

SUSSEX COUNTY VIRGINIA



Personnel Policy and Procedures Manual

Adopted November 17, 2011

**SUSSEX COUNTY
PERSONNEL POLICY MANUAL**

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Welcome to Sussex County

Dear Employee:

As County Administrator, it is my great pleasure to welcome you to Sussex County on behalf of the Sussex County Board of Supervisors and the many employees who faithfully serve this beautiful place we call home. Each of us, so blessed to find employment here, hopes that your employment with “*Team Sussex*” will be a gratifying, mutually beneficial and pleasant experience.

To assist you as you begin your new career, we have adopted the following *Employee Manual*. You will be expected to be familiar with the *Employee Manual* and a copy has been provided to each Department and participating Constitutional Office and Agency, as well as being provided on the Sussex County Website at sussexcountyva.gov for your convenience. We hope that it will help answer and/or clarify questions pertaining to employment policies, benefits, standards of conduct and other issues relative to your work with Sussex County. In short, it outlines what you can expect from Sussex County as employer and what the County expects from you as employee. Therefore we would ask and encourage you to take time to become familiar with its contents and to ask questions of your supervisor and/or the County Administrator if something is not clear.

Please note that persons who are employed with Constitutional offices (*e.g., Treasurer, Commissioner of the Revenue, Sheriff, Commonwealth Attorney, and Clerk of the Court*) and the Director of Social Services and Registrar are not subject to the provisions established by the Sussex County Board of Supervisors for those employees under the direct supervision of the County Administrator as approved by the Board. As such, these employees have separate Personnel Policies and Procedures, unless the Constitutional Officer/Director of Social Services/Registrar and the Sussex County Board of Supervisors have formally agreed that such offices adopt the *Sussex County Employee Manual*.

Please be further advised that there are provisions within the *Sussex County Employee Manual* that address authority for the enforcement and application of the adopted and approved policies and procedures by the respective officers (if and when adopted) and the Board of Supervisors.

To simplify the lines of authority and communication, we ask that all recipients of this Manual sign the attached receipt acknowledging that you have read and fully understand where you may have access to the *Sussex County Employee Manual*.

Additions and/or changes to this Manual may be issued from time to time as conditions warrant or as deemed appropriate by the Board of Supervisors through the County Administrator’s office. As these changes occur, every effort will be made to keep you informed through normal lines of communication.

In closing, may I again welcome you to Sussex County and “*Team Sussex*”? If you are a new employee, congratulations and if you have been a team member and are reviewing this *Manual* for the first time, thank you for all that you do. As public servants and County Employees I can assure you that you have made a wise choice to become part of a work force and management team that is truly committed to the highest standards of public service and dedicated to serving the needs of Sussex County, Virginia and its citizens.

Respectfully,

Thomas E. Harris
County Administrator

PREFACE

The Sussex County Personnel Policy and Procedures Manual (County Employee Manual) has been prepared as a general statement of County personnel policies and procedures. The *County Employee Manual* is not intended to cover every contingency and condition which may arise during the course of employment with the County of Sussex. Furthermore, the language in *The Sussex County Personnel Policy and Procedures Manual (County Employee Manual)* does not create, nor should it be construed as an employment contract. These adopted Policies and procedures in no way alter the nature of the employee's at-will employment relationship with Sussex County.

The Sussex County Board of Supervisors reserves the right to modify, discontinue or add policies or procedures, except the at-will policy, at any time. These personnel policies are applicable to classified employees of Sussex County Government and do not apply, unless otherwise authorized, to unclassified employees, consultants, contractors, members of Boards and Commissions, elected or appointed officials under separate contract – unless so noted in the contract, volunteers, employees of the School Division or employees of other organizations.

Purpose:

These Sussex County policies, procedures and regulations ensure a system of personnel management based upon merit principles and objective procedures for recruiting, classifying, appointing, promoting, transferring, training, disciplining, filing grievances, implementing reductions in force and other aspects of County employment and personnel management.

Intent:

These policies and regulations are intended to be in full compliance with all applicable federal and state laws and regulations, as well as to provide a safe and professional work environment for all County employees.

Authority:

The Sussex County Board of Supervisors establishes Personnel Policies and Procedures for all employees and volunteers under its supervision and control as set forth and defined above. The Board of Supervisors vests the duty and responsibility for the administration of the Sussex County Personnel Policies and Procedures as well as the implementation and administration of the County's Pay for Performance Pay Plan as approved and authorized by the Board to the County Administrator for all County personnel (except where prohibited by law) and provides direction to the County Administrator as Director of Personnel for other employees who answer to the Board of Supervisors.

Delegation of Authority:

The County Administrator may delegate vested powers and authorities to include ministerial, administrative, or clerical duties to personnel who report to the County Administrator.

Department Director Authority:

Department Directors implement and enforce these policies and regulations under the general supervision of the County Administrator or his/her designee. Furthermore Department Directors have the authority to recommend the establishment of Department Policy following approval and the recommendation of the County Administrator and final approval by the Board of Supervisors, have complete day-to-day control over employees and volunteers under their supervision, in accordance with these policies and/or approved County regulations as interpreted by the County Administrator.

Administration and Enforcement:

The Board of Supervisors directs, manages and delegates to the County Administrator the authority and responsibility to implement and enforce these rules and regulations in adherence to the purpose and intent of the County's Personnel Policies as reviewed, modified and adopted by the Sussex County Board of Supervisors. The County Administrator is authorized to make recommendations and provide information to the Board of Supervisors concerning any Department or employee of the County Government. The County Administrator may establish procedures and/or guidelines regarding work activity and record keeping ensuring equitable and uniform administration and enforcement of these policies. Unless noted elsewhere, all personnel policies or procedures which are date specific will be implemented at the beginning of the first full pay period following the adoption of the specific policy.

Interpretation:

The County Administrator is responsible for personnel management and interpretation, of all questions and actions regarding these regulations following consultation and review with the County Attorney, as needed, and is accountable to the Sussex County Board of Supervisors.

Scope:

- A.** *The Sussex County Personnel Policies and Procedures apply to all employees under the control and supervision of the Board of Supervisors, through the County Administrator ("County employees"), except as otherwise provided or prohibited by law and/or as determined by separate employee contract.*

- B.** *Non-County employees, such as employees of Constitutional Officers, Department of Social Services and General Registrar are encouraged to adopt the Sussex County Personnel Policies and Procedures (Employee Manual) and be covered by these Policies through a written agreement between the Department/Agency Director, Supervisor, or Constitutional Officer and the County Board of Supervisors.*
- C.** *Should these Policies become applicable to such non-County employees, the Director or Constitutional Officer having appointing and/or supervisory authority over such officers and employees is vested within their respective agencies, departments or offices with the administration and enforcement powers and duties otherwise delegated to the County Administrator herein, unless otherwise specifically provided.*

*Such Directors or Constitutional Officers are not required to obtain Board of Supervisors approval to establish any new positions when authorized and fully funded by the Commonwealth of Virginia. Once such a position is established, it is classified in accordance with the **Sussex County Restricted Classification Personnel Management Plan (RCP)**.*

- D.** *These Policies and Procedures shall not be interpreted to infringe upon, or to limit in any manner, the authority and responsibility of Constitutional Officers, the Director of Social Services or Registrar.*

Merit Principles

The Sussex County Personnel Policies and Procedures will be consistent with the following Merit Principles and are based on the Federal Merit System Standards.

Merit Principle I:

Recruiting, selecting, and advancing employees will be on the basis of their relative ability, knowledge, and skills; including open consideration of qualified applicants for initial appointment. Recruiting efforts will be planned and carried out in a manner that assures open competition. Selection procedures will be job related and will maximize validity, reliability and objectivity; selection procedures for promoting employees to higher level positions must provide eligible permanent employees an opportunity to be considered, and adequately assure that all persons promoted are qualified for the position.

Merit Principle II:

The County shall strive to maintain equitable and adequate market driven compensation and benefits in order to assure the citizens of Sussex County a high quality public work force.

Merit Principle III:

Sussex County commits to properly train employees to assure high quality performance.

Merit Principle IV:

Sussex County Employees will be retained on the basis of their satisfactory performance and provisions will be made for encouraging maximum performance, for providing an opportunity to correct unsatisfactory performance, and for terminating employees whose unsatisfactory performance cannot be corrected.

Merit Principle V:

Sussex County will provide fair treatment of applicants and employees in all aspects of hiring and personnel management without regard to political affiliation, race, color, religious creed, gender, national origin, age, disability, or other non-merit factors and with proper regard for their privacy and Constitutional rights as citizens at all times.

Merit Principle VI:

Employees will be protected against coercion for partisan political purposes and will be prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office.

Sussex County Employee Personnel Policy and Procedures Manual

Receipt and Acknowledgement

As an Employee of Sussex County, I hereby recognize and understand that the information contained in the *Sussex County Employee Manual* represents guidelines only and that the County reserves the right to modify this Manual or amend or terminate any policies, procedures, or employee benefit programs at any time, or to require and/or increase contributions toward these benefit programs as determined by and at the sole discretion of the Sussex County Board of Supervisors in accordance with applicable law.

I further understand that this Manual supersedes and replaces all previously published Employee Manuals and/or any Personnel Policies and Procedures. I also acknowledge that Sussex County reserves the right to consult and utilize the *State of Virginia's Department of Human Resource Management Personnel Policy Manual* for any issue that is not directly addressed in this handbook.

I recognize that this Manual is not a contract of employment, expressed or implied, between me and the County and that I should not view it as such. I understand that employment with Sussex County is for no specified term, and may be terminated by me, or Sussex County, at any time with or without cause. I also understand that Sussex County may modify or alter my position, with or without cause or prior notice, through actions other than termination, such as demotion, transfer, reorganization, or reclassification, and can exercise its managerial discretion in imposing discipline short of termination when, in its sole discretion, it deems appropriate and/or necessary.

And finally, I again confirm that I fully understand and acknowledge that the *Sussex County Employee Manual* does not constitute an employment contract and creates neither expressed nor implied contractual guarantees regarding my employment relationship with the County of Sussex.

Print Name of Employee	Employee's Signature	Date
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Employee Position: _____

Print Name of Management Witness	Signature of Management Witness	Date
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After signing above, please return it to the County Administrator.

Print Name of County Administrator	Signature of County Administrator	Date
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COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 0	PAGE 1 of 2
	SUPERSEDES: N/A	DATE ISSUED: November 17, 2011
SUBJECT: General Provisions	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

GENERAL PROVISIONS

0.1 Accessibility of Manual

Copies of the *Sussex County Employee Manual* shall be kept in each Department and shall be available for any employee or citizen desiring to review it. A copy of the manual shall also be placed on the Sussex County Website.

0.2 Policy Objectives

This manual sets forth the principles and procedures to be followed by Sussex County in the administration of personnel policies. The objective of these policies is to provide reasonable, fair, and equitable treatment for all County employees and to ensure that the citizens served by the County derive the benefits and advantages which can be expected from a competent staff of County employees.

0.3 At-Will Employment

Nothing in this manual is intended to create or imply a contractual relationship. Either the employee or the County may terminate the relationship at-will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

0.4 Positions Covered by These Policies

These policies shall apply to all positions and offices in the County's Position Classification and Pay for Performance Pay Plan. The following are exceptions and are not covered:

1. Members of the Board of Supervisors
2. County Administrator, to the extent modified by contract
3. Deputy County Administrator, to the extent modified by contract.
4. County Attorney, to the extent modified by contract
5. Appointed Members of Boards or Committees
6. Temporary or Seasonal Employees
7. Constitutional Officers, or their respective employees, the Department of Social Services and Registrar, unless covered by a Memorandum of Understanding (*MOU*) between the County and the Officer.

SUBJECT: General Provisions	POLICY NUMBER: 0	DATE ISSUED: November 17, 2011	PAGE 2 OF 2
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0.5 Amendment and Revision of Policies

Amendments and revisions of these policies shall be initiated by the County Administrator, with recommendations made to the Board of Supervisors for adoption and final approval.

0.6 Application of the Policies

All positions existing and hereinafter created within the County's service, except those listed in 0.4, as modified, shall be subject to the policies and procedures as indicated in this Manual, as approved by the Board of Supervisors. Employees of Constitutional Officers and/or the Department of Social Services are covered to the extent provided in the Memorandums of Understanding between each Constitutional Officer and/or Director of Social Services and the County.

Some positions, though considered County employees, are subject to state personnel statutes and/or policies enforced by granting agencies. These policies and statutes may conflict with the Sussex County policies included in this manual, and where applicable, do supersede the policies as outlined in this Manual.

0.7 Implementation

The responsibility for implementing the provisions of this Personnel Manual is hereby vested in the County Administrator or his/her designee, except as specifically designated herein.

0.8 Savings Clause

If any section or part of a section of these policies is held by any Court to be invalid or unconstitutional, or is made invalid by any state legislation, the same shall not invalidate or impair the validity, force and effect of any other section or part of a section of these policies, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon a section or part of a section so held invalid or unconstitutional.

0.9 Other Administrative Policies

The County Administrator is authorized by the Board of Supervisors, following Board approval, to implement such other administrative policies as deemed necessary. Those may include but are not limited to policies on safety, internet usage, travel, county vehicles, use of cellular phones, procurement, purchasing/credit cards, grants, or other matters not covered by this Personnel Manual.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 1	PAGE 1 OF 2
	SUPERSEDES: N/A	DATE ISSUED: November 17, 2011
SUBJECT: Equal Employment Opportunity/ADA Statement	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

SECTION 1 – POLICY OBJECTIVES

1.1 General Equal Employment Opportunity Objectives

It is the policy of Sussex County to provide equal employment opportunity to all persons based on individual merit and fitness and further to recruit and administer hiring, working conditions, benefits and privileges of employment, compensation, training, appointments for advancement, including upgrading and promotions, transfers and terminations of employment without discrimination because of race, color, citizenship, religion, national origin, sex, age, or physical or mental disabilities, where the disabled persons are able to perform the work they are seeking with reasonable accommodation by the County.

The following Equal Employment Opportunity Action objectives are designed to provide compliance with applicable Federal, State, and local laws relating to non-discrimination in public employment and service:

1. To provide each department a copy of the County's *Equal Employment Opportunity* objectives and that department directors and supervisors shall implement and support the plan.
2. To assure that conditions of employment, recruitment and hiring practices are in accord with the intent of the *Equal Employment Opportunity* objectives.
3. To assure periodic review of job specifications, actual tasks performed and qualifications required of workers.
4. To assure monitoring and periodic evaluation of the Equal Employment Opportunity objectives and effectiveness.

