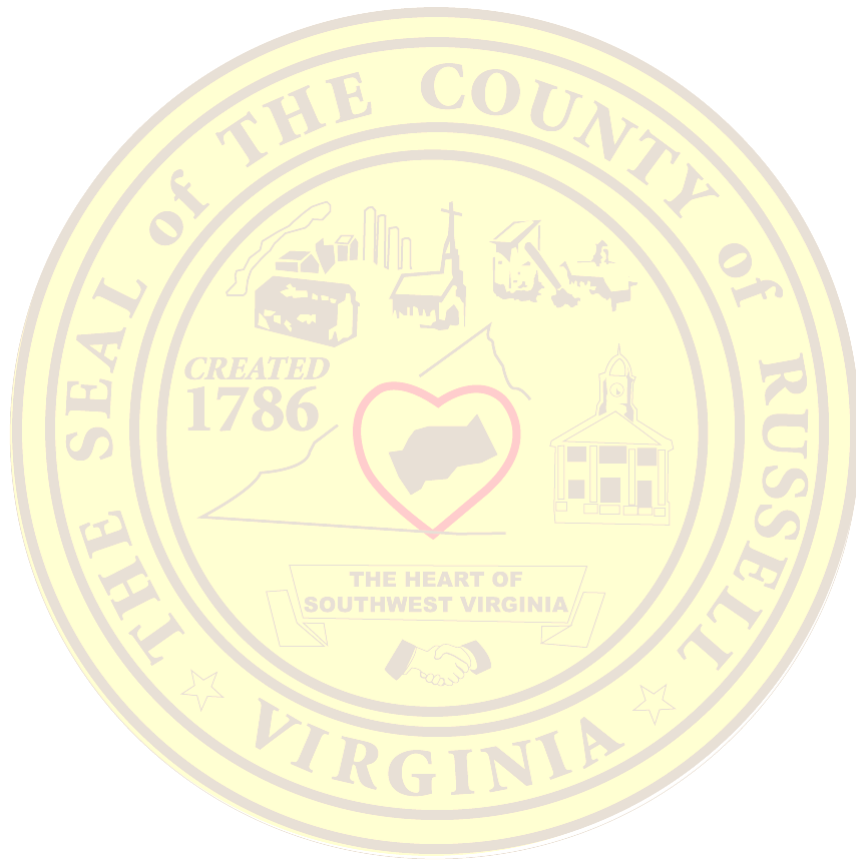


# **RUSSELL COUNTY PERSONNEL POLICIES AND PROCEDURES**



## **TABLE OF CONTENTS**

### **PART 00. PREFACE**

**SECTION 00-01 ADOPTING RESOLUTION OF THE BOARD OF SUPERVISORS**

### **PART 01. INTRODUCTION**

**SECTION 01-01 GENERAL**

**SECTION 01-02 EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

**SECTION 01-03 ESTABLISHMENT OF POLICIES**

**SECTION 01-04 APPLICABILITY OF POLICIES**

**SECTION 01-05 DISSEMINATION OF POLICIES**

**SECTION 01-06 DEFINITIONS**

**SECTION 01-07 TERMINOLOGY**

**SECTION 01-08 ADMINISTRATION**

**SECTION 01-09 EFFECTIVE DATE**

**SECTION 01-10 AMENDMENTS**

**SECTION 01-11 OBJECTIVES AND SCOPE**

**SECTION 01-12 INTERPRETATION**

### **PART 02. APPLICATIONS FOR EMPLOYMENT**

**SECTION 02-01 GENERAL**

**SECTION 02-02 VACANCIES AND NEW POSITIONS**

**SECTION 02-03 RECLASSIFICATION, RETITLING AND/OR CONSOLIDATION OF EXISTING POSITIONS**

**SECTION 02-04 TRANSFER OR PROMOTION OF EMPLOYEES**

**SECTION 02-05 PHYSICAL STANDARDS**

**SECTION 02-06 EMPLOYEE IDENTIFICATION**

**SECTION 02-07 FORM OF APPLICATION**

**SECTION 02-08 APPLICATION PROCESS**

**SECTION 02-09 OTHER STANDARDS FOR EMPLOYMENT**

**PART 03. HIRING AND APPOINTMENTS**

**SECTION 03-01 GENERAL**

**SECTION 03-02 EMPLOYMENT SELECTION PROCESS**

**SECTION 03-03 SELECTION PROCESS PARTICIPANTS**

**SECTION 03-04 REVIEW OF EMPLOYMENT APPLICATIONS**

**SECTION 03-05 EMPLOYMENT INTERVIEW**

**SECTION 03-06 CANDIDATE RECOMMENDATIONS**

**SECTION 03-07 NEGOTIATION OF SALARY OR WAGE**

**SECTION 03-08 PRE-EMPLOYMENT REQUIREMENTS**

**SECTION 03-09 PRE-EMPLOYMENT CRIMINAL RECORD REVIEW**

**SECTION 03-10 MANAGER POSITIONS**

**SECTION 03-11 TEMPORARY POSITIONS**

**SECTION 03-12 TEMPORARY EMPLOYEES**

**PART 04. ORIENTATION AND PROBATIONARY EMPLOYMENT**

**SECTION 04-01 GENERAL**

**SECTION 04-02 ORIENTATION**

**SECTION 04-03 ORIENTATION INFORMATION PACKET**

**SECTION 04-04 ON-THE-JOB TRAINING**

**SECTION 04-05 PROBATIONARY EMPLOYMENT PERIOD**

**PART 05. POSITION CLASSIFICATION PLAN**

**SECTION 05-01 GENERAL**

**SECTION 05-02 ESTABLISHMENT OF POSITION CLASSIFICATION PLAN**

**SECTION 05-03 DESIGNATION OF POSITIONS**

**SECTION 05-04 ASSIGNMENT OF POSITIONS**

**SECTION 05-05 MAINTENANCE OF POSITION