

Agency Human Resource Services

# AHRS Periodical



Virginia Department of  
**HUMAN RESOURCE**  
MANAGEMENT

## Wage 3 Requirement

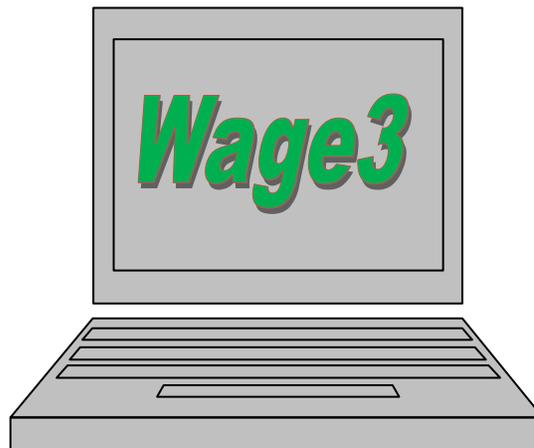
The Wage 3 sub-system of PMIS is required for agencies subject to the Governor’s Hiring Approval Process. Please review the instructions distributed on 3/31/14 and 4/14/14 noting which wage positions are subject to the hiring approval process and which ones are decentralized on a one-time basis. The Position Category Field will be used to distinguish these wage positions in Wage 3. Beginning 4/15/14, agencies must enter one of the following codes in this field when creating a Wage 3 record:

- L = Up to 180 consecutive days
- G = More than 180 consecutive days
- S = Seasonal

The 180-day count will commence on the wage employee’s current position begin date. On 4/15/14, DHRM entered “G” as the default value for all wage records that currently exist in Wage 3. Agencies will need to correct individual records as necessary. DHRM will assist agencies with batch uploads of new wage records into Wage 3. Please contact [ihelp@dhrm.virginia.gov](mailto:ihelp@dhrm.virginia.gov) for assistance and instructions.

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## E-Cigarettes

Several agencies have asked whether smoking ban in effect for state workplaces and vehicles also applies to the use of electronic cigarettes (e-cigarettes).

- There is no DHRM policy related to cigarette smoking but the Employee Handbook notes the cigarette smoking prohibition first announced in former Governor Kaine's Executive Order #41.
- The Attorney General's Office has advised that the use of electronic cigarettes (e-cigarettes) does not meet the definition of "smoke" or "smoking" noted in the Virginia Indoor Clean Air Act §15.2-2820 and that we should not interpret that the ban on cigarette smoking applies to the use of e-cigarettes.
- Research to date has neither consistently confirmed nor repudiated that inhalation of the vapor produced by e-cigarettes is harmful to the user or may impact non-users in close proximity to those inhaling the vapor. Consequently, no ban on the use of e-cigarettes has been codified or addressed in an Executive Order.



DHRM's advice (with the endorsement of the Attorney General's Office) to agencies has been consistent regarding this topic:

Agencies may develop internal policies to address the use of e-cigarettes just as they may address employee dress codes, the use of strongly-scented products, visible body art/piercing, or any of a variety of other behaviors or workplace expectations.

## Family Medical Leave Act (FMLA) Eligibility Guidance - Counting Hours of Service

When determining eligibility for FMLA, the 1,250 hours of service required must be actual hours worked. Paid and unpaid leave time are not included in the count.

The actual number of hours worked is counted for Q status employees, part-time classified employees, and hourly employees, also. The eligibility threshold is not pro-rated based on the employee's status. So, for example, a Q status employee working 32 hour per week (80% of full-time status) must still meet the 1,250 hour threshold rather than 80% of that threshold (1,000 hours).

The employee must have worked for the employer\* for 12 months. The 12 months of employment are not required to be consecutive in order for the employee to qualify for FMLA leave. In general, only employment within seven years is counted unless the break in service is (1) due to an employee's fulfillment of military obligations, or (2) governed by a collective bargaining agreement or other written agreement.