1.2 Americans with Disabilities Act (ADA)

- A. Title I of the ADA, effective July 26, 1992, prohibits discrimination in employment against a qualified individual with a disability, and obligates employers to make reasonable accommodations to the disability unless reasonable accommodation would impose an undue hardship.

SUBJECT: Equal Employment Opportunity/ADA Statement	POLICY NUMBER: 1	DATE ISSUED: November 17, 2011	PAGE 2 OF 2
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- B.** It is the policy of the County to encourage disabled employees and applicants to come forward if reasonable accommodation is necessary to perform the job or to enhance performance. The County will strive to identify and eliminate barriers to performance and will make reasonable accommodation to provide the employee with a meaningful employment opportunity.

1.3 Responsibility for Implementation

Policy direction and program effectiveness are the responsibility of the Board of Supervisors.

The implementation of the Equal Employment Opportunity/ADA policies is the responsibility of the County Administrator, who shall report directly to the Board of Supervisors. Supervisory personnel will be responsible for implementation at their respective levels.

1.4 Grievance Procedure for Equal Employment Opportunity/ ADA

Equal Employment Opportunity complaints are grievable under the Sussex County Grievance Procedures. (*Section 30 – page 60*)

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 2	PAGE 1 OF 6
	SUPERSEDES: N/A	DATE ISSUED: November 12, 2011
SUBJECT: Definitions	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

SECTION 2 - DEFINITIONS

As used in these policies, unless the context clearly requires otherwise, the following words shall have the meaning herein given them.

2.1 Allocate

The act of assigning each position to a proper classification.

2.2 Anniversary Date

The recurring date of original appointment or the date of promotion, except that such shall be adjusted for suspensions, unauthorized leave of absence without pay, and separation and re-employment.

2.3 Appeal

An application for review of an alleged grievance or disciplinary action.

2.4 Appointment

The offer and acceptance by a person of a position either on a full-time, part-time, temporary or seasonal basis. A temporary appointment shall terminate automatically upon completion of the project necessitating the appointment.

2.5 Bonus

A single payment of cash to an employee that does not permanently alter the employee’s rate of pay. The Board of Supervisors, at its sole discretion, may approve a bonus as provided under 15.2-1508 of the Code of Virginia or other applicable law, and appropriate funds for such purpose.

2.6 Class/Classification

A position or group of positions having similar duties and responsibilities, requiring similar qualifications, which can be properly designated by one title indicative of the nature of the work and which carry the same salary range.

2.7 Compensatory Time

Compensatory Time occurs when a non-exempt employee works more than 40 hours within a work week, or for public safety employees as provided by state/federal law. The County reserves the right to award Compensatory time in lieu of overtime pay. Such time is awarded equal to overtime compensation.

SUBJECT: Definitions	POLICY NUMBER: 2	DATE ISSUED: November 17, 2011	PAGE 2 OF 6
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2.8 Continuous Service

Employment in the classified service which is uninterrupted except for authorized leave(s) of absence.

2.9 Cost of Living Adjustment (COLA)

A pay adjustment, awarded at the sole discretion of the Board of Supervisors, applicable to all employees to reflect changes in the cost of living.

2.10 Demotion

The assignment of an employee to a position in a lower class or position within the County workforce, having a lower maximum salary than the class or position from which the assignment is made.

2.11 Department Director

Any current or future position designated as the head of a department or agency in the county's pay plan. All department directors, except elected Constitutional Officers, School Board Personnel, the Director of the Department of Social Services and the Registrar are under the supervision of the County Administrator or his/her designee.

2.12 Dismissal

The act of terminating an employee from employment. An employee may be dismissed from County employment for any reason not in violation of state or federal law.

2.13 Essential Employee

Essential employee shall be an exempt and/or non-exempt employee who is required to work during an authorized closing for the purpose of providing critical operation/services to include, but not limited to, County Administrator, Sheriff and Deputies, Director of Emergency Management, Communications, Utilities, and Buildings and Grounds. In addition to critical activities, employees in other departments may be required to work during an authorized closing to maintain the minimum level of staff needed to provide necessary services.

Exempt Employees are those employees who are exempt from the overtime and wage provisions of the Federal Fair Labor Standards Act of 1938, as amended, (*FLSA*). Generally, only those employees in executive, salaried positions with supervisory duties are exempt employees.

Non-exempt Employees are those employees who are covered by the mandatory overtime and wage provisions of the *FLSA*.

SUBJECT: Definitions	POLICY NUMBER: 2	DATE ISSUED: November 17, 2011	PAGE 3 OF 6
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2.14 Flex Time

The scheduling, daily, weekly, monthly or from time to time an alternate work schedule (starting and/or ending time) that deviates from the County Department’s approved work hours.

2.15 Full-Time Employee

Any employee working a minimum of a 40 hour week in either a regular or probationary position, and annually budgeted.

2.16 Grievance

A complaint or dispute relative to an employee's employment involving: disciplinary actions, including dismissals, disciplinary demotions and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance concerns regarding the application of personnel policies, procedures, rules and/or regulations; acts of retaliation for using the grievance procedure or of participation in the grievance of another County employee; complaints of discrimination on the basis of race, color, creed, sex, age, political affiliation, disability, or national origin; acts of retaliation because employee has complied with any law of the U.S. or the Commonwealth, or has reported any violation of such law to a governmental authority; but not including those matters specifically listed in these Policies as not grievable.

2.17 Immediate Relative

A spouse, parent, step-parent, sibling, step sibling, child, step-child, grandparent, grandchild, guardian, and same relatives of spouse, inclusive of those relationships arising from adoption.

2.18 Job Category

Includes the classification of the position or job title of the position in the budget and any other job titles that may be used to under fill the position.

2.19 Job Description

A written statement describing the duties, responsibilities, and minimum qualification requirements of a position.

2.20 Layoff

The involuntary, non-disciplinary separation of an employee from employment with the County due to the elimination of the employee position.

2.21 Leave Without Pay Status

When an employee is on an approved absence without pay.

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2.22 Overtime

Overtime occurs when a non-exempt employee works more than 40 hours within a work week, or for public safety employees as provided by state/federal law.

2.23 Part-Time Regular Employee

An employee working no less than 20 hours per week who is paid on an hourly basis for those hours actually worked, in a continuous year-round position, and who is entitled to certain County benefits, as provided for in Section 5.12 herein

2.24 Paid Status

An employee who is responsible for performing the prescribed duties of his/her particular position or is on an approved leave of absence with pay.

2.25 Position

A group of duties assigned to one person or job.

2.26 Probationary Employee

Any employee who is serving a probationary period following original hire, promotion, demotion, or as a result of disciplinary action, prior to being appointed to a regular position and class in the classification and pay plan, with the County Administrator's approval.

2.27 Probationary Period

The six-month period following original hire, promotion, demotion, or as a result disciplinary action whereby the employee's performance is carefully evaluated in order to attain regular status. Provided, however, that pursuant to an MOU between the County and Sheriff, such MOU may provide that the probationary period for uniformed sheriff department personnel required to complete specialized training shall be during such academy training and one year following the date of graduation from such training academy. The probationary period for employees of the Department of Social Services may also be one-year, pursuant to an MOU between the County and Department.

Employees in probationary status shall not have access or rights to the County's grievance procedures regarding their termination or any other disciplinary action.

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2.28 Promotion

The assignment of an employee to a position in a higher class within the County workforce, having a higher maximum salary than the position from which the assignment is made.

2.29 Reduction in Force

A management decision to reduce the number of currently filled positions due to circumstances such as financial constraints, loss of funding, a reduction in services, end of a program, or the reorganization/restructuring of operations.

2.30 Regular Employee

An employee who has been appointed to a regular full-time or part-time position in the classified service in accordance with the provisions of these policies after completing a probationary period.

2.31 Restricted Classification Plan (RCP)

The plan utilized for the Classification of County Employee/Positions and the evaluation process for all employees. *Appendix A.*

2.32 Suspension

The removal of an employee from his/her job duties for a period of time as a result of disciplinary action or pending the results of an administrative and/or criminal investigation. Suspension may be with or without pay.

2.33 Temporary Employee

An employee holding a position other than regular, except as provided in this Manual, which is of temporary, seasonal, casual, emergency nature or of an undetermined duration. A temporary employee is not entitled to County benefits.

2.34 Temporary Position

All positions that are not designated as regular.

2.35 Transfer

The voluntary or involuntary change of an employee's assignment from one position to another position.

2.36 Warning

A verbal or written statement given to an employee to define and/or clarify an infraction of the County employment policy. A warning may be either:

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Oral: An unwritten statement or directive made to an employee regarding the need for improving a particular aspect of the employee's job performance, attitude, or behavior which alerts the employee as to how such improvement can be realistically achieved and of possible consequences for further repetition of the unsatisfactory conduct. Oral reprimands are to be documented and shall be maintained until the next employee performance evaluation or for a period of one year, whichever occurs first.

Written: A corrective action taken by a supervisor when the inappropriate performance or behavior of an employee has not satisfactorily improved, or when the employee commits a more serious offense. The written reprimand should outline the facts of the offense to include a complete description of the incident(s) of misconduct, specific dates, times, and locations, personnel involved, the policy, procedure, or rule, either actual or implied, that was violated, the actual or potential consequences of the offense, and possible consequences should poor performance or behavior continue.

All reprimands are to be documented and provided to the employee and maintained by the County. Written reprimands shall be placed in the employee's personnel file.

2.37 Work Day

The scheduled number of hours an employee is assigned to work in a 24 hour period.

2.38 Work Period

The scheduled number of hours an employee is assigned to work during a work cycle, for which the employee receives a paycheck. This may also be known as the Pay Period.

2.39 Work Week

The scheduled number of hours an employee is assigned to work during a calendar week.

2.40 Vacancy

A position existing or newly created, which is not occupied, and for which funds are available.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 3	PAGE 1 OF 4
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SUBJECT: Personnel Administration	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

SECTION 3 - PLAN DEVELOPMENT AND ADMINISTRATION

3.1 Responsibility for Administration

The County Administrator is responsible to the County Board of Supervisors for developing for Board approval:

1. The classification of all County positions based on duties, authority, and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changing circumstances.
2. A pay plan for all County positions.
3. Methods for determining the merit and fitness of candidates for appointment, hire, or promotion.
4. The policies and procedures regulating reductions in force and removal of employees.
5. The hours of work, attendance regulations, and provisions for sick and annual leave.
6. The policies and procedures governing persons holding probationary employment.
7. The policies and procedures governing relationships with employee organizations.
8. Policies regarding in-service training programs.
9. Other procedures and practices necessary to the administration of the County personnel system.

3.2 Personnel Records

The official personnel record shall be defined as the employment file containing personal information relevant to the individual's employment which is maintained by the County Administrator or designee.

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Such Personnel Files are considered to be the only file which is official and complete in matters related to wage and salary, employee selection, employee relations and grievance hearings. Information pertaining to any personnel related aspect of employment (*e.g., letters of reprimand, letters of commendation, unemployment compensation requests, etc.*) shall be contained within the file. The centralized personnel record should also contain the following:

- Employment Application
- Sussex County employment history
- Employee acknowledgement of policies manual
- Dental Insurance Forms
- Hospitalization and Life Insurance forms
- Performance Evaluations
- Physical Examination (if required)*
- Report of Medical History*
- New employee data record
- Changes in personnel status
- Miscellaneous forms/records relating to employee
- Address, telephone number and personal email

**This information will be maintained in accordance with federal and state law.*

The access, dissemination and purging of information contained within the file shall be in accordance with the Virginia Public Records Act, Freedom of Information Act and Government Data Collection Practices Act. The following individuals shall be designated as having regular access to the official personnel files:

- The County Administrator or his/her designee.
- The members of any Grievance Panel.
- The Virginia Employment Commission Unemployment Compensation Division.
- Federal, State or local law enforcement agencies during an investigation.
- The Board of Supervisors, upon the request of the majority of the Board.

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The following individuals shall be designated as having regular access to a limited number of the official personnel files:

- As required by the *Virginia Freedom of Information Act*, individual employees or former employees shall have regular access to their own personnel files after having satisfactorily demonstrated their identity.
- Department Directors and immediate supervisors shall have regular access to the official files of employees under their authority only.
- All official personnel files shall be reviewed in the presence of a designated County employee as designated and authorized by the County Administrator.
- Each personnel file shall contain a written account of inquiries made of the file. It should include the date of inquiry and the name of the inquirer.

Except as required by the *Virginia Freedom of Information Act*, there shall be no dissemination of any record contained within the official personnel file to any individual *or* organization not having regular access unless a Voluntary Release of the Information Letter and/or Form has been completed both by the employee and the requesting individual agency.

3.3 Personnel Information Changes

Employees must notify their department directors whenever any changes are needed in their personnel records. The department director shall forward this information to the County Administrator or designee and before any change in an employee's status is implemented, the appropriate form must be completed and the required approvals obtained.

3.4 Employee Classification

Employment classifications are based on job assignments and responsibilities. Sussex County has adopted a comprehensive position classification plan and pay schedule which encompasses all full-time regular positions within the County - *Restricted Classification Plan (RCP)*.

The position classification plan groups into classes those positions which are essentially similar in type of work performed, difficulty, and responsibility, so as to warrant being placed in the same pay range. The position classification plan provides a list of job titles, descriptions of the nature and requirements of the work in each class, and the allocation of specific positions to the appropriate classes. The job titles as listed in the classification plan will be used in all personnel records and transactions. It is the duty of the County Administrator to amend the classification specifications when necessary so that specifications for each class will accurately reflect the current duties and responsibilities of the position. If a department director or individual employee feels that the classification plan is inaccurate or that a position is improperly classified, the problem should be directed to the attention of the County Administrator. The County Administrator may then make a further investigation of the matter and take appropriate action. Position classification is not grievable.

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3.5 Pay Plan

Sussex County has adopted a pay plan wherein jobs are graded and reviewed annually. (Refer to the *RCP*). When an employee is hired by the County he/she should understand that the County agrees to review his/her job and pay status within a classification periodically, subject to the pay plan in effect, years of service, and employee performance. It should further be understood that the date-in-grade may not coincide with the employee's original employment anniversary date because of promotions, transfers, and so on. Hence, the review date may vary from year to year.

