JANET L. LAWSON
DIRECTOR

COMMONWEALTH OF VIRGINIA

Department Of Human Resource Management

Main Street Centre
600 E. Main Street, 17th Floor
Richmond, Virginia 23219
Tel: (804) 225-2131
(TTY) 711

Dear Employee:

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

In order to remain current, the ***Handbook*** treats most topics briefly and provides links to the Department of Human Resource Management's (DHRM) ***Policies*** and other sources of information. DHRM Policies are updated periodically and are the authority in case of a disparity between the ***Policies*** **and the** ***Employee Handbook.***

It is important for you to be familiar with the information in this ***Handbook***. Please review it carefully. If you need to refer to the ***Handbook*** in the future, remember that the most recent version of the policy will be available on the DHRM website, where the links can also be used. In addition, your agency Human Resources office can respond to questions relating to your employment. Your agency may also have internal policies and procedures that are related to DHRM Policies but serve to clarify operational business applications and protocols.

Please sign below to indicate that you have seen and read this ***Handbook*** and return the signed page to your agency's Human Resource office. This document will be maintained in your official personnel record.

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

Department of Human Resource Management

Signature: _____

Printed name: _____

Agency: _____

Date: _____

TABLE OF CONTENTS

NOTICE ..... iv.

INTRODUCTION 5

QUICK REFERENCE TO KEY **WEBSITES** 6

GENERAL CONDITIONS OF EMPLOYMENT 7
A. Hours of Work 7
B. **Attendance** 7
C. Hiring **Requirements** 8
D. Information About Your **Paycheck** 8
E. Probationary Period 8
F. Overtime 9
G. Office Closings 9
H. **Telecommuting** 10
I. Outside Employment 10
J. Alcohol and Other Drugs 10
K. Safety and Security in the Workplace 11
L. Layoff and Severance 11
M. Statement of Public **Accountability** 12

COMPENSATION 13

PERFORMANCE MANAGEMENT AND EVALUATION 14

BENEFITS AND PROGRAMS 15
A. Insurance, Health Benefits, and Income Replacement **Programs** 15
1. Group Life **Insurance** 15
2. State Health Benefits Program 15
3. Flexible Benefits Program .....
4. Employee Assistance Program 15
5. Virginia Sickness and Disability **Program** 16
6. Long-Term Care **Insurance** 16
7. Workers' **Compensation** 16
B. Ti ne-Off Benefits, Paid and Unpaid 17
1. Annual **Leave** 17
2. Sick Leave 17
3. VSDP Leave 17
4. Leave Sharing 18
5. Family and Medical Leave Act 18
6. Compensatory and Overtime Leave 18

7. Civil and Work-Related Leave 19
8. School Assistance and Volunteer Services Leave 19
9. Military Leave 19
10. Emergency/Disaster Leave 20
11. Educational Leave and Educational Assistance 20
12. Leave to Donate Bone Marrow or Organs 20
13. Leave Without Pay 20
C. **Holidays** 21
D. Employee Recognition Programs 21
E. Savings Programs 22
1. Flexible **Benefits** 22
2. Deferred Compensation **Plan** 22
F. Wellness **Program** 23
G. Work/Life Programs 23
H. Retirement Benefits 23

EQUAL EMPLOYMENT OPPORTUNITY 24
A. Equal Employment **Opportunity** 24
B. Harassment 24
C. **Retaliation** 24
D. Violations and Enforcement 24

DISCIPLINARY PROCESS 25

EMPLOYEE RELATIONS ISSUES 26

MISCELLANEOUS TOPICS 27
A. Commonwealth of Virginia **Campaign** 27
B. Electronic mail, Computer, and Telephone Use 27
C. Gifts, Gratuities, and Rewards 27
D. Intellectual Properties 27
E. **Nepotism** 28
F. Personal Appearance 28
G. Political **Activity** 28
H. Privacy of **Records** 28
I. **Smoking** 29

NOTICE

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

Discrimination based on race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, or against otherwise qualified persons with disabilities is prohibited in all aspects of employment with the Commonwealth of Virginia.