\*For the purpose of determining eligibility for FMLA, all state agencies are considered to be one employer.

Please see information on the Department of Labor's website at <http://www.dol.gov/whd/fmla/fmla-faqs.htm#3>.

## Statewide Pay Action Summary Report for January – March 2014

Reason	All Actions	Salary Changes	Average % Change
Agency Special Rate	150	150	1.78
Change of Duties Salary	311	311	7.64
Competitive Salary Offer	38	38	12.40
Competitive Voluntary Transfer	516	386	9.04
Disciplinary Demotion	1	1	-10.00
Disciplinary Pay Action	1	1	-5.00
Downward Role Change	25	3	-3.01
End Temp Pay: Acting Status	73	73	-9.21
End Temp Pay: Additional Duties	52	52	-8.21
End Temp Pay: Special Assgmnmt	7	7	-9.59
Field Change	55	55	14.54
Internal Alignment Salary	416	414	6.20
Lateral Role Change	56	22	8.70
Lateral Transfer	5	4	19.63
New Knowledge/Skills/Abilities	297	295	6.75
Non-Competitive Voluntry Trans	231	44	1.62
Non-Routine	87	87	7.04
Performance Demotion	3	3	-7.47
Promotion	365	362	14.28
Reassignment	50	1	15.00
Retention Salary Increase	113	113	6.70
Temp Pay: Additional Duties	84	84	8.07
Temp Pay: Special Assignment	15	15	11.70
Temporary Pay: Acting Status	102	102	9.45
Transfer In Lieu of Layoff	1	1	3.26
Upward Role Change	184	141	9.92
Voluntary Demotion	41	26	-11.22
Change of Duties Bonus	34	34	3.96
Internal Alignment Bonus	24	24	2.48
New Knowledge/Skills/Abilities	32	32	3.34
Recognition Award Leave Hours	1209	.	.
Recognition Award Monetary	731	731	0.75
Recognition Award Non-Monetary	39	39	0.14
Referral Bonus Pay Out	40	40	0.72
Retention Additional Leave	2	.	.
Retention Bonus	69	69	2.82
Retention Bonus Pay Out	384	384	1.51
Sign-On Additional Leave	10	.	.
Sign-On Advanced Leave	1	.	.
Sign-On Bonus Pay-Out	17	17	2.36
<b>Total Actions</b>	<b>5871</b>	<b>4161</b>	<b>5.35</b>

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*For the first quarter, there were: 2,523 base salary increases averaging 9.02%; 275 base salary decreases averaging -7.96%; and 1,370 bonus actions, averaging 1.24%.*

*Workforce Planning and the Periodical's Pay Action Summary data may vary within the same reporting period based on the timing of data runs, agency retraction requests, and the manual review and extraction of erroneous PMIS entries.*

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## Specifying Experience and Educational Requirements in Job Announcements

Did you know that state policy prohibits specifying a precise number of years of experience and requiring educational levels not mandated by law in job announcements?

[Policy 2.10, Hiring](#), specifically prohibits noting a certain number of years of experience or specific educational requirements unless these experience or education requirements are sanctioned by law. State policy allows the use of descriptive words that indicate the level of experience required. For example, the words “some,” “considerable,” “extensive,” and “progressively responsible” can effectively communicate the extent of experiential requirements. Educational requirements that are not mandated by law must be listed in the job announcement as preferred qualifications, and the announcement must include a provision for substitution of equivalent applicable experience or training. When indicating a preference for a college degree, the announcement should also include the specific types of related degrees or coursework that are applicable to the position’s core duties.

Please review this information with your agency hiring managers. Agency human resource personnel responsible for recruitment should review all job announcements prior to posting to ensure compliance with policy and the law. If you have questions, please contact Pat Waller, Employment & Shared Services Manager, or your assigned AHRs Consultant.

*Note: From time to time, we repeat earlier-published guidance as we deem necessary. This guidance was originally published in [April 2009](#).*



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