Further information regarding the pay plan and the employee's status therein may be obtained from the County Administrator.

It is the policy of Sussex County not to make advances on employee pay, except for the payment of an employee's accumulated annual leave or compensatory leave upon termination of service, or the adjustment of a scheduled pay date applicable to all employees due to a holiday or weekend, or for administrative convenience.

COUIN T Y OF SUSSEX PERSONNEL POLICES SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 4	PAGE 1 of 2
	SUPERSEDES: N/A	DATE ISSUED: November 17, 2011
SUBJECT: Recruitment	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 4 - RECRUITMENT

4.1 General Provisions

The goal of the Sussex County Board of Supervisors is to recruit and select qualified individuals without regard to race, color, religion, national origin, sex, marital status, age, physical or mental handicap, or any other basis prohibited by law.

The County shall give consideration to internal promotion and affirmative recruitment, though all prospective candidates shall be evaluated comparably.

4.2 Job Vacancies

All vacancies in the County's Position Classification and Pay Plan (*RCP*) shall be filled by recruitment, promotion, demotion, or transfer.

4.3 Notice of Vacancy

When a vacancy occurs within a department, the department director shall notify the County Administrator and request a replacement to fill the position. The County Administrator's approval is required prior to notice of vacancy being issued. By requesting that a position be filled, the Department Director is certifying the availability of funding for the position.

4.4 Sources of Recruitment

When a vacancy is to be filled by recruitment, the Department Director or his/her designee, in conjunction with the County Administrator, shall take the following steps to fill the vacant position:

1. Advertise internally and notify all Department Directors of the available Position;
2. Accept, review and evaluate all qualified County Employees (Full time or Part time) for promotion;
3. Review all active applications on file with the County;
4. Notify the Virginia Employment Commission of the vacancy for recruitment; and

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Advertise the position in local newspapers, statewide newspapers, professional journals, on the County's or other websites, or through other means as appropriate to notify qualified applicants of the vacant position; provided however, that positions may be filled without such advertisement with the written permission of the County Administrator when an urgent need exists or other specific and documented circumstances justify the immediate promotion of a current employee or other hiring.

Applications for previous recruitments may be available for consideration in accordance with Section **5.10**.

Current employees are encouraged to apply, and qualified applicants will be considered for promotion for any County position.

When positions are externally advertised County employees are encouraged to apply for any openly recruited position.

Any recruitment procedures not set forth in this procedure must be approved by the County Administrator prior to advertisement of the vacancy.

4.5 Recruitment Area

Individuals shall be recruited from a geographic area as wide as is necessary to assume obtaining qualified candidates for the various types of positions.

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SUBJECT: Hiring	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 5 - APPLICATIONS AND SELECTION

5.1 Application for Employment

All applicants shall be directed to the County Administrator to complete the appropriate forms of job-related information relevant to the requirements of the position or vacancy for which they are applying, including a chronological statement of previous employment. References shall be required. Resumes may be added but will not substitute for a completed application form unless so noted in the job announcement.

5.2 Interviewing

Applications shall be carefully screened and ranked according to previously established qualifications, knowledge, skills, and abilities necessary to perform those duties outlined for the position. Those applicants, whose knowledge, abilities, and skills most closely match those needed for the position, may be invited for an interview.

All supervisory positions shall be selected with an Interview Panel and a department director, with the approval of the County Administrator, may select at least three (3) individuals to serve on an interview panel. The interview panel should be composed of other department directors, supervisory staff employed by the County, appropriate professionals, and/or other individuals outside of County employment.

All questions to be asked in the interview must be approved by the County Administrator (with the review of the County Attorney when needed) in order to determine and verify that there are no inherent violations of Equal Employment Opportunity (EEO) laws. Each panel member will rank the applicant's answers to those specific questions on a rating schedule approved by the County Administrator.

When the panel/department director/designee has finished interviewing all of the selected applicants, the top rated applicants may be invited for a final interview with the County Administrator and/or department director in whose department the vacant position(s) exists. The final interview will include approved questions, and the applicant(s) shall be ranked and considered in filling existing vacancies at hand. If more than one vacant position exists, the panel (or interviewer) may present to the department director for consideration up to three applicants for each vacancy.

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5.4 Testing

The department director may test specific and essential applicant skills that are required to fulfill the duties of the vacancy. Such tests shall be designed by and the parameters for satisfactory completion promulgated by the Director of the affected department, with the approval of the County Administrator. Such tests may be designed for both outside recruitment and promotional purposes. All testing shall be consistent with state and federal law concerning employee selection, including the *Americans with Disabilities Act*.

5.4 References

Applicants shall provide references from prior employers and the department director shall make any necessary contacts for the purpose of checking references on the top qualified candidate(s). References shall preferably be obtained by telephone, but where necessary, written reference checks will be made.

No employment offers will be made unless background checks are completed.

Falsification or deletion of pertinent information shall result in immediate termination of the interviewing process or of employment.

5.5 Pre-Employment Physical

Refer to Section 7.1.

5.6 Pre-Employment Criminal Background Check

Sussex County may require a criminal background check for applicants and therefore, as part of the employment application, all applicants shall sign and submit the County Employment Application Form (*Appendix F*) authorizing Sussex County to perform a criminal background check and drug testing (*Drug and Alcohol Policy Appendix – B*).

5.7 Selection and Notification of Offer

The department director will select the top candidate on job-related criteria. When a finalist is selected, prior to notification of that individual, the Department Director shall meet with the County Administrator to discuss details of employment. Upon approval by the County Administrator the applicant shall be notified.

5.8 Disqualification of Applicants

The County Administrator or Department Director of the concerned department may remove from further consideration, at any time, the application of any applicant who:

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1. Does not possess the minimum job-related qualifications
2. Has made false statements of any material fact or practiced deception in the application
3. Fails to accept appointment within five (5) days or report for duty within the prescribed offer time

5.9 Notice of Rejection of an Application

Whenever an application or applicant is rejected, the County Administrator or designee shall endeavor to provide written notice of such rejection to the applicant.

5.10 Application Files

Applications of unsuccessful candidates for a specific opening shall be retained on file with the County Administrator and will remain active for a period of six (6) months, following the filling of the position for which such application was filed. The applications may be reviewed subsequently for future openings for which the applicant may qualify. After this time period, it will be necessary for the applicant to reapply for future openings.

5.11 Reporting for Duty

New employees shall be instructed to report directly to their assigned Department Director on the first day of work. (** See Appendix H, New Employee Orientation Checklist)

5.12 Hiring Part-time Regular Employees

A continuous year-round position utilized for no less than 20 hours per week and paid on an hourly basis for hours actually worked shall be designated a part-time regular employee.

Part-time regular employees shall be recruited, hired, evaluated, and reviewed on their performance in the same manner as full-time employees. Part-time regular employees shall also be eligible for any special annual salary increase afforded to full-time employees, by the Board of Supervisors; however, this shall be inapplicable to any position for which the County is nothing more than the fiscal agent.

Part-time regular employees are eligible to receive one half of the County's contribution for health insurance premiums, provided the employee is responsible for the remainder of the premium. Sick, annual and holiday leave shall be granted on a pro rata basis based on the regularly scheduled hours of work.

5.13 Hiring Temporary Employees

A temporary employee may be recruited, as approved by the County Administrator, to assist in the handling of

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workloads of unknown duration, seasonal employment, casual employment, or employment of an emergency nature, for an indefinite time period, or for completion of a specific task or project. A temporary employee shall not be hired at a rate less than the minimum of the pay grade into which the job is classified. Temporary employees shall not be entitled to other benefits, offered to full-time employees. A temporary employee shall not be entitled to County fringe benefits unless specifically authorized by the County Administrator in the job creation process, upon approval of the County Board of Supervisors.

If a temporary employee gains regular full-time or part-time employment with the County, the employee shall be considered as a new hire the date the personnel action is effected, unless otherwise designated by the County Administrator.

5.14 Hiring Former Employees

A former employee may be rehired providing his/her qualifications meet the requirements of the vacant position, and he/she was an employee in good standing at the time of separation. The County Administrator shall review the personnel folder of a former employee prior to the actual job offer to determine whether to rehire or not based on previous employment record. A former employee who is rehired shall be processed in the same manner as a new hire. For purposes of computing benefits due, the employee shall be considered as a new appointment and shall serve the required probationary period.

5.15 Reinstatement of Former Employees

A former employee of the County may be returned to employment in the same capacity following a separation of no more than thirty one (31) consecutive calendar days. The employee may return to duty in the same position and class, subsequent to approval of the Department Director and County Administrator, provided the position has not been filled. Anniversary dates for all reinstated employees will remain unchanged, except when a reinstated employee has missed one or more full pay periods prior to reinstatement, in which case the anniversary date will be amended to reflect the days missed to the nearest full pay period. All time worked previous to reinstatement shall be counted towards the probationary period and annual leave accrual rate; however, employees shall not accrue leave for actual time missed prior to reinstatement.

5.16 Modification of Part-time/Full-time Status

Upon request of the Department Director, with approval of the County Administrator, an employee's status may be increased to full-time or decreased to part-time. Employees may also request a change in status, and such request would be subject to the approval of the Department Director and the County Administrator. All changes in status are subject to budgetary and position control constraints of the County.

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SUBJECT: Employment of Minors	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 6 – EMPLOYMENT OF MINORS

6.1 Employment of Minors

All regular employees of the County should be a minimum of eighteen (18) years of age. Where it is not possible to recruit a qualified applicant who has reached his/her eighteenth birthday, employment of a minor must be conducted in accordance with state and federal law

6.2 Temporary/Seasonal Employees

It is the policy of Sussex County to provide, whenever practicable, employment opportunities for county youth (under 18years of age). The primary focus of this effort is in federally approved programs for summer and holiday work, or in Buildings and Grounds. All County employment of a minor shall be in accordance with State and Federal Law.

COUNTY OF SUSSEX PERSONNEL POLICY	POLICY NUMBER: 7	PAGE 1 OF 2
Sussex, Virginia	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Medical Examinations	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

SECTION 7 – EMPLOYMENT REQUIREMENTS

7.1 Pre-Employment Examinations

Upon acceptance of an offer of employment, prospective regular employees may be required to undergo a comprehensive medical examination, including tests for illegal substances, through a County designated physician to determine if he/she meets accepted standards of health for the position. For some positions, additional testing may be required, such as psychological tests, and shall be performed at the County's expense. An applicant determined to be physically or mentally unfit for service shall not be eligible for employment. This policy shall be executed in compliance with the Americans With Disabilities Act.

7.2 Employee Examinations

An employee, at any time during his/her period of employment, may be required to undergo examinations to determine his/her physical and mental fitness to perform his/her job, including tests for illegal substances. Such periodic examinations shall be at the expense of the County, except as noted below.

An employee determined to be physically or mentally unfit to continue in his/her designated position may be demoted, transferred or separated from County service. When an employee of the County is reported by the examining physician or psychologist to be physically or mentally unfit to perform work in the position which he/she is employed, such employee may, within five (5) days from the date of his/her notification of such determination by the examining physician, indicate in writing to the Department Director his/her intention to submit the question of his/her physical or mental unfitness to a physician or psychologist of his/her own choice. In the event there is a difference of opinion between the original examining professional and the professional chosen by the employee, then the County Administrator shall designate a third professional, whose decision shall be final and binding as to the physical and mental fitness of such employee to perform the work of the position in which he/she is employed. The County shall bear the expense of reasonable direct costs of the first and third examinations, with the employee bearing the expense of the second examination, and shall provide the employee with reasonable time off to meet these appointments. The County shall not be responsible for any expenses related to these appointments other than professional fees and directly related laboratory work.

SUBJECT: Medical Examinations	POLICY NUMBER: 7	DATE ISSUED: 11/17/11	PAGE 2 OF 2
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7.3 Off-Duty Accident or Illness

If an employee is absent from work due to an accident, a statement of physical condition shall be required upon return to work. The same may be required if an employee is absent for an illness in excess of three (3) continuous work days. In both of these cases, the employee shall be responsible for payment of the doctor's fees. When use of sick leave is excessive, and/or abuse of the policy is suspected, an employee may be required to provide a physician's statement to document use of sick leave. If light duty is recommended by the attending physician, it may be made available at the discretion of the Department Director.

7.4 On-Duty Accident or Illness

Should an employee suffer a work related accident or illness during working hours, causing the employee to be absent from work for three or more days, the County may require, at the County's expense, a physical examination to determine the employee's fitness and ability to return to work. Should the physician determine that the employee is fit to return to his/her position, or for lighter duty, if available, the employee must report for work or light duty within twenty-four hours. Should the employee disagree with the findings of the County physician, the employee may submit the question of physical fitness to a physician of his/her own choice.

In the event that there is a difference of opinions between the original examining professional and the professional chosen by the employee, the County Administrator shall designate a third professional, whose decision shall be final and binding as to the physical fitness of the employee to perform the work of the position, or to perform other lighter duties, as deemed appropriate by the County. The County shall bear the expense of reasonable direct costs of the first and third examinations, with the employee bearing the expense of the second examination, and shall provide the employee with reasonable time off to meet these appointments. The County shall not be responsible for any expenses related to these appointments other than professional fees and directly related laboratory work.

7.5 Light Duty

As noted in section 7.4, should the physician determine that the employee is fit to return to the position, the County may, at its discretion, provide light duty work (*the Sussex County Light Duty Policy is found in Appendix G*), if it is available. In the absence of the availability of light duty work, the individual shall be required to take worker's compensation leave until such time that light duty is available, or the individual is released by the physician to return to full performance of the position's duties.

7.6 Emergency Responses

From time to time employees may be needed, and will be expected, to respond to emergency situations (i.e. fires, flooding, hurricanes etc.). At such times employees are expected to adjust personal schedules to help address the needs of our residents and businesses. The County Administrator and/or Public Safety Coordinator (if needed) will make every effort to work with County employees regarding their personal needs as well as to insure that there is equity in work assignments during such emergencies.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 8	PAGE 1 OF 1
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SUBJECT: Intoxicants and Drugs	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 8 – ALCOHOL AND DRUG TESTING

8.1 See *Appendix B*: The Sussex County Substance Abuse Prevention

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	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Nepotism	AUTHORIZATION: Adapted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 9 – NEPOTISM POLICY

9.1 SUPERVISOR – EMPLOYEE

The purpose of a policy on nepotism is to prevent problematic issues regarding supervision, safety, security and morale. It is the policy of the County that no person shall be employed in a supervisor-subordinate relationship, or in a direct line of supervision, with an immediate relative. No person shall be employed who is an immediate relative of any member of the County Board of Supervisors or County Administrator. This policy does not prohibit the retention, promotion or transfer of an employee who was employed by the County, prior to taking of office by the relative.

