropriate by the County Administrator or his designee.

Work associated with the requirements of any course approved under this policy must not interfere with or adversely impact the employee's performance on the job and may not be performed during work hours. The employee may use County equipment outside of work hours for course work upon prior approval by the County Administrator or his designee, however, any supplies necessary must be provided by the employee.

7. Records and Reports

7.1 Personnel Transactions

All appointments, separations and other personnel transactions shall be made on forms designated by the County Administrator.

7.2 Active Applications

Applications are actively considered for a period of six months from the date of filing and will be reviewed for all vacancies that occur during the six months for the position for which application is made.

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7.3 Public Inspection

The following information relative to employees and former employees shall be available for public inspection at reasonable times and in accordance with such procedures as the County Administrator may prescribe: name, class title, salary, and other information as is required by law. Examination records and performance rating reports shall be accessible only to the department head concerned, the Board of Supervisors and the employee involved.

7.4 Destruction of Records

Employee service records, either the original or microfilm copies, shall be kept permanently. All other records, including correspondence, applications and examinations may be destroyed after three years at the discretion of the County Administrator.

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Employee Receipt Confirmation

I acknowledge and confirm that I have received a copy of the Botetourt County, Virginia, Manual of Personnel Policies.

I understand that the manual is not intended as and in no way creates a contract of employment, and that my employment is “at-will” and may be terminated at any time with or without cause by either the County or myself.

I accept responsibility to be familiar with the provisions contained in the manual and to ensure my complete understanding of its provisions.

I also understand that this Manual supersedes all previous versions of the manual and that I should not rely on the information stated in earlier versions.

I further understand that I am responsible to follow and adhere to the provisions contained in the manual, and I hereby voluntarily agree to do so.

Employee Printed Name

Employee Signature

Date

Department