INTRODUCTION TO EMPLOYEE HANDBOOK

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

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

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

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

QUICK REFERENCE TO KEY WEBSITES

http://www.dhrm.virginia.gov/	Department of Human Resource Management (DHRM) home page
https://www.dhrm.virginia.gov/hrpolicies	Human Resource Policy
https://www.dhrm.virginia.gov/employeebenefits	Employee Benefits
https://www.dhrm.virginia.gov/hr-partners/compensation	Employee Compensation
http://www.dhrm.virginia.gov/equal-employment-opportunity	Equal Employment Opportunity
http://jobs.virginia.gov/	Employment and Careers
https://my.cardinal.virginia.gov/	Department of Accounts Cardinal
http://www.dhrm.virginia.gov/employmentdisputeresolution	Office of Equal Employment & Dispute Resolution
http://www.varetire.org/	Virginia Retirement System

GENERAL CONDITIONS OF EMPLOYMENT

A. Hours Of Work – *See Policy 1.25, Hours of Work, at* https://www.dhrm.virginia.gov/hrpolicies.

A full-time classified employee works a schedule of 40 hours per week ("F" status) or 30 to 39.9 hours per week ("Q' status). Classified employees working a schedule of 20-29 hours per week are part-time ("P" status). There is no classified employment for a schedule of less than 20 hours per week.

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

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

1. Some agencies have established flexible work hours to better meet their business needs. Normally, administrative offices must ensure adequate coverage during core business hours. In most cases, flexible schedules maintain a 40-hour workweek. Ask your supervisor if one of these schedules applies to you or is an option available to you.

2. Your agency may permit alternate work schedules in some cases. An example of an alternate schedule is four 10-hour days per week. Based on its business needs, an agency or work unit may decide not to permit alternate schedules or may decide to discontinue them at any time.

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

B. Attendance – *See Policy 1.60, Standards of Conduct, and Policy 1.25, Hours of Work, at* https://www.dhrm.virginia.gov/hrpolicies.

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

C. Hiring Requirements – *See Policy 2.10, at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

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

D. Information About Your Paycheck

1. Standard pay periods for classified employees are the 10th through 24th of a month and the 25th through the 9th of a month. Most classified employees are paid twice a month, on the 1st and 16th following the end of the pay period. When paydays fall on weekends or holidays, paychecks normally are distributed, and direct deposits normally are made on the last workday before the regular pay date. Ask your supervisor about your agency pay schedule. New state employees generally are required to participate in direct deposit.

2. Tax liens and garnishments are honored as directed by state and federal law. An employee will be charged a fee for processing certain garnishments. See the Commonwealth Accounting Policies and Procedures (CAPP) Manual Topic 50405. https://www.doa.virginia.gov/reference/CAPP/CAPP_HCM/50405.pdf

E. Probationary Period – *See Policy 1.45, at* https://www.dhrm.virginia.gov/hrpolicies.

Classified state employees serve a probationary period of one year from their employment or re-employment date. This is a trial period during which the agency and employee learn whether the employee is suited for the job. This time may be extended if the employee experiences absence(s) of more than 14 consecutive days and for certain other reasons. Except to make up for the employee's absence, the probationary period may not be extended for more than six additional months. If you are selected for a

position that requires certification following completion of a prescribed training program, you must complete a new probationary period.

The state's grievance procedure is not available to probationary employees. However, if you believe you have been discriminated against in any condition of employment based on race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, or disability, you may file a discrimination complaint through your agency's human resource department or with the federal Equal Employment Opportunity Commission, https://www.eeoc.gov/

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

F. Overtime – *See Policy 3.15, Overtime Leave, and Policy 1.25, Hours of Work, at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

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

In all instances, employees must have prior approval from their supervisor before working overtime hours.