If employees become related after employment and a conflict of interest or management problems of supervision, safety, security or morale result; or, if a reorganization creates such a conflict, reasonable time may be provided to resolve the matter. If resolution is not possible, the County Administrator may require one or both of those employees to transfer or resign.

For the purposes of this section, “*immediate relative*” shall be defined as spouse, parent, step-parent or parent-in-law, child, step-child or son or daughter-in-law, siblings, step-siblings or half-siblings. Restrictions applicable to spouses shall also apply to cohabitating adults, regardless of gender.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 10	PAGE 1 OF 1
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SUBJECT: Orientation	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 10 - ORIENTATION

10.1 Orientation

The County recognizes the importance of a sound orientation program so that the employee shall have a clear understanding of their duties, how to perform them, and the relationship to the department and the overall operation of the County Government.

Orientation of a new employee begins with processing by the Office of the County Administrator and includes:

- Completion of all hiring forms
- Detailed explanation of benefits and conditions of employment
- Accompanying the employee to their area of employment whereby the Department Director shall assure that the employee is introduced to co-workers and various facilities, the employee has proper supplies and a suitable working area, and the employee becomes familiar with their duties and responsibilities.

The Department Director is to make every attempt to ensure that a new employee is comfortable and familiar with their new surroundings.

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	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Probationary Period	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 11 – EMPLOYMENT PROVISIONS

11.1 General Provisions

The probationary period is regarded as an integral part of the placement process. It is utilized for closely observing the employee's performance, for securing the most effective adjustment of the new employee to the position, and for rejecting an employee whose performance does not meet the required work standards.

11.2 Termination of Employment

During the probationary period, any unsatisfactory aspect of the employee's work will be called to his/her attention. Either he/she or the County may terminate his/her employment with a minimum of one (1) day's notice. At any time during the probationary period, the County may for any reason or no reason terminate the employee. Any termination prior to expiration of the probationary period shall be final with no right of appeal.

11.3 Intermediate Probationary Reviews

A new employee or an employee promoted to a higher classification may be reviewed by their Department Director each quarter from date of hire or promotion, until regular status is achieved. This review shall in no way affect the employee's salary, but rather should be a means of notifying the employee and the County Administrator of the employee's progress. The intermediate review of an employee reflecting less than satisfactory performance may result in immediate termination of employment. Unsatisfactory performance of employees promoted to a higher classification, could result in an employee being demoted or terminated.

11.4 Final Probationary Review

The Probationary Period of all new employees other than Sheriff Deputies shall be six months from the date of employment. The probationary period for uniformed law enforcement personnel required to complete specialized training, shall be during such academy training and one year following the date of graduation from such training academy, pursuant to the terms of any MOU entered into between the County and Sheriff's Office. The probationary period for employees of the Department of Social Services may also be one year, pursuant to any MOU between the County and Department. The probationary period for employees promoted to a higher classification or transferred to another department shall be six months, for purposes of determining whether the individual shall attain regular status.

SUBJECT: Probationary Period	POLICY NUMBER:	DATE ISSUED:	PAGE 2 OF 2
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The department director shall evaluate the employee's performance; complete the form, indicating final recommendation on the employee's probationary status. At the discretion of the Department Director and with the approval of the County Administrator, the probationary period for any probationary employee may be extended for a period not to exceed six months. The Department Director shall sign the form and return it to the County Administrator for review and approval. If approved by the County Administrator, a change-of-status form shall be prepared taking the employee off probation.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 12	PAGE 1 OF 1
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Employee Performance Review	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 12 – EMPLOYEE ANNUAL REVIEWS

12.1 Employee Performance Review

On an annual basis, supervisors shall rate and discuss the overall job performance with each employee using the Employee Performance Appraisal Form as found in the Sussex County Restricted Classification (RCP) Pay Plan: *Appendix A*.

The Employee Performance Appraisal Form evaluates every employee in the following areas: attendance and reliability, job skills and competencies, customer service and communication, attitude and consideration of others, teamwork, professionalism and adherence to policy, prioritizing, quality of work, and supervisory skills if applicable. Employees may be rated on additional indicators as deemed appropriate by the supervisor. All evaluations shall be approved by the Department Director and the County Administrator.

The employee may submit a rebuttal statement as part of the evaluation and such statement shall remain in the employee's personnel file as long as the evaluation is retained on file.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 13	PAGE 1 OF 2
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Merit and Administrative Increases	AUTHORIZATION: Adapted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 13 – Financial Compensation

13.1 Merit Increase

Salary increases shall be considered based on merit, in accordance with guidelines established by the County Administrator and contingent upon an appropriation of funds by the Board of Supervisors.

Only employees who attain an acceptable annual performance appraisal per these guidelines will be eligible for a merit increase. However, employees who have reached the maximum salary of the assigned pay grade or who are still in the probationary period are not eligible for a merit increase.

A Department Director may recommend an administrative salary increase for an employee who completes his/her probationary period after the general merit date for other county employees.

13.2 Administrative Increase

An administrative increase, within the procedures identified in the County’s Restricted Classification Plan (*RCP*) shall be defined as a salary increase that is given within the pay range of a class to an employee for any of the following reasons:

- For displaying exceptionally outstanding or meritorious service;
- To correct a demonstrated inequity in pay arising out of personnel actions or market condition impacting one of more employees; or
- For other exceptional circumstances as determined by the County Administrator.

Employees may be recommended for an administrative increase upon submission of a letter of justification by the respective Department Director to the County Administrator. An administrative increase shall only be awarded to full-time or part-time regular employees.

The County Administrator has the authority to approve or reject a request for an administrative increase within the constraints of the department's budget.

SUBJECT: Merit and Administrative Increases	POLICY NUMBER: 13	DATE ISSUED: 11/17/11	PAGE 2 OF 2
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13.3 Cost of Living Increase (COLA)

The Board of Supervisors annually reviews cost of living indexes, and based on such review and the availability of funding, the Board may provide a COLA increase if funds are available. This increase is in no way guaranteed, nor is it intended to replace the County’s “*Merit Increase.*”

13.4 Bonuses

The Board of Supervisors may in its sole discretion approve employee bonuses by ordinance, pursuant to 15.2-1508 of the Code of Virginia or other applicable law.

It is the practice of the Board of Supervisors to receive a written recommendation and confirmation of available funds from the County Administrator prior to such action or approval.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 14	PAGE 1 OF 1
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SUBJECT: Promotion	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 14 - PROMOTION

14.1 Promotion of County Employees

Sussex County encourages career advancement through the internal advertisement and promotion of qualified County employees when appropriate as outlined in Section 4 of this Manual.

If a vacancy is to be filled by a promotion, the position shall be posted in all departments of the County for at least ten work days so that interested employees within the County workforce may apply. These promotions shall be based on merit, and all qualified employees shall be considered. Any such promotion must be recommended by the effected department directors and approved by the County Administrator.

Any employee applicant will be subject to a probationary period as stated in *Section 11.4*.

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	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Demotion	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 15 - DEMOTION

15.1 Demotion and Reassignment

A demotion must be approved by the Department Director and the County Administrator. If it becomes necessary to recommend the demotion and reassignment of an employee within the same department, the Department Director shall make the recommendation to the County Administrator in writing, citing the reasons. The causes for demotion may include but are not limited to the removal of higher level duties and responsibilities, and the inability of the employee to assume or perform duties of the position.

The employee's salary at the lower classification will be determined at the recommendation of the Department Director, with the approval of the County Administrator. Under no circumstances, shall the salary exceed the maximum pay of the assigned range.

In the event of a demotion for disciplinary reasons based on poor performance, an employee, not on a probationary status in the position from which he/she has been demoted, has the right to appeal a demotion through the grievance procedure as outlined in the Manual. However, the reassignment of an employee to a lower paid position due to a Reduction In Force, reorganization of a department, or realignment of job duties is a reassignment, not a demotion, and is not grievable.

An employee who has not completed his/her probationary period prior to the demotion will be required to serve a new probationary period. Non probationary employees may be required to serve a new probationary period upon the recommendation of the Department Director.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 16	PAGE 1 OF 1
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Transfer	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 16 – TRANSFER, REASSIGNMENT AND TEMPORARY POSITIONS

16.1 Transfer and Reassignment

A transfer of a County employee from one position to another may be initiated by the employee or the County. Employees requesting a transfer must do so in writing to the affected Department Director(s) and to the County Administrator. All transfers and reassignments must be approved by the affected Department Directors and the County Administrator. All accrued benefits shall be transferred with the employee, unless other arrangements are agreed upon by the employee and the County. Adjustments in salary, if necessary, shall be made as deemed appropriate by the County Administrator upon agreement and recommendation from the affected Department Director(s).

Transfers initiated by the County may be of a temporary nature to address a particular problem. Transfers of this type should not be confused with short-term assignments to cover absences or other emergency situations. Employees transferred will be subject to a probationary period as stated in *Section 11.4*.

16.2 Temporary Positions

When an employee is temporarily transferred to a position with a higher pay classification, or appointed to serve in such position in an “acting” capacity for longer than 30 days, he/she shall be entitled to the pay rate of that position or an increase of 10% from his/her previous position, whichever is less. Such increase shall continue for the duration of the temporary assignment.

All temporary transfers must be outlined in a formal letter from the County Administrator that clearly defines the salary adjustment (amount), current salary, new temporary salary, starting date and ending date, and must be signed by both the affected Department Director and employee. A copy of the formal letter shall be placed in the Employee’s Personnel File.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: N/A	PAGE 1 OF 1
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SUBJECT: Temporary Acting Positions	AUTHORIZATION:	

SECTION 17 – RESERVED

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SUBJECT: Reclassifications	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 18 - RECLASSIFICATION

18.1 Reclassifications

See Restricted Classification Pay Plan (*RCP*), Appendix A

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 19	PAGE 1 OF 1
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SUBJECT: Outside Employment	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 19 – OUTSIDE EMPLOYMENT

19.1 Supplemental Employment

An employee shall not accept or continue supplemental or outside employment, either incidental, occasional or otherwise, where County equipment or material is to be used. No outside employment or any part thereof, may be performed on County time, nor shall it interfere in an employee’s ability to perform the duties required by his/her position with the County. In addition, supplemental employment shall not conflict with the interests of the County.

19.2 Supplemental Employment Authorization and Approval

All supplemental employment must be formally requested in writing to the employee’s Supervisor/Department Head and recommended by the Department Director to the County Administrator for final written approval.

COUNTY OF SUSSEX PERSONNEL POLICIES SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 20	PAGE 1 OF 1
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SUBJECT: Hours of Work	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 20 – OFFICE HOURS

20.1 Hours of Work

The County Administrator establishes the hours of work for all departments of the County, depending on the functions and operations involved. Sunday through Saturday is considered the standard workweek. Normal office hours are from 8:30 am to 5:00 p.m. Monday through Friday.

Job responsibilities differ between departments, thus, weekly work schedules may also vary. With the County Administrator's approval, flexible work schedules may be utilized within the standard workweek as long as the standard hours in a workweek, typically 40 hours, are not altered. Work periods, allowed by FLSA Section 207(k), are utilized to schedule law enforcement officers and public safety personnel.

Each employee is required to maintain a weekly record of hours worked, to be submitted to his/her supervisor or Department Director at the end of each work period. Time sheets must be submitted to the Department of Finance within three (3) work days following the last day of the time sheet period. Failure to keep, or falsification of, the record of hours worked shall be grounds for disciplinary action.

Employees must utilize their lunch period during the designated hours unless prior approval is received by the Department Director.

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SUBJECT: Holidays	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 21 - HOLIDAYS

21.1 Holidays

Eligible full-time employees are entitled to the following paid holidays per year:

New Year's Day	January 1
Lee/Jackson Day	Second Friday in January
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25

County Employees are also eligible to receive up to 24 hours (three days) of Personal Leave Annually

Such other days as the Board of Supervisors may designate

In addition, to these holidays, it is the Board's Policy to approve holidays designated by the Governor of Virginia.

If a holiday falls on Saturday, it will be observed on the preceding Friday. If it falls on Sunday, it will be observed on the following Monday, assuming a Monday through Friday work week. Holidays will be regarded as 8 hours per holiday for 40 hour/week employees (a total of 96 hours per year).

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Exempt employees, who have been called on to work a designated County Holiday or Administrative closing, or have received previous authorization to do so, shall receive hour-for-hour holiday/administrative leave to be taken during the same calendar year as earned.

When a holiday falls during an employee’s annual or sick leave, the employee will not be charged with annual or sick leave and the hours will be charged against holiday leave.

Exempt Employees are expected to utilize “Flex time” in such cases.

Part-time regular employees will be paid for official County holidays worked, proportionate to the number of hours scheduled per month.

All employees who are not required to work (including those on scheduled days off) will receive their regular rate of pay for normal daily scheduled hours provided that this payment shall not apply in cases of unauthorized absence or unauthorized use of sick leave on either or both of the employee's last scheduled day before the holiday and/or his/her first scheduled work day after the holiday.

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SUBJECT: Overtime	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 22 – OVERTIME COMPENSATION

22.1 Standard Work Schedules

Departmental schedules should be prepared to provide for the completion of work tasks and delivery of public services within the standard work period of each and all employees assigned to the department.

22.2 Authorization Required

Overtime hours are permissible only by an actual emergency or such other unusual circumstance, requiring the assignment of employees to overtime hours of work. Overtime must be approved in advance by the Department Director and within departmental budgetary constraints. The only exceptions to prior approval shall be in emergency situations where program/service needs or the immediate repair of facilities is essential to prevent loss of equipment, further damage, or an interruption of essential or ongoing public services. For purposes of this section, the term "emergency" shall be construed to mean circumstances including, but not limited to, civil disturbances, natural disasters such as hurricanes, or a significant shortage of personnel, unusual surplus of work to be performed or a service or program that requires immediate completion.