CLASSIFICATION PLAN**

**SECTION 05-06 SPECIAL PROVISIONS FOR LIMITED FULL-TIME EMPLOYEES**

**PART 06. DEPARTMENTAL ORGANIZATION AND WORK SCHEDULES**

**SECTION 06-01 GENERAL**

**SECTION 06-02 SHARED POSITIONS BETWEEN DEPARTMENTS**

**PART 06. DEPARTMENTAL ORGANIZATION AND WORK SCHEDULES (continued)**

**SECTION 06-03 DESIGNATED WORKDAY, WORK WEEK AND WORK YEAR**

**SECTION 06-04 HOURS OF OPERATION**

**SECTION 06-05 MEAL PERIODS**

**SECTION 06-06 ESTABLISHMENT OF DEPARTMENTAL OPERATING POLICIES AND PROCEDURES**

**SECTION 06-07 OFFICE CLOSURE DURING EMERGENCIES**

**PART 07. EMPLOYMENT BENEFITS AND LEAVE**

**SECTION 07-01 GENERAL**

**SECTION 07-02 TYPES OF EMPLOYMENT BENEFITS**

**SECTION 07-03 ADMINISTRATION OF LEAVE**

**SECTION 07-04 ANNUAL LEAVE**

**SECTION 07-05 SICK LEAVE**

**SECTION 07-06 JURY LEAVE**

**SECTION 07-07 MILITARY LEAVE**

**SECTION 07-08 FAMILY & MEDICAL LEAVE**

**SECTION 07-09 HOLIDAY LEAVE**

**SECTION 07-10 COMPENSATION OF LEAVE AT TERMINATION OF EMPLOYMENT**

**SECTION 07-11 EMPLOYMENT BENEFITS AND LEAVE FOR PART-TIME AND FULL-TIME EMPLOYEES**

**SECTION 07-12 LEAVE TRANSFERRAL**

**SECTION 07-13 WHEN PAID LEAVE ACCRUED**

**SECTION 07-14 ABSENCES WITHOUT LEAVE**

**SECTION 07-15 WORKER'S COMPENSATION**

**SECTION 07-16 WORKER'S COMPENSATION AND EMPLOYEE PAY**

**SECTION 07-17 ADA/ADAA DISABILITIES POLICY**

**PART 08. COMPENSATORY TIME AND OVERTIME**

**SECTION 08-01 GENERAL**

**SECTION 08-02 EXEMPT POSITIONS**

**PART 08. COMPENSATORY TIME AND OVERTIME (continued)**

**SECTION 08-03 NON-EXEMPT POSITIONS**

**SECTION 08-04 ELIGIBILITY FOR COMPENSATORY TIME**

**SECTION 08-05 DEFINITION OF COMPENSATORY TIME**

**SECTION 08-06 SPECIAL CIRCUMSTANCES INVOLVING COMPENSATORY TIME**

**SECTION 08-07 AUTHORIZATION TO EARN COMPENSATORY TIME**

**SECTION 08-08 USE OF COMPENSATORY TIME**

**SECTION 08-09 PAY FOR COMPENSATORY TIME AT TERMINATION**

**SECTION 08-10 COMPENSATORY TIME AND OVERTIME PAY FOR PART-TIME AND TEMPORARY EMPLOYEES**

**SECTION 08-11 TRANSITION OF EMPLOYEES FROM NON-EXEMPT TO EXEMPT POSITIONS**

**SECTION 08-12 PART-TIME EMPLOYMENT AND COMPENSATORY TIME/OVERTIME**

**SECTION 08-13 OVERTIME PAY**

**SECTION 08-14 ADDITIONAL ANNUAL LEAVE DURING WEEKS WITH HOLIDAYS**

**PART 09. GRIEVANCE