G. Office Closings – *See Policy 1.35, Emergency Closings, at* https://www.dhrm.virginia.gov/hrpolicies.

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

- For administrative agencies in the city of Richmond and in Chesterfield, Henrico, and Hanover counties – the Governor;

- For state colleges and universities – the college or university president; and
- For state operations or branch offices of administrative agencies outside of Richmond – the responsible agency head or appropriate facility or operations director.

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

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

Certain personnel may be "designated" by their agencies as being required to work during authorized closings. They may earn compensatory leave or pay for hours worked during periods of closing. Check with your supervisor to determine if you are a "designated" to work during authorized closings.

Employees who are authorized to telework may be required to work from home during emergency closing events.

H. Teleworking – *See Policy 1.61 at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

I. Outside Employment – *See Policy 1.60, Standards of Conduct,* at https://www.dhrm.virginia.gov/hrpolicies.

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

J. Alcohol And Other Drugs – *See Policy 1.05, Alcohol and Other Drugs, at* https://www.dhrm.virginia.gov/hrpolicies.

The Commonwealth intends to maintain a workplace free from the adverse effects of alcohol and other drugs. Employees are forbidden to use these substances at the workplace or to come to the workplace while under the influence of these substances. In addition, employees are expected to notify their supervisors if they are convicted of

violating any criminal drug law, either within or outside the workplace, or if they are convicted of violating any alcohol beverage control law or law that governs driving while intoxicated, based on conduct occurring in the workplace. Violation of policies related to these matters can result in serious disciplinary action including termination.

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

K. Safety And Security In The Workplace – *See Policy 2.35, Civility in the Workplace*, at https://www.dhrm.virginia.gov/hrpolicies.

As an employer, the Commonwealth of Virginia makes every effort to ensure a safe and healthy workplace for its employees as well as for customers, patients, business colleagues, and visitors. Harassment (sexual or other), threats of violence, and violent acts will not be tolerated in the state workplace. Policy 2.35 provides guidance regarding the kinds of actions which will not be tolerated in the workplace and describes the responsibility of state agencies to take certain measures to promote safety and security in the work environment. Violation of policies related to these matters can result in serious disciplinary action including termination.

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

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

L. **Layoff And Severance** – *See Policies 1.30, Layoff; 1.57, Severance Benefits; and 1.65 Temporary Work Force Reduction, at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

Your agency may experience variations in workflow which make temporary staff reductions advisable. Policy 1.65, Temporary Work Force Reduction, explains how

agencies should implement these short-term reductions and defines the rights of employees during such actions.

M. Statement of Public Accountability

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

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

COMPENSATION

See Policy 3.05, at https://www.dhrm.virginia.gov/hrpolicies.

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

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

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

In addition to Policy 3.05, the Human Resource Management Manual provides information about compensation practices. You may refer to this manual at http://www.dhrm.virginia.gov/docs/default-source/hr/manuals/hrmanual.pdf?sfvrsn=2

PERFORMANCE MANAGEMENT AND EVALUATION

See Policy 1.40, Performance Planning and Evaluation, and Policy 1.45, Probationary Period, at https://www.dhrm.virginia.gov/hrpolicies

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

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

During an employee's twelve-month probationary period, the supervisor prepares reports on the new employee's progress. The probationary period may be extended by up to six months for performance, misconduct, or extended absences. After probation, employees receive an annual performance review. You may also receive ongoing feedback concerning your performance during the performance cycle.

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

3. Insurance Coverage and Income Replacement Programs

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

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

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

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

2. Health Benefits – *See* https://www.dhrm.virginia.gov/employeebenefits.

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

3. Employee Assistance Program

The Employee Assistance Program (EAP) offers help to employees and their family members who need counseling and treatment referrals for alcohol and substance abuse problems and for various personal difficulties including legal, financial, and relationship concerns. The employee or family member may seek these services directly, or a supervisor may encourage an employee to use EAP resources because of employment issues that may be adversely affecting work performance. All services are provided under strict guidelines of confidentiality.