22.3 Overtime Calculation

All hourly employees, and employees who are non-exempt from the provisions of the Fair Labor Standards Act (FLSA), shall be compensated for overtime worked through compensatory time or overtime pay at one and one-half (1 1/2) times hours worked, in excess of FLSA standard work periods, at the discretion and approval of the County Administrator. Accrual of compensatory leave shall be governed by the provisions of FLSA. The payment of overtime in lieu of compensatory time is subject to departmental budgetary constraints. Overtime for law enforcement officers, if applicable, shall be calculated as provided by state and federal law.

All employees are subject to be called to work for emergency situations at any time as determined by the Department Director or the County Administrator.

Hours worked include all time that an employee is required to be on duty, and all time that the employee is permitted to work. Holidays, administrative closings and County closings due to inclement weather, for purposes of this section, will not be considered as hours actually worked for overtime computation, nor shall annual leave, sick leave, bereavement leave, compensatory time, and workers' compensation hours be counted as hours worked even though they are paid hours.

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Lunch breaks where the employee is completely relieved of his/her duties are not counted as hours worked.

22.4 On Call and Call Out Employees

All non-exempt employees subject to being on call or called out will be compensated in accordance with the On Call/Call Out Compensation Policy. **(NO POLICY AT THIS TIME)**

22.5 Reserved.

22.6 Exempt Employees

Eligibility shall be defined by the provisions of the Fair Labor Standards Act. Generally, County personnel in positions which are salaried and primarily are of a supervisory and/or administrative nature are not entitled to overtime or compensatory compensation.

22.7 Flexible scheduling (Flex-time)

The County Administrator shall have the authority to provide reasonable and commensurate work schedule flexibility, where not in conflict with the essential work and delivery of public services of the County, to salaried personnel whose duties and responsibilities regularly require substantial hours of work beyond a normal work week.

Such work schedules are to be approved in writing and signed by the Department Director and the affected employee.

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SUBJECT: Attendance	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 23 – WORK ATTENDANCE

23.1 Absences from Work

An employee who is not at work during the approved hours shall be considered unexcused, unless such absence is approved by the Department Director. An absence without an approved explanation shall be considered a reason for disciplinary action. Automatic discharge may result if an employee has been absent and failed to report their absence to their supervisor.

23.2 Punctuality

Lateness, like absences, causes additional burden on the County. Employees are expected to be at their workstation at the scheduled starting time each day. They are not to make preparations for leaving their workstation before the end of their assigned shift.

Problems occasionally occur causing an employee to be late. The employee shall be expected to advise their Supervisor or designee prior to starting time.

Repeated lateness and unexcused absences are detrimental to operational effectiveness and may be grounds for disciplinary action against the employee, up to and including termination.

23.3 Recording Attendance

The County shall maintain time records to insure that all employees are correctly paid for time worked. Accuracy in reporting time worked is extremely important. The County's Department of Finance shall maintain individual records on employee's personal leave and available time, and holiday leave and available time.

Accuracy in reporting time worked is extremely important. Intentional falsification of a timesheet is grounds for disciplinary action to include termination.

23.4 Department Directors

It is understood that due to the time and performance requirements of Department Directors these employees are not on a standard forty (40) hour work week. Within reason and with the approval of the County Administrator, their work hours may be adjusted based on actual need as long as such adjustments do not adversely affect the productivity of the employee or the responsible management of programs and services.

COUNTY OF SUSSEX PERSONNEL POLICIES SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 24	PAGE 1 OF 9
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SUBJECT: Leave	AUTHORIZATION: Adopted by the Board of Supervisors become Effective date: April 2, 2012	

SECTION 24 - LEAVE

24.1 Annual Leave Accrual

Annual leave accrues semi-monthly at the end of each pay period. Pay periods are defined as the 1st through the 16th and 17th through the last day of the month. An employee cannot use annual leave until it is accrued. Therefore, the amount of annual leave used during a pay period shall not exceed an employee's annual leave balance at the beginning of the pay period. Annual leave does not accrue when an employee is on leave without pay for any part of a pay period.

Annual leave shall accrue per pay period for 40 hour/week employees as set forth below:

Years of Service	Accrual Rate	Days Accrued	Maximum Allowed
Zero to Five	8 hours	Twelve Days	144 hours or 18 Days
Six to Ten	10 hours	Fifteen Days	168 hours or 21 Days
Eleven and above	12 hours	Eighteen Days	192 hours or 24 Days

Annual leave accrual rates for part-time employees will vary based on the predetermined number of hours each employee is required to work in the standard workweek.

Regular part-time employees shall accrue annual leave at the rate of one half (1/2) the rate of full-time employees. For the purposes of accumulating additional annual leave, an employee using accrued annual or sick leave shall be considered to be working.

Paid annual leave is not available to employees until they have completed their Probationary Period unless authorized in writing by the County Administrator.

24.2 Approval of Annual Leave

The use of annual leave must be approved in advance, except in the case of illness or emergency. An employee seeking to use annual leave shall submit a leave request form to their Department Director for approval at least forty-eight hours in advance of the first day of requested leave. Requests for annual leave of more than two (2) consecutive work days must be submitted to the Department Director at least one (1) week in advance of the first day of requested leave. All requests for use of annual leave are subject to approval by the Department Director, who in his/her sole discretion, may approve use of annual leave with shorter notice than specified in this section, if circumstances warrant.

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Department Directors shall provide all annual leave requests and approvals to the County Administrator, who shall monitor such for compliance with this section.

24.3 Annual Leave Payout

The County Administrator may grant an Annual Leave Payout in the amount of up to two (2) weeks (80 hours) annually if funds are available, upon the written request of an employee with the recommendation of the Department Director.

24.4 Sick Leave

Sick Leave shall be defined as leave with pay granted to an employee for any of the following events related to the employee, employee's spouse, or employee's dependent children, or employee's parent:

Illness

- a. bodily injury resulting in disability
- b. medical and dental appointments

An employee must notify the Department each day of absence due to illness or injury, unless the illness or injury will result in the employee's absence of more than twenty- four (24) consecutive working hours in which case the expected duration of the absence will be communicated to the Department Director. Employees who are absent for extended periods shall notify the Department Director of their status at least once each week.

When an employee is incapacitated by an extended personal illness or disability, participating members of the Sick Leave Bank may utilize the Bank as an additional source of leave days. Refer to Section 25.

Sick leave shall accrue at the end of each pay period at a rate of 5 hours for 40 hour/week employees. Regular part-time employees shall accrue sick leave at the rate of one half (1/2) the rate of full-time employees but may vary based on the pre-determined amount of hours each employee is required to work in a standard workweek.

There is no limit on sick leave accrual.

Sick leave does not accrue when an employee is on leave without pay for any part of a pay period.

24.5 Compensatory Leave

Employees may accrue compensatory time in lieu of overtime as authorized under the Fair Labor Standards Act. A notice to the employee that compensatory time will be given in lieu of overtime pay may evidence an agreement or understanding. This agreement or understanding to provide compensatory time off in lieu of monetary overtime compensation may take the form of an expressed condition of employment, provided the employee knowingly and voluntarily agrees to it as a condition of employment, and the employee is informed that the compensatory time received may be preserved, used or cashed out consistent with the provisions of FSLA.

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An agreement or understanding is presumed to exist with respect to any employee who fails to express to the employer an unwillingness to accept compensatory time off in lieu of overtime pay. The employee's decision to accept compensatory time off in lieu of monetary overtime payments must be made freely and without coercion or pressure.

Department Directors may have the right to deny an employee's request to earn overtime if the employee is unwilling to accept compensatory time.

Employees generally may accrue up to 240 hours of compensatory time. Employees who work in a public safety activity may accumulate up to 480 hours of compensatory time. Once this limit is reached the employee must be paid overtime instead of compensatory time.

Employees who have accrued compensatory time and requested use of this compensatory time shall be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the operations of the County.

Compensatory leave must be approved in advance, except in the case of illness or emergency. An employee seeking to use his/her compensatory leave shall submit a Leave Request Form to their Department Director at least forty-eight hours in advance of the first day of requested leave. Requests for compensatory leave of more than two (2) consecutive work days must be submitted to the Department Director at least one (1) week in advance of the first day of requested leave. All requests for use of compensatory leave are subject to approval by the Department Director, who in his/her sole discretion may approve use of compensatory leave with shorter notice than specified in this section, if circumstances warrant.

Compensatory leave balances for general and public safety employees may not exceed 120 hours at the end of the calendar year. To achieve this goal, Department Directors may require employees to use compensatory time first, in lieu of annual leave. Forfeiture of accrued annual leave may occur if the balance exceeds the maximum allowed at calendar year end.

24.6 Physician's Certificate

Employees must submit a physician's certificate to their Department Directors to obtain sick leave for absences due to illness/injury in excess of three (3) or more consecutive work days. If a Physician's Certificate is not furnished within two (2) work days after returning to work, sick leave will be denied and the absences shall be considered as leave without pay, in the absence of extenuating circumstances. The Department Director may, for good cause shown, waive the certificate requirement.

24.7 Pay-Out Policy

Annual leave shall be paid out at 100% upon termination of employment at the rate of pay in effect at the time of termination.

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Compensatory leave shall be paid out at 100% upon termination of employment at the rate of pay in effect at the time of termination.

Sick leave is ineligible for cash payment and shall not be paid at the time of separation from County employment.

24.8 Military Leave

Any employee who is a member of the Armed Forces of the United States, National Guard or the Military Reserve Forces of the United States and who is ordered in accordance with the Code of Virginia, article 10, section 44-93 and Title 38 of the United States Code, Chapter 43, shall be granted a leave of absence with pay, not to exceed 15 regularly scheduled work days per federal year defined as October 1st through September 30th. For 24-hour employees, one day equals 12 hours for military leave purposes. The employees shall receive pay for the number of work days occurring in the authorized period, according to his/her work schedule. The employee may retain both the pay check from the County and the pay check from the military.

24.9 Civil Leave

In an attempt to help an employee perform certain civic responsibilities when called upon, the County shall provide leave for court appearances or service on a jury panel. Any person who is summoned to serve on jury duty or any person, except a defendant in a criminal case, who is summoned or subpoenaed to appear in any court of law or equity when a case is to be heard or who, having appeared, is required in writing by the court to appear at any future hearing, shall neither be discharged from employment, nor have any adverse personnel action taken against him/her, nor shall he/she be required to use sick leave or annual leave as a result of his/her absence from employment due to such jury duty or court appearance, upon giving reasonable notice to his/her employer of such court appearance or summons. No person who is summoned to serve on jury duty shall be required to work on the day of his/her service on a jury.

Employees shall submit to the County Administrator, a copy of their official summons for jury duty or witness services within 24 hours of receiving such notice. Employees summoned or subpoenaed to appear in court in the capacity of a paid consultant as secondary employment shall be required to use annual leave.

24.10 Administrative Leave

Exempt employees shall earn hour-for-hour administrative leave when called on to work a designated County Holiday or Administrative closing, having received previous authorization to do so. Administrative leave shall not be substituted for another prior approved leave.

Upon the written request of any employee, and with the recommendation of the Department Director, the County Administrator may grant administrative leave, with or without pay, to an employee in an amount not to exceed one day in extraordinary circumstances where the need for leave does not fit within any other leave category.

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24.11 Bereavement Leave

In case of the death of an employee's immediate relative: spouse, parent, step-parent, sibling, step-sibling, child, step-child, grandparent, grandchild, guardian, and same relatives of spouse, inclusive of those relationships arising from adoption, a regular employee will be allowed three (3) regularly-scheduled work days off with pay upon notification of the employee's Department Director, who will notify the County Administrator.

The employee's time off from work because of a death in the family must be taken immediately following the death.

A leave form shall be promptly submitted for bereavement leave and will supersede other leave if already approved.

In the event of multiple deaths in the employee's immediate family, each death shall be treated separately and the bereavement leave shall be granted accordingly.

24.12 Personal Leave

County Employees are eligible to receive up to 24 hours (three days) of Personal Leave Annually.

24.13 Family Medical Leave Act

The County will adhere to the mandates of the Family Medical Leave Act of 1993, as amended. Employees of the County who meet the guidelines established by FMLA shall be entitled to use up to, but not exceeding, twelve (12) weeks of family medical leave during a twelve (12) month period for the following events and/or conditions:

- a. care of the employee's newborn child,
- b. placement of a child for adoption or foster care,
- c. care of an employee's spouse, child or parent with a serious health condition,
- d. employee's own serious health condition that makes the employee unable to perform the functions of his/her position,
- e. Other circumstances as may be implemented through enacted revisions to the FMLA.

For the purpose of this policy, a twelve (12) month period will begin with the first day of January and will end on the last day of December (calendar year). Request for Family Medical Leave, if possible, should be submitted 30 days in advance and must be approved by the County Administrator. Physician certification of the qualifying leave event shall be provided by the employee prior to granting provisions of this policy.

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Employees utilizing medical leave under FMLA shall be required to use paid accumulated sick and/or annual leave, if available, concurrently with FMLA. Use of accrued leave for qualifying purposes must be in accordance with the leave policies established by this Manual. Once paid sick and annual leave balances are adjusted, the remainder of the FMLA required leave shall be without pay.

There are occurrences when an employee does not specifically request leave under FMLA, but his/her leave may qualify as FMLA leave. This leave may be designated by the employer as FMLA leave. The County Administrator or designee must inform the employee that leave will be designated as FMLA leave in accordance with FMLA regulations.

Extended periods of sick leave (6 working days or more) shall be designated as FMLA leave and counted towards the twelve (12) week entitlement. Shorter periods of leave that qualify (any subsequent treatment or period of incapacity relating to the same condition) may be designated at the discretion of the County Administrator or designee. Department Directors are required to notify the County Administrator on the morning of the sixth day of continued absence for any of their employees.

If the County was not aware of the reason for an employee's leave, and the leave qualifies for FMLA, leave may be retroactively designated as FMLA leave within two (2) business days of the employee's return to work. If medical certifications fail to confirm the absence as a qualifying event under FMLA, the County will withdraw the designation with appropriate notice to the employee.

Once an employee has exhausted FMLA leave but cannot return to work, the County is not obligated to hold the employee's position.

In cases where both spouses work for the County, leave for the birth or adoption of a child is limited to twelve (12) weeks combined.