PROCEDURE**

**SECTION 09-01 GENERAL**

**SECTION 09-02 DEFINITION OF GRIEVANCE**

**SECTION 09-03 COUNTY RESPONSIBILITIES**

**SECTION 09-04 COVERAGE OF PERSONNEL**

**SECTION 09-05 DETERMINATION OF GRIEVABILITY**

**SECTION 09-06 GRIEVANCE PROCEDURE**

**SECTION 09-07 GRIEVANCE PROCEDURE-PANEL HEARING**

**PART 10. EMPLOYEE ETHICS AND CONDUCT**

**SECTION 10-01 GENERAL**

**SECTION 10-02 GIFT AND GRATUITIES**

**SECTION 10-03 CONFLICT OF INTEREST**

**SECTION 10-04 WORKPLACE HARASSMENT AND DISCRIMINATION**

**SECTION 10-05 DISCRETION AND CONFIDENTIALITY**

**SECTION 10-06 EMPLOYEES AS PUBLIC TRUSTEES**

**SECTION 10-07 RELATIONSHIP BETWEEN EMPLOYEES AND BOARD OF SUPERVISORS**

**SECTION 10-08 DRESS CODE**

**PART 10. EMPLOYEE ETHICS AND CONDUCT (continued)**

- SECTION 10-09 CHANGE OF ADDRESS OR TELEPHONE NUMBER**
- SECTION 10-10 PERSONAL CALLS ON COUNTY TELEPHONES**
- SECTION 10-11 PERSONAL USE OF COUNTY PROPERTY**
- SECTION 10-12 ADHERENCE TO SAFETY RULES**
- SECTION 10-13 DRUG AND ALCOHOL-FREE WORKPLACE**
- SECTION 10-14 EMPLOYEE RELATIONS WITH THE PUBLIC**

**PART 11. DISCIPLINARY ACTION AND TERMINATION**

- SECTION 11-01 GENERAL**
- SECTION 11-02 FORMS OF DISCIPLINARY ACTION**
- SECTION 11-03 AUTHORIZATION TO TAKE DISCIPLINARY ACTION**
- SECTION 11-04 GRADUATION OF DISCIPLINARY ACTIONS**
- SECTION 11-05 CAUSES FOR DISCIPLINARY ACTION**
- SECTION 11-06 DISCIPLINARY ACTION PROTOCOL**
- SECTION 11-07 DISCIPLINARY PROCEDURE**
- SECTION 11-08 FILINGS WITHIN PERMANENT PERSONNEL RECORD**
- SECTION 11-09 SUSPENSION WITH PAY DURING ADMINISTRATIVE INVESTIGATION**
- SECTION 11-10 DISCIPLINARY ACTION AND PERFORMANCE EVALUATION**
- SECTION 11-11 DEMOTIONS**
- SECTION 11-12 SUSPENSION AND EMPLOYMENT BENEFITS PROGRAMS AND LEAVE**
- SECTION 11-13 TERMINATION FOR DISCIPLINARY REASONS**
- SECTION 11-14 RESIGNATION**
- SECTION 11-15 RETIREMENT**
- SECTION 11-16 EMPLOYMENT BENEFITS PROGRAMS UPON TERMINATION, RESIGNATION OR RETIREMENT**

**PART 12. EMPLOYEE PAY PLAN**

- SECTION 12-01 PAY PERIODS**
- SECTION 12-02 SALARIES AND SALARIED OVERTIME COMPENSATION**
- SECTION 12-03 AUTHORIZED PAYROLL DEDUCTIONS**
- SECTION 12-04 DEDUCTIONS ON TERMINATION**
- SECTION 12-05 PROBATIONARY EMPLOYMENT AND ANNUAL INCREASES**

**PART 13. MISCELLANEOUS**