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

4. Virginia Sickness and Disability Program (VSDP) – *See Policy 4.57, at* https://www.dhrm.virginia.gov/hrpolicies.

All classified employees hired on or after January 1, 1999, are enrolled in VSDP; many employees already working at that time have made the choice to join the program. The chief purpose of this program is to provide income replacement to employees when they are unable to work because of short-term (up to 125 workdays) or long-term illness or disability. The program also provides:

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

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

Employees new to state government or returning to state government after a break in service must serve a one year waiting period before accessing the income replacement benefits[1]. [Participation in a local or other disability plan is not credited or considered as service for the state government plan.] These employees are encouraged to secure private disability insurance to provide protection until they become eligible for these benefits. Ask your agency Benefits Administrator for contact information for carriers with whom employees may arrange payroll deductions for this purpose.

5. Long-Term Care Insurance

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

[1] unless an illness/injury is work-related.

6. Workers' Compensation – *See Policies 4.60, Workers' Compensation, and 4.57, Virginia Sickness and Disability Program Leave, at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

B. Time-Off Benefits, Paid and Unpaid

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

3. Annual Leave – *See Policy 4.10 at* https://www.dhrm.virginia.gov/hrpolicies.

Annual Leave is accrued at the end of each completed pay period, at a rate set according to your total amount of state salaried service and/or a veteran's service in the military, National Guard or Reserves. New full-time employees start by accruing four hours per pay period. Classified employees who work less than 100% but at least 50% accrue at a rate proportionate to the percentage of time worked.

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

2. Sick Leave – *See Policy 4.55 at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

3. VSDP Leave – *See Policy 4.57 at* https://www.dhrm.virginia.gov/hrpolicies.

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

4. Leave Sharing – *See Policy 4.35 at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

5. Family and Medical Leave Act – *See Policy 4.20* at https://www.dhrm.virginia.gov/hrpolicies.

The Commonwealth complies with the federal Family and Medical Leave Act (FMLA) in providing unpaid leaves of absence and job protection to eligible employees for situations defined in that Act. State policies and procedures apply to many situations covered by FMLA. Because FMLA is an unpaid leave, an employee wanting to be paid may charge their available and appropriate paid leave balances while in FMLA leave status. An eligible employee on FMLA leave continues to receive the state contribution to health insurance, and FMLA provides reemployment rights to employees under certain conditions. Employees may use up to 33% of their traditional sick leave or available VSDP sick leave to cover absences for family illness or disability covered by FMLA.

6. Compensatory and Overtime Leave – *See Policies 3.10 and 3.15 at* https://www.dhrm.virginia.gov/hrpolicies.

   Some employees may be eligible to earn paid leave for work performed in addition to their normally scheduled hours. The Fair Labor Standards Act (FLSA) governs application of these leave types for employees covered by the Act (non-exempt).

7. Civil and Work-Related Leave – *See Policy 4.05 at* https://www.dhrm.virginia.gov/hrpolicies.

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

8. School Assistance and Volunteer Services Leave – *See Policy 4.40 at* https://www.dhrm.virginia.gov/hrpolicies.

   As an employer, the Commonwealth supports employees' responsibilities to their children and communities. This policy permits agencies to grant employees up to 16 hours of time off with pay per leave year to provide volunteer services through eligible non-profit organizations within or outside their communities. Such service may be provided as a member of a service organization or through authorized school assistance. Read the policy to learn how this leave type may apply to you. An additional 8 hours per leave year may be granted to employees to serve with a volunteer fire department and rescue squad or auxiliary unit.

9. Military Leave – *See Policy 4.50 at* https://www.dhrm.virginia.gov/hrpolicies.

   Employees who are members of the Commonwealth's militia (including National Guard) are granted paid military leave while providing military service when called forth by the Governor. Employees who serve in the National Guard, Naval Militia, or in a branch of the military reserve are entitled to as much as 21 days of paid military leave for federally funded training or active duty per federal fiscal year. Employees called for more than 21 days of active federal duty in a federal fiscal year may use accrued leave balances to remain on the state payroll. Employees who exhaust their leave balances or who choose not to use them for military duty may be placed on Military Leave Without Pay.