(See *EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT* ... page 66 for additional information)

2414 Leave Without Pay

The County recognizes that a matter of unusual or emergency nature may cause an employee to leave the job for a specific period of time. A leave of absence without pay, may be granted in necessary circumstances, not to exceed six (6) months. Approval for a leave of absence for regular, full-time employees should be presented in writing from the employee with the recommendation of the Department Director to the County Administrator for approval, prior to such leave. The County Administrator may approve up to eight (8) weeks leave of absence without pay. Time periods in excess of eight (8) weeks require Board approval.

The Board of Supervisors may extend the six (6) months leave of absence for an additional six (6) months resulting in a maximum leave of absence period of twelve (12) months.

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An employee will not accrue annual or sick leave when in a leave without pay status. An employee will not be compensated for holidays while on leave without pay.

An employee on leave due to suspension based on a criminal investigation will have annual and sick leave balances restored in full if the employee is reinstated. Holiday hours will be restored, if applicable.

Although an employee may be considered for promotion while in a leave without pay status, the date of the promotion cannot become effective while on leave without pay.

Leave without pay for less than thirty (30) days does not affect an employee's anniversary date. When leave without pay is granted for thirty (30) days or more, the employee's anniversary date shall be adjusted month for month.

Except for certain military leave and provisions of the Family and Medical Leave Act, and when an employee is on approved leave with or without pay status, retention of a position for the employee cannot be guaranteed.

**EMPLOYEE RIGHTS AND RESPONSIBILITIES
UNDER THE FAMILY AND MEDICAL LEAVE ACT**

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for 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;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

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

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.

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Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is 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.

Use of Leave

An employee does not need to use this leave entitlement 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. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

As permitted by the FMLA, the County requires use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the County's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the County's normal call-in procedures. Employees must provide sufficient information for the County to determine if the leave

SUBJECT: Leave	POLICY NUMBER:	DATE ISSUED:	PAGE 9 OF 9
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may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

The County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

The County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the County determines that the leave is not FMLA-protected, the County will notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

Interfere with, restrain, or deny the exercise of 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.

COUNTY OF AUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 25	PAGE 1 OF 1
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Sick Leave Bank	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 25 – EMPLOYEES SICK LEAVE BANK

25.1 General Provisions

It is the policy of Sussex County to allow members of the Sick Leave Bank an additional source of leave days when they are incapacitated by an extended personal illness or disability and therefore a Policy has been approved by the Board of Supervisors and is provided in *APPENDIX C*.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 26	PAGE 1 OF 1
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Worker's Compensation Insurance	AUTHORIZATION: Adapted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 26 – WORKER’S COMPENSATION

26.1 Worker's Compensation Insurance

As required by Virginia law, employees of Sussex County are covered by Worker's Compensation from the date of employment. Employees shall report any on-the-job injury immediately to their supervisor or person in charge, who shall render the necessary aid and advise the Department Director. There shall be a Notice of Injury filed with the Office of the County Administrator no later than 2:00 P.M. the following day.

The County agrees that in the event of an on-the-job injury to an employee, such employee will receive Worker's Compensation plus a supplement from the County which will, for a maximum of ninety (90) work days, result in the employee receiving gross pay equal to the average gross pay the employee received in the thirteen (13) weeks prior to the disability. The time lost as a result of the on-the-job injury, during the ninety (90) day period, will not be charged against any existing type leave time.

The County agrees that any employee injured on the job shall be paid a full day's wage for the day of the accident if his/her treating physician advised that the employee could not or should not return to work that day.

Employees injured in on-the-job related accidents shall be given light duty assignments, when permitted to do so by the attending physician and if such light duty work is available. The light duty assignments shall not be limited to departmental activities.

Medical expenses shall be paid by the County’s workers compensation carrier in accordance with state law. The County reserves the right to assert a subrogation claim for its costs incurred under this section against any third party who may be liable in whole or in part for the injuries suffered by an employee.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 27	PAGE 1 OF 2
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Separation From the County	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 27 – SEPARATION FROM EMPLOYMENT

27.1 Separation by Resignation

An employee who desires to resign in good standing shall submit his/her written resignation to his/her supervisor or Department Director at least fourteen (14) calendar days prior to leaving, and must state the date the resignation shall become effective. Such resignation entitles the employee to payment of any benefits due. Failure to comply with this procedure may be considered cause for denying such employee future employment by the County.

27.2 Separation for Disability

An employee may be separated from the County when he/she can no longer perform the essential functions of the assigned position because of a physical or mental disability. The County may require an examination to be performed at its expense by a physician of its choice in order to document a disability.

Prior to separation, the County shall make every effort to reasonably accommodate the employee in his/her current capacity. These efforts may include, but are not limited to, job restructuring, revised work schedules, and improved physical access to facilities. The employee may, if deemed appropriate by the County Administrator, be reassigned to a vacant position, if available, for which he/she is qualified and able to perform the essential functions. Separation for a disability shall only occur if all reasonable efforts to accommodate the employee have been unsuccessful.

All grievances involving employee disabilities shall be handled on a case-by-case basis. The employee, supervisor, or Department Director should notify the County Administrator when there is a question regarding an employee's ability to perform the essential functions of the job because of a disability.

27.3 Separation by Retirement

Any employee who retires from the County under the definitions of the Virginia Retirement System and any member of the Board of Supervisors who has served at least two (2) continuous terms shall have the option of continuing health insurance coverage under the County group plan, until Medicare eligible, provided the retired employee pays the full premium.

Premiums must be paid by the date established by the County Administrator through the Finance Department to assure prompt payment to the service provider. Retirement from County service shall also include disability retirement as defined by the Virginia Retirement System. Once Medicare eligible, retirees shall no longer be

SUBJECT: Separation From the County	POLICY NUMBER: 27	DATE ISSUED: 11/17/11	PAGE 2 OF 2
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eligible to participate in the County group health insurance plan. In the event, a retiree terminates their health insurance retiree will not be eligible to participate in the plan at a later date.

27.4 Separation at Death

Separation from the County shall be effective as of the date of death. All compensation and benefits due to the employee as of the effective date of separation shall be paid to the next of kin or the estate of the deceased as provided by law.

27.5 Separation by Dismissal

Employees separated from the County by dismissal must be notified in writing by the County Administrator following a due process hearing as required by law.

27.6 Separation by Position Elimination

Employees whose positions have been eliminated by the County shall be notified by the County Administrator in writing with as much advance notice as possible.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 28	PAGE 1 OF 2
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Reduction in Force	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 28 – REDUCTION IN FORCE

28.1 Purpose and Scope

To establish an effective and objective process to use should the County determine that a reduction-in-force is necessary.

Reductions-in-force may be directed by the County Administrator or recommended by the department head, subject to the approval of the County Administrator. The County Administrator has the right and obligation to manage the workforce in the best interest of the County and may require implementation of this policy.

This policy applies to all County positions, regardless of employment status.

28.2 Definitions

Job Category — Includes the classification of the position or job title of the position in the budget and any other job titles that may be used to under fill the position.

Reduction-In-Force — A management decision to reduce the number of currently filled positions due to circumstances such as financial constraints, loss of funding, a reduction in services, end of a program, or the reorganization/restructuring of operations.

28.3 Procedure

When there is a reduction in the number of currently filled positions due to circumstances such as financial constraints, loss of funding, a reduction in services, end of a program, or the reorganization/restructuring of operations, the following procedure will be used.

The County Administrator or department head will coordinate any Reduction in Force..

The department head, with the approval of the County Administrator, will identify which positions need to be eliminated. In some cases, the duties and functions of remaining positions may be combined or restructured.

When a reduction-in-force will eliminate some but not all positions in a particular job category within a department, division, or organizational unit, determination of employees to be retained will be made by the department head and the Director of Human Resources based on a comparison of the employees' knowledge, skills, and abilities as they relate to the on-going needs of the organization. The employees' past performance and conduct may also be considered. Continuous service date or job seniority will be considered only when determinations cannot be made on the basis of other factors. All comparisons shall be made on a non-

SUBJECT: Reduction in Force	POLICY NUMBER: 28	DATE ISSUED: 11/17/11	PAGE 2 OF 2
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discriminatory basis. Any decisions that result in the displacement or termination of employees shall be documented and provided to the Department of Human Resources.

- A. Employees who are being displaced or terminated as a result of a Reduction In Force will be given as much notice as possible, but no less than 30 days advance, written notice.
- B. During a reduction-in-force, the Director of Human Resources may suspend normal recruiting procedures as necessary and, in coordination with the appropriate department head, may reassign or place affected employees in vacant remaining County positions for which they qualify, using an established placement process.
- C. A person who is employed for a limited period of time, or on a part-time, temporary, or substitute basis may be terminated upon completion of the project or work period. Such termination does not necessarily fall under this policy. However, employees who are scheduled to be terminated under these circumstances should be given as much notice as possible.

28.4 Employee Status, Benefits and Compensation

- A. The County Administrator or designee will provide each employee being displaced with information explaining his/her benefits and status.
- B. Regular full-time employees whose employment is to be terminated shall be placed on a one month unpaid leave of absence from the date the position is eliminated. An unpaid leave of absence will allow the employee to continue any insurance benefits in effect for an additional month by paying only the employee portion of the insurance premium, should the employee desire to continue coverage.
- C. Employees who are subject to a reduction-in-force do not possess grievance rights except where such reduction-in-force affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance.

COUNTY OF SUSSEX PERSONNEL POLICY USSEX COUNTY, VIRGINIA	POLICY NUMBER: 29	PAGE 1 OF 4
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Discipline of Employees	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 29 – EMPLOYEE DISCIPLINE

29.1 Discipline of Employees

All employees shall comply with county and departmental policies, procedures, and expectations of behavior and performance. Non-compliance with these expectations must be remedied and will subject the non-complying employee to disciplinary action, which may include dismissal. Failure to perform job requirements in a satisfactory manner, offenses or misconduct which violate policies of behavior or are specifically prohibited by law, and acts involving moral turpitude, such as lying, cheating, or stealing, will also subject the employee to disciplinary action.

29.2 Counseling

It is the goal of Sussex County to educate and motivate employees to exhibit behavior which will contribute to individual growth and development and to the successful operation of County government. Department Directors are encouraged to meet with their employees to discuss the circumstances, and counsel the employees, if appropriate, about suitable performance, behavior, and expectations.

29.3 Situationally Appropriate Discipline

The following guidelines for disciplinary actions will be applied to all employees equitably, without bias or prejudice. Discipline should be characterized as corrective and constructive, and should be utilized as an element to contribute to the employee meeting performance and behavior expectations. Disciplinary action will be taken to remedy, punish, or discourage unsatisfactory behavior, performance, or noncompliance with county or departmental policies and procedures.

The need for disciplinary action may arise as a result of different kinds of actions on the part of the employee. The following principles will be observed when considering disciplinary action.

The disciplinary action should be situationally appropriate and should be consistent with the special needs of the department, the seriousness of the employee's behavior and performance, and the repetition of the behavior or performance.

The disciplinary action taken should be consistent (similar penalties for similar circumstances).

Supervisors, managers, and professionals, as defined by FLSA, because of their positions, should be held to a higher standard of performance and behavior than other employees.

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Employees are responsible for knowing the county and departmental policies and procedures and the performance or behavioral expectations of their department; disciplinary action shall assume that knowledge.

In determining the severity of the disciplinary action, the supervisor shall take into consideration prior violations of policy, prior problems of performance or behavior, and prior disciplinary actions.

The disciplinary action taken shall not be influenced by the employee's race, color, religion, gender, national origin, age, or disability.

29.4 Disciplinary Options

When an employee is not meeting behavior or performance expectations or is noncompliant with county or departmental policies and procedures, situationally appropriate discipline may involve one or more of the following responses by the employee's supervisor.

Please note that while sequential and progressive discipline is encouraged, based on behavior, performance expectations and the type and/or frequency of the violation/act/offense supervisory and/or administrative discipline is not required to be progressive or sequential:

1. Verbally reprimand the employee.
2. Reprimand the employee in writing.
3. Require repayment or restitution.
4. Reduce salary.
5. Suspend the employee without pay or with mandatory use of accumulated leave.
6. Demote the employee.
7. Reinstate the employee's probationary period when such employee's performance or ethical standards are not consistent with county requirements. This discipline is only appropriate under circumstances which could support termination but there is reason to believe that the employee's performance or standards may improve.
8. Dismiss the employee.

Most disciplinary actions are initiated by the immediate supervisor. However, prior to administering a disciplinary action other than a verbal reprimand, the supervisor and Department Director should verify that the type of action is appropriate by notifying the County Administrator, as the final authority to approve a disciplinary action belongs to the County Administrator.

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In the event of disciplinary actions, the employee shall be notified as to the violation and afforded the opportunity to meet with the supervisor or Department Head and respond to the allegation against him/her. If the action deals with suspensions, the County Administrator shall be present at the meeting.

At the conclusion of the meeting, appropriate action will be determined with proper approvals, and the employee so notified.

All disciplinary actions shall be documented in the employee's official County Personnel File.

29.5 Suspension Pending Determination of Guilt

Employees may be suspended with or without pay, pending the results of an administrative investigation. Employees suspended without pay may request in writing to the County Administrator to use accumulated annual and/or compensatory leave during the suspension period.

If suspended without pay or use of accumulated leave, employees who are reinstated to their former positions may be granted back pay. The County Administrator, Constitutional Officer, or Department Director may take whatever personnel actions are deemed necessary to protect the County and promote the objectives of the department even if there is a finding made of not guilty in a criminal case or the case is otherwise dismissed or nolle prossed.

29.6 Section Grievances

Grievances will be conducted as outlined in Employee Grievance Procedure. Employees will be informed of the County Grievance Procedure during employee orientation.

In all cases of discipline, the employee should be notified that such actions may be grieved as outlined in the Employee Grievance Procedure. Proper forms and a copy of the grievance procedure are available to the employee in the County Administrators Office.

29.7 Disciplinary Action Authority

Most disciplinary actions are initiated by the immediate supervisor.

In general, the final authority to approve a disciplinary action is related to the type of action taken. However, prior to administering a disciplinary action, the supervisor or Department Director should verify that the type of action is appropriate by notifying the County Administrator.

In the event of disciplinary actions, the employee shall be notified as to the violation and afforded the opportunity to meet with the supervisor or Department Director and offer an explanation.

If the action deals with suspensions, the County Administrator shall be present at the meeting.

At the conclusion of the meeting, appropriate action will be determined with proper approvals, and the employee so notified.

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<u>Type of Action</u>	<u>Final Authority to Approve</u>
Verbal Warning	Department Director
Written Warning	Department Director with consultation with County Administrator
Suspension	Department Director with approval of County Administrator
Demotion	County Administrator with notice to the Board of Supervisors
Dismissal	County Administrator after informing the Board of Supervisors

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 30	PAGE 1 OF 6
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SUBJECT: Employee Grievance Procedures	AUTHORIZATION: Adapted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 30 – GRIEVANCE PROCEDURES

30.1 General Provisions

The purpose of this policy is to afford an immediate and fair method for the resolution of disputes which may arise between an agency and its employees.

30.2 Covered Employees

All non-probationary regular full-time and regular part-time employees of the County may utilize the Grievance Procedure. Specifically excluded from such procedure are: part-time temporary employees; constitutional officers; (*county administrator; deputy county administrator, county attorney unless provided for by contract*) and employees of the General District Court and Court Services Unit. Also excluded from the coverage of this procedure are law enforcement officers who have elected to proceed pursuant to Chapter 10.1 of Title 2.1 of the Code of Virginia, as amended, in the resolution of their grievance. Note: See 15.2-1507(3). This does not address department directors, employees of constitutional officers, social services, library board, etc.

30.3 Definition of Grievance

A grievance shall be a complaint or dispute relative to an employee's employment involving (but not necessarily limited to):

1. disciplinary actions, including dismissals, disciplinary demotions and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance,
2. concerns regarding the application, of personnel policies, procedures, policies and regulations,
3. acts of retaliation for using the grievance procedure or of participation in the grievance of another county employee,
4. complaints of discrimination on the basis of race, color, creed, sex, age, political affiliation, disability, or national origin,
5. acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in the law before the Congress of the United States or the General Assembly, and
6. any other actions outlined in the County's Policy and Procedure Manual as a grievable matter.

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Some complaints are not grievable under this procedure. They involve:

1. establishment and revision of wages or salaries, position classification or general benefits,
2. work activity accepted by the employee as a condition of employment, or work activity which may be reasonably expected to be a part of the job content,
3. the contents of ordinances, statutes, or established personnel policies, procedures, policies and regulations,
4. failure to promote except where the employee can show established promotional policies or procedures were not followed or applied fairly,
5. the methods, means, and personnel by which such work activities are to be carried on, except where such action effects an employee who has been reinstated within the previous six (6) 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
6. the hiring, promotion, transfer, assignment and retention of employees within the local government, and
7. the relief of employees from duties of the County in emergencies. In any grievance brought under the exception to provisions (6) of this subsection, the action shall be upheld upon a showing by the local government that: (1) there was a valid business reason for the action, and (2) the employee was notified of the reason in writing prior to the effective date of the action.

30.4 Management Rights

Nothing in this procedure is intended to circumscribe or modify the existing management right of the County to do the following:

1. direct the work of its employees as well as establish and revise wages, salaries, position classification and general employee benefits;
2. hire, promote, transfer, assign and retain employees within the agency;
3. maintain the efficiency of governmental operations;
4. relieve employees from duties of the agency in emergencies;
5. determine the methods, means, and personnel by which operations are to be carried on.

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30.5 Grievability

Decisions regarding whether or not a matter is grievable, including the question of access to the procedure, shall be made by the County Administrator at the request of the County or grievant, and such decisions shall be made within ten (10) calendar days of such request.

Neither the County Attorney nor the Attorney for the Commonwealth shall be authorized to decide the issue of grievability.

Such determination of grievability shall be made subsequent to the reduction of the grievance to writing but prior to the panel hearing.

Decisions of the County Administrator may be appealed by the grievant to the Sussex County Circuit Court for a hearing *de novo* on the issue of grievability pursuant to *Section 2.1-114, 5:1 E of the Code of Virginia*.

Proceedings for review of the decision of the County Administrator shall be instituted by filing a notice of appeal with the County Administrator within ten (10) calendar days after the date of the decision and giving a copy thereof to all other parties.

Within ten (10) calendar days thereafter, the County Administrator shall transmit to the Clerk of the Circuit Court to a copy of the decision of the County Administrator, a copy of the notice of appeal, and the exhibits.

The failure of the County Administrator to transmit the record within the time allowed shall not prejudice the rights of the grievant.

The 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 as provided in *Section 2.1-114, 5:E*, Code of Virginia.

Within thirty (30) 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 and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record.

The court may affirm the decision of the County Administrator or may reverse or modify the decision. The decision of the court is final and not appealable.

The issue of grievability may occur at any step of the procedure prior to the panel hearing, but once raised, the issue must be resolved before further processing of the grievance. In any event, the issue of grievability must be resolved prior to the panel hearing or it shall be deemed to have been waived.

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30.6 Policy

All stages of the grievance beyond the first step shall be in writing on forms supplied by the County Administrator's office. Beyond the first step, both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other persons as provided in this procedure at the expense of the grievant.

Once an employee reduces his/her grievance to writing, he/she must specify on the appropriate form the specific relief he/she expects to obtain through use of this procedure.

After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure without just cause will 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.

In counting work days, days of vacation and holidays are excluded. All time periods listed in this procedure may be extended by mutual agreement by the parties to the agreement.

30.7 Procedure

Step I:

Within twenty (20) work days after the occurrence of or condition giving rise to the grievance, the employee affected shall identify the grievance verbally to the employee's immediate supervisor. Within two (2) work days of such presentation, the supervisor shall give his/her response to the employee with respect to the grievance, or shall advise the employee that additional time for such decision is needed, in which case a decision must be given the employee within three (3) work days thereafter.

Step II:

If the grievance is not resolved to the satisfaction of the employee at Step I, the grievant may file a written grievance using Grievance Form A with his/her immediate supervisor not more than five (5) work days following completion of Step I. A copy of the written grievance is given to the Department Director by the grievant. This form reflects the employee's explanation of what has occurred. If additional information is necessary, a sheet may be attached to Form A.

The employee's immediate supervisor and the Department Director will then meet with the grievant within two (2) work days of receipt of the written statement. A written reply by the Department Director is made to the grievant within three (3) work days of this meeting.

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Step III:

If the response of the County Administrator or the constitutional officer does not resolve the grievance, the grievant may proceed with the grievance by requesting a panel hearing. This request is made in writing on Form **B** to the County Administrator within five (5) work days of the grievant's receipt of a response from Step III. A copy of the written statement is given to panel members by the County Administrator.

The panel selects its chairman and it sets the time for the hearing which shall be held as soon as practicable, but no more than ten (10) work days following receipt of letter requesting a panel hearing. The conduct of the panel hearing is as follows:

- A. The panel determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing,
- B. The panel may at the beginning of the hearing ask for statements clarifying the issues involved,
- C. Exhibits, when offered, may be received in evidence by the panel, and when so received, marked and made part of the record,
- D. The grievant and supervisor, or their representatives, then present their claim and proofs and witnesses who submit to questions or other examination. The panel may, at its discretion, vary this procedure but must afford full and equal opportunity to all parties and witnesses for presentation of any materials or relevant proofs.
- E. The parties may offer evidence and must produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel is the judge of relevance and materiality of the evidence offered. All evidence must be taken in the presence of the panel and of the parties.
- F. The majority decision of the panel is final in all its determination and shall be consistent with the provision of law and written policies.
- G. The question of whether the relief granted by a panel is consistent with written policy shall be determined by the County Administrator or his/her designee unless such person has a direct involvement with the grievance, in which case the decision shall be made by the attorney for the Commonwealth of the jurisdiction in which the grievance is pending. Refer to *S2.1-114, 5:1.D.4d of the Code of Virginia*.
- H. Either party may petition the court for an order requiring the implementation of the decision of the panel.

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The panel chairman must specifically inquire of all parties whether they have any further proof to offer or witnesses to be heard. Upon receiving negative replies, the chairman declares the hearing closed.

The hearings may be reopened by the panel on its own motion or upon application of a party for good cause shown at any time before the award is made. Panels do not have the authority to formulate or to change policies or procedures; however, they may consider mitigating circumstances and modify County action concerning discipline. Panels do not have the authority to consider matters which the grievance procedure makes non-grievable. A panel by majority vote may uphold or reverse the action of the County, or in appropriate circumstances, may choose a modified remedy.

The decision is filed in writing by the panel chairman with the County Administrator not later than fifteen (15) work days after completion of the hearing. Copies of the decision are transmitted to the employee and to the employee's supervisor by the County Administrator.

Section 30.8 Grievance Panel

The procedures set out in Section 15.2-1507(10) (a)(1) shall apply.

I, _____, Sussex County, Virginia Commonwealth’s Attorney, on _____, do hereby certify that the attached Sussex County Personnel Policy and Procedure Manual and Grievance Procedure was adopted by the Sussex County Board of Supervisors on Thursday November 17, 2011 and is the official Grievance Procedure for the County as required by 15.2 – 1506 of the Code of Virginia, 1950 as amended and is in compliance with said State Statute.

CERTIFIED BY:

COUNTY ATTORNEY

DATE

COUNTY ADMINISTRATOR

DATE

FILED BY:

CLERK OF THE COURT

DATE

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 31	PAGE 1 OF 1
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Safety	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

SECTION 31 – EMPLOYEE SAFETY

31.1 Policy Statement and Responsibility of County Administrator

Sussex County is vitally interested in the safety and well being of every employee and the general public. It is the intent of the County to provide safe equipment, procedures and surroundings for all employees and the general public and to provide safe and healthful working conditions. The County Administrator or designee shall have responsibility for the establishment of safety policies, education and training.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY 32	PAGE 1 OF 1
	SUPERSEDES: N/A	DATE ISSUED: November 17, 2011
SUBJECT: Occupational Injury/Death	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 32 – EMPLOYEE INJURY OR DEATH

32.1 General Provisions

If an employee is injured, regardless of how minor the injury, a *Worker’s Compensation First Report of Accident Form* must be completed by the Supervisor or Department Head and submitted to the County Administrator no later than one (1) working day following the accident. Notice of serious injuries, requiring immediate medical attention, should be phoned into the County Administrator's Office and later confirmed by the report.

It is the supervisor's responsibility to prepare and submit the Supervisor's Report of Accident. Under no conditions should the report be prepared by an injured employee.

The County Administrator or designee shall refer the employee and shall set up the initial appointment with the doctor for regular treatment; however, hospital room emergency treatment may be authorized by the Department Director or immediate supervisor in cases of serious injury.

The supervisor must immediately notify the County Administrator's Office when an employee has been transported to an emergency room, since employment verification by the hospital will be made through that office.

The County Administrator or designee shall be responsible for filing the Notice of Injury and for all future correspondence relating to the claim. The County Administrator must be notified of any lost time due to the injury. Upon returning to work after an injury, an employee must have a physician's statement releasing him/her to resume duties.

32.2 Occupational Death

If an employee's death results from the actual performance of his/her duty and the survivors or beneficiaries of the employee may be entitled to line of duty accidental death benefits. State law requires that all employees’ line of duty injuries or death be covered by Worker's Compensation benefits.

32.3 Worker's Compensation

Refer to Section 26, Worker's Compensation Insurance

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SUBJECT: Appearance	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 33 - APPEARANCE

33.1 Uniformed Personnel

It is the responsibility of the employee to keep uniforms in a neat and orderly manner. Employees are expected to begin their work period with a clean uniform. The complete uniform must be worn at all times while on duty, and no uniform may be altered or changed in appearance. Any employee not wearing their assigned uniform will be sent home on their own time to change, and may be subject to disciplinary action. Any employee who loses his/her uniform will be responsible to replace the uniform, with the amount for replacement to be deducted from the employee's next regular paycheck.

Employees are only permitted to wear their uniform one hour prior to commencing the work period, during the work period, and for one hour following the completion of the work period. Employees shall not wear their uniforms on off-duty hours in public places unless authorized to do so.

The County will provide safety shoes to each employee whose position requires the wearing of protective footwear. Shoes are the personal property of each employee and he or she is responsible for the necessary repairs and serviceability of the shoes.

Upon approval of a Department Director, employees required to wear safety shoes will be provided new replacement safety shoes no more than once in a twelve-month period and at a cost not to exceed \$120. If the cost of the shoes is over \$120, the employee shall pay the additional cost. Shoes are only provided when, in the opinion of the employee's supervisor, the existing shoes are in need of replacement.

33.2 Non-Uniformed Personnel

All non-uniformed personnel are expected to dress appropriately, as determined by the Department Director, for their assigned duties and responsibilities. Clothing should be neat, clean, and appropriate for the particular work environment to which the employee is assigned. T-shirts, jackets or other items of clothing bearing written messages or slogans are not appropriate workplace attire. Employees are expected to maintain a neat and clean physical appearance, particularly those in positions where considerable public contact is required. The Department Director may require the employee to go home in order to change into appropriate clothing, and the employee may be subject to disciplinary action.

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	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Harassment	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 34 - HARRASSMENT

34.1 Definition of Harassment

Sussex County does not and will not tolerate harassment of or by County employees. The term harassment includes, but is not limited to, slurs, jokes, and other verbal, visual, or physical conduct relating to an individual's race, color, ethnicity, sex, religion, national origin, citizenship, age, or disability or other behavior which, in the employee's opinion, impairs his/her ability to perform the job.

Harassment also includes unwelcome sexual advances, request for sexual favors, unwelcome or offensive touching, slander and/or spreading rumors as to another's sexual preferences or behavior, display of sexually suggestive pictures or other materials, and other verbal, graphic, or physical conduct of a sexual nature. It also includes other verbal or physical conduct of a sexual nature when such conduct:

- Is made explicitly or implicitly a term or condition of employment, or
- Is used as a basis for employment decisions, or
- Has the purpose of effect of unreasonably interfering with work performance or creating an otherwise working environment.

34.2 Employee Responsibility

Employees who feel that they have been harassed in any way by another employee or by a citizen or vendor should notify the County Administrator immediately. The matter will be thoroughly investigated, and where appropriate, disciplinary action will be taken. A report documenting the case and subsequent findings will be forwarded to the County Administrator. Employees will not be penalized in any way for reporting possible harassment concerning themselves or another person.