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

10. Emergency/Disaster Leave – *See Policy 4.17 at* https://www.dhrm.virginia.gov/hrpolicies.

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

11. Educational Leave and Educational Assistance – *See Policy 4.15 and Policy 5.10 at* https://www.dhrm.virginia.gov/hrpolicies.

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

12. Leave to Donate Bone Marrow or Organs – *See Policy 4.37 at* https://www.dhrm.virginia.gov/hrpolicies.

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

13. Leave Without Pay – *See Policy 4.45 at* https://www.dhrm.virginia.gov/hrpolicies.

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

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

C. Holidays – *See Policy 4.25 at* https://www.dhrm.virginia.gov/hrpolicies.

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

New Year's Day (January 1)
Martin Luther King Day (third Monday in January)
George Washington Day (third Monday in February)
Memorial Day (last Monday in May)
Juneteenth (June 19)
Independence Day (July 4)
Labor Day (first Monday in September)
Columbus Day and Yorktown Victory Day (second Monday in October)
Election Day (Tuesday after the first Monday in November)
Veterans Day (November 11)
Thanksgiving Day (fourth Thursday in November) Day after
Thanksgiving Day (fourth Friday in November)
Christmas Day (December 25)

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

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

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

D. Employee Service and Recognition Programs

Employee Service and Recognition Programs – *See Policy 1.15, Employee Recognition and Engagement, at* https://www.dhrm.virginia.gov/hrpolicies.

If you make State employment your career, you may receive periodic Service Awards for your years of service. Policy 1.15, Employee Recognition and Engagement, describes the general state policy. Some agencies have developed their own Service Awards program. Your Human Resource office will have information about your agency's program.

Policy 1.15 also directs agencies to develop programs to recognize employees for their contributions to agency objectives and to state government, and outlines requirements for the program. A Handbook following the policy contains detailed information to help agencies develop programs that suit their objectives and culture. Awards to employees may include money, non-monetary items, or paid leave time. Ask your supervisor or Human Resource office about your agency's program.

E. Savings Programs

1. The Flexible Savings Program is subject to regulations established by the Internal Revenue Service (IRS). You will find more detailed information from your agency Benefits Administrator and at the Health Benefits website at https://www.dhrm.virginia.gov/hrpolicies.

    a. Premium Conversion
    This feature reduces your net cost because you pay your portion of your health benefit premium with pre-tax salary.

    b. Medical and Dependent Reimbursement Accounts
    Employees are eligible to enroll in the medical and/or dependent care reimbursement program, which allows payment of certain out-of-pocket expenses with pre-tax dollars. Talk with your agency Benefits Administrator about eligibility requirements. Employees must renew their participation in these benefit programs annually during open enrollment.

2. Deferred Compensation Plan (DCP) – See https://www.varetire.org/benefits-and-programs/benefits/severance-benefits/tbp/dcp-and-cash-match.

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

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

F. Wellness Program

CommonHealth is the state's wellness program for employees, families, and retirees offering a range of health-related activities and resources at participating agencies. Information about CommonHealth is available on the website at http://www.commonhealth.virginia.gov/

G. Work/Life Programs – *See the "For Employees" tab at* http://www.dhrm.virginia.gov/#

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

H. Retirement Benefits

Retirement Program - *See* www.varetire.org.

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

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

See Policies 2.05, Equal Employment Opportunity, 2.35, Civility in the Workplace, at https://www.dhrm.virginia.gov/hrpolicies

A. The Commonwealth is committed to providing equal employment opportunity for all employees and job applicants regardless of their race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, or disability. Employment discrimination based upon these traits is unlawful under both state and federal law. Equal opportunity extends to all aspects of employment including hiring, transfers, promotions, training, termination, working conditions, compensation, benefits, and other terms and conditions of employment. The Commonwealth complies with federal and state equal employment opportunity laws and strives to keep the workplace free from all forms of unlawful discrimination, including harassment and retaliation.