Employees should *not* assume that the County is aware of a problem. It is the responsibility of the employee to bring any complaints and concerns to the attention of the County.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 35	PAGE 1 OF 3
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Self Improvement & Educational Program	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

SECTION 35 – EDUCATIONAL PROGRAMS

35.1 General Provisions

Sussex County believes in helping employees in their jobs by encouraging them to attend job related courses during their off duty hours and rewarding them for successful accomplishments when practicable. Classroom schedules, however, must not conflict with the employee's work schedule. The employee's job shall always take precedence over schooling, which is considered a fringe benefit. County tuition reimbursement for such courses shall be available only if the Board of Supervisors has approved the appropriation of funds for such purposes.

35.2 Educational Reimbursement

When funds are budgeted and available, the County Administrator has the authority to approve County payment for any course, including tuition, books, and other materials, provided the applicant is not receiving benefits under any other aid program. Courses recognized for educational assistance are:

1. Job Improvement Courses

Course directly related to the employee's assignment that will improve his/her skills, knowledge, and ability to perform his/her duties and increase, through more advance technology, his/her potential for promotion.

2. In-Service Training Courses

Courses in management and supervisory development. All County employees are encouraged to participate in this type of training.

Please note that even if County funding is not available ... Sussex County's *Restricted Classification Plan (RCP)* includes factors for employee educational and training growth as part of every employee's evaluation and classification and is an integral part of any re-classification or salary compensation.

35.3 Eligibility for Participation

All regular full-time employees are eligible for participation in the County's educational program. The amount of reimbursement is limited to budgeted funds. Educational expenditures above any approved amount in a given fiscal year are the responsibility of the employee.

SUBJECT: Self Improvement & Educational Program	POLICY NUMBER: 35	DATE ISSUED: 11/17/11	PAGE 2 OF 3
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Employees with less than six (6) months service shall be permitted to submit requests with the understanding that reimbursement shall not be made until the employee has completed one (1) full year of service. Employees receiving payment for their educational expense from other sources are not eligible.

35.4 Application Procedure

An employee interested in participating in the County's educational program shall submit an application to his/her Department Director requesting approval for program participation. If approved by the Department Director, the application shall be forwarded to the County Administrator for approval. The County will not provide reimbursement for any course initiated prior to the date of approval of the application.

35.5 Completion of Courses & Reimbursement of Expenses

Upon successful completion of the course, the employee will submit proper documentation and the employee's personnel record will be documented with his/her educational achievement. The Office of the County Administrator is responsible for arranging for reimbursement to the employee expenses for tuition, books, and other course materials, based on the formal agreement amount at the following rate:

Letter grade "C"	50%
Letter grade "B" or better	100%

Reimbursement for courses in which letter grades are not issued will be in the following manner:

Satisfactory	100%
Unsatisfactory	0%

35.6 Reimbursement to County for Educational Expenses

Should an employee voluntarily leave County employment after completion of course(s), and prior to compliance with the terms of his/her agreement to remain in County employ for at least one (1) additional year, he/she shall reimburse the County within six (6) months after his/her termination for courses completed within two years of termination. Payment shall be taken from the employee's benefits, if any, accrued at the time of his/her termination. Any amount due to the County over and above said benefits shall be repaid in monthly installments (principal and interest) subject to prior arrangement with the County Administrator. Upon termination of an employee who is indebted to the County, any unpaid balance may be deducted from the employee's final paycheck.

The Department of Finance shall be responsible for maintaining records on each employee's education account.

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35.7 Employee Development

Department Directors may request administrative salary adjustments/re-classification based on and in compliance with the Sussex County RCP for employees who further their education or obtain certifications related to and demonstrably enhance their performance in their current position, as approved by the County Administrator.

The justification for such requests should take into consideration whether the certification or educational classes were paid for or reimbursed by the County, if classes were attended on County time, and the direct benefits of the educational achievement for the department and/or the enhancement of services to the citizens of Sussex County.

Administrative adjustments are subject to the availability of funds within the department's budget and in no case – unless expressly a written “*condition of employment*” does the completion of a certification and/or educational class constitute a sole and valid reason for a salary adjustments/re-classification.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 36	PAGE 1 OF I
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Service Awards	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 36 - SERVICE AWARDS

36.1 General Provisions

The purpose of the Service Awards Program is to commend faithful and/or exemplary service performed by County employees; to emphasize that each individual plays a key role in the County's progress; to recognize that an employee's contribution grows with each additional year of service; and to encourage career employment with Sussex County.

36.2 Basis for Awards

Service awards will be based on continuous service by eligible employees. No credit shall be given for employment with the County that was terminated because of dismissal.

Awards may be given after five years of service and each five years thereafter. Time in service shall be computed annually based on the employee's anniversary date and shall take into account continuous months of service as defined in Section 2.8 Continuous Service.

Awards shall be presented at such time and date established by the County Administrator.

36.3 Merit Awards

The County of Sussex also has two *Merit Award Programs* that recognize contributions to the County in the form of:

A. PEER (*Public Employee Excellence Recognition Program*)

The PEER Program is for employees who have made a significant contribution to the health, welfare, public image or financial well-being of the County.

B. PRIDE (*Praising Residents In Defining Excellence*)

The PRIDE Award is given to County Citizens or Businesses, Civic Organizations who have significantly contributed to the health, welfare, public image or financial well-being of Sussex County

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	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Smoking in the Workplace	AUTHORIZATION: Adopted by the Board of Supervisors, Effective date: April 2, 2012	

SECTION 37 - SMOKING

37.1 General Provisions

The purpose of this policy is to protect the health, comfort, and environment of County employees and visitors by creating areas in County buildings, vehicles and at public meetings that are reasonably free from tobacco smoke.

The County management respects the individual preferences of smoking and nonsmoking employees. When these preferences come in conflict, the County anticipates that the majority of instances will be resolved through a spirit of courtesy and cooperation. Smoking is defined as inhaling, exhaling, burning or carrying any lighted tobacco product.

Prohibited Areas

For reasons of safety, public relations or other concerns, *smoking is prohibited in all County vehicles* to include owned, leased or rented vehicles. Smoking is further prohibited in all public lobbies, offices and other areas within County buildings, except in designated areas.

Smoking Areas

Employee common areas in which smoking is permitted have been identified by the County at all work facilities.

Visitors

Visitors to any office area are expected to observe all Sussex County non-smoking designations.

The County Administrator shall cause conspicuous signs to be posted in designated areas where smoking is permitted. Areas where smoking is not permitted may have signs posted, as appropriate.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY 38	PAGE 1 OF 1
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Political Activity	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 38 – POLITICAL ACTIVITY

38.1 Employee Political Activity Policy

Nothing in this policy shall be construed as to prevent any employee from becoming or continuing to be a member of a political organization, or from attending any political organization, or meeting or from enjoying freedom from any interference in casting their vote.

It is further the intent of this policy to encourage employees with concerns regarding their supervisory working relationship to bring the matter to the attention of the Department Director or, as appropriate, to the County Administrator, rather than to a member of the County Board of Supervisors.

Problem reporting through existing and appropriate lines of responsibility and authority within the County organization is highly encouraged.

Except as applicable to Constitutional Officers, overt campaigning, the public display of campaign materials, the posting of political posters or signs shall be prohibited in and on County buildings or vehicles.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 39	PAGE I OF I
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Code of Ethics	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 39 – EMPLOYEE CODE OF ETHICS

39.1 Code of Ethics

All employees are expected to adhere to certain recognized principles and practices in the conduct of their public lives. These principles are embodied in the following Code of Ethics:

1. All Sussex County Employees are to be truthful, respectful and compliant with County Ordinances and Board rules and procedures in the discharge of their respective duties.
2. Employees may not, either directly or indirectly, use their official position with the County or information obtained in connection with their employment for private gain.
3. Employees shall not accept any gift, favor or service that may reasonably tend to improperly influence, or give the appearance of influencing, the discharge of their official duties.
4. No employee shall make any false statement, certification or recommendation of any appointment under any provision of County ordinances or these policies, or in any manner, commit or attempt to commit any fraud preventing the impartial execution of the provisions of County ordinances or these policies, with regards to employment, promotion or transfer.
5. Employees shall not conduct personal business while in County uniform, nor shall they consume alcoholic beverages or drugs (except under the direction of a licensed physician *or as referenced in Section 8.2*) while on duty, inclusive of meal time, nor during off duty hours while in uniform.
6. Any violations of the provisions of this policy shall be subject to review and appropriate disciplinary action. If the employee has any doubt as to the application of the policy as it relates to a specific action(s), the action(s) in question should be discussed with the Department Director, who shall either approve or forbid the activity, or refer the question to the County Administrator.
7. No County employee shall have a prohibited personal interest as defined in the State and Local Government Conflicts of Interest Act, with any governmental agency of the County government, or in any transaction before any governmental or advisory agency of the County.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 40	PAGE 1 OF 1
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SUBJECT: Administrative Closing	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 40 – ADMINISTRATIVE CLOSINGS

40.1 Sussex County Inclement Weather Policy

During emergency conditions (e.g. hazardous weather, declared disasters, inadequate work environments, etc.), County offices may be closed at the discretion of the County Administrator. The County Administrator, or designee, will notify the media of such closing.

Essential employees may be required to work during an administrative closing as described in the *Sussex County Inclement Weather Policy - Appendix D*.

COUNTY OF SUSSEX PERSONNEL POLICY SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 41	PAGE 1 OF 2
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Employee Utilization in Major Emergency Situations	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 41 – EMERGENCY GUIDELINES

41.1 Authority

Emergencies and Emergency Operations are determined by the Sussex County Board of Supervisors, following consultation with the County Administrator and with the Public Safety Coordinator.

41.2 Purpose and Need

The County, in response to a major emergency, either natural or man-made, will need additional manpower to fulfill its emergency response capabilities. The primary area of support needed is in the area of the public sheltering system. The County, and specifically the Department of Social Services, and the Red Cross are responsible for the staffing and operation of County Emergency Shelters. The nature of emergencies is also such that there are additional manpower requirements in the areas of public information, damage assessment, recovery operations, etc., which may be needed in response to a major emergency. The following policy guidelines have been developed to provide such capability by utilization of its human resources in emergency situations.

41.3 Directive

All Sussex County employees are to participate in emergency operations, as directed, as part of their employment requirement. Necessary training for specific duties will be provided. Duties and assignments will be based on specific needs during the emergency and for the duration required.

Compensation of employees will be based on the established policy for regular, overtime and/or compensatory hours to include any required training for a specific task and in compliance with **41.5** of this section.

Employees not otherwise assigned to emergency duties may be assigned emergency shelter duties or other emergency assignments as needed. Emergency duties are those determined by the County Administrator with assistance from the Public Safety Coordinator that are critical to the operation of the County.

Primary and secondary areas of responsibility for departments during emergency operations are defined in the *Emergency Operations Plan for Sussex County* which is available for review in each department.

SUBJECT: Employee Utilization in Major Situations	POLICY NUMBER: 41	DATE ISSUED: 11/17/11	PAGE 2 OF 2
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41.4 Emergency Operations

While every effort will be made to distribute work assignments equally and equitably the nature of emergencies may prohibit or limit management’s ability to do so.

Therefore when emergency operations are in effect the County reserves the right to schedule employees on an as needed basis, to maintain operations, and to protect the health and safety of the citizens of Sussex County.

Emergency work hours and work assignments will be consistent with Federal, State and County overtime policies and reporting requirements.

41.5 Emergency Operations Overtime Compensation

All Sussex County “*Exempt and Non-Exempt Employees*” are eligible for overtime pay when a local Emergency has been declared by the Sussex County Board of Supervisors, the Sussex County Emergency Operation Center (EOC) has been made operational and the employee has been approved, scheduled and is performing *Emergency Work or Forced Labor* before, during and/or after a disaster incident in Sussex County, Virginia.

COUNTY OF SUSSEX PERSONNEL POLICIES SUSSEX COUNTY, VIRGINIA	POLICY NUMBER: 42	PAGE 1 OF 2
	SUPERSEDES: N/A	DATE ISSUED: 11/17/11
SUBJECT: Career Development Program	AUTHORIZATION: Adopted by the Board of Supervisors Effective date: April 2, 2012	

SECTION 42 – CAREER DEVELOPMENT

42.1 Policy

The County's mission, vision, values and core competencies are the foundation for how we provide the highest level of service to our community. Developing and improving service and performance is a continuous process. Therefore, *subject to appropriations of funds for this purpose by the Board of Supervisors in its sole discretion*, the following *Career Development Program* has been constructed to provide for progressive development and career enrichment of employees who are responsible for delivering services to our citizens and our internal and external customers.

It is the goal of this program to facilitate excellence in learning, leadership, training, customer service, and organizational performance.

Each Fiscal Year, the Sussex County Board of Supervisors, upon verification of adequate funding and an accompanying recommendation by the County Administrator may approve funding for the *Sussex County Career Development Program*.

42.2 Purpose

The purpose of the Program is to encourage employee professionalism and training, provide opportunities for career growth, and to recognize and reward employee development that is above standard with financial incentives and/or symbols of office. The Career Development Program is based upon individual accomplishments and maintenance of specific criteria and achievements.

42.3 Program Procedures

A. Certification of Department Career Development Programs

The County encourages and endorses individual departmental or agency Career Development Plans that incorporate specific goals, incentives, and criteria that may be unique to that department or agency. All plans, including proposed incentives, must be documented as a departmental policy and must be submitted for review and approval to the County Administrator before implementation.

SUBJECT: Career Development Program	POLICY NUMBER: 42	DATE ISSUED: 11/17/11	PAGE 2 OF 2
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B. Required Incentive Criteria

While the County recognizes that Career Development Programs and incentives will vary among departments, it is essential that programs provide equitable opportunities to all employees. Individual departmental or agency plans must, at a minimum, incorporate and address the following core criteria in determining levels of financial incentives and symbols of office for employees:

1. Demonstrated benefit to the Department or Agency
2. Number of hours committed to the achievement (i.e. hours of training)
3. Recognizable degree or certification received from an appropriate professional or trade organization
4. Additional assignment of tasks, responsibilities, or workload
5. Whether maintenance of achievement is required (i.e., continuing education requirement or re-certifications)
6. Achievement is over and above standard job requirement

C. Required Program Criteria

To encourage and facilitate employee participation in the Career Development Program, individual departmental programs and plans shall include, at a minimum, the following core criteria:

1. Provisions for employee application to the plan
2. Eligibility criteria
3. Compensation standards
4. Program and employee evaluation procedures
5. Standards for continued participation in plan (and/or removal procedures)