B. Harassment is any unwelcome verbal, written, or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, disability, marital status, or pregnancy that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.

C. Retaliation is any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against one or more individuals for exercising their rights (or supporting others for exercising their rights) under the Commonwealth's EEO policies.

D. **Violations and Enforcement**

Unlawful discrimination in any form is a serious offense that will not be tolerated in state employment. The Department of Human Resource Management's Policies sets forth the relevant policies of the Commonwealth. If you believe you are a victim of unlawful discrimination, several avenues of redress are available to you, including processes within your agency, the grievance procedure, and the state and federal discrimination complaint processes.

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

DHRM's Office of Workforce Engagement (OWE) is responsible for enforcing policies concerning equal employment opportunity. Employees alleging discrimination must first file a discrimination complaint with their agency for review and potential investigation. Please contact your agency's Human Resources Department to initiate the process. Eligible employees may also **file complaints** under the Grievance Procedure or directly with the federal Equal Employment Opportunity Commission. Employees may file an appeal with OWE by following the process on this website.

DISCIPLINARY PROCESS

See Policy 1.60, Standards of Conduct at https://www.dhrm.virginia.gov/hrpolicies

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

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

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

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

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

EMPLOYEE RELATIONS ISSUES

The Employment Dispute Resolution (EDR) is available to advise employees on work-related problems, use of the grievance procedure, and mediation. It also assists employees and managers in exploring options for resolving work-related conflicts. See http://www.dhrm.virginia.gov/employmentdisputeresolution.

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

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

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

MISCELLANEOUS TOPICS

A. Commonwealth of Virginia Campaign

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

B. Electronic mail, computer, and telephone use

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

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

C. Gifts, Gratuities, and Rewards

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

D. Intellectual Properties

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

E. Nepotism

Public accountability considerations and good management practices dictate that supervision by an employee of a member of his or her immediate family is prohibited. Immediate family includes the spouse and any other person residing in the same household as the employee who is a dependent of the employee or of whom the employee is a dependent.

F. Personal Appearance

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

G. Political Activity

State employees may not campaign for themselves or for anyone else during work hours, nor may they use state equipment or resources for political activities. Further, no employee is to be rewarded or discriminated against in any way for participating or not participating in political activities outside of the workday and workplace. Before beginning any political activity, you should determine whether such activity violates the Virginia Conflict of Interests Act (Code of Virginia, §2.2-3100 and following).

The political activities of state agency employees whose salaries are funded in whole or in part by federal loans or grants are subject to the conditions of the Hatch Act, a federal law limiting political activities of government employees. https://osc.gov/Pages/HatchAct.aspx

1. If you are in a position that is 100% federally funded, you may not stand as a candidate for any public or political party elective office in a partisan election (one in which any candidate runs as representative of a political party whose presidential candidate received electoral votes in the preceding presidential election).

   Be sure to check with your financial office to determine if your position is fully federally funded before considering running for an elective office.

2. State employees whose positions are only partially funded by federal funds may be candidates for elective office in partisan elections. Such employees are still subject to the Virginia Conflict of Interests Act.

The Hatch Act also places additional restrictions on certain conduct regardless of the funding sources for your position. Specifically, as a state employee, you may not:

1. directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value for political purposes; or

2. use official authority or influence to interfere with, or to influence, the results of an election or nomination for office.

H. Privacy of Records – *See Policy 6.05 at* https://www.dhrm.virginia.gov/hrpolicies

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

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

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

I. Smoking

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

Smoking is banned in offices occupied and/or operated by executive branch agencies and institutions, including institutions of higher education. Please ask your Human Resource office for information regarding guidelines for smoking outside on state-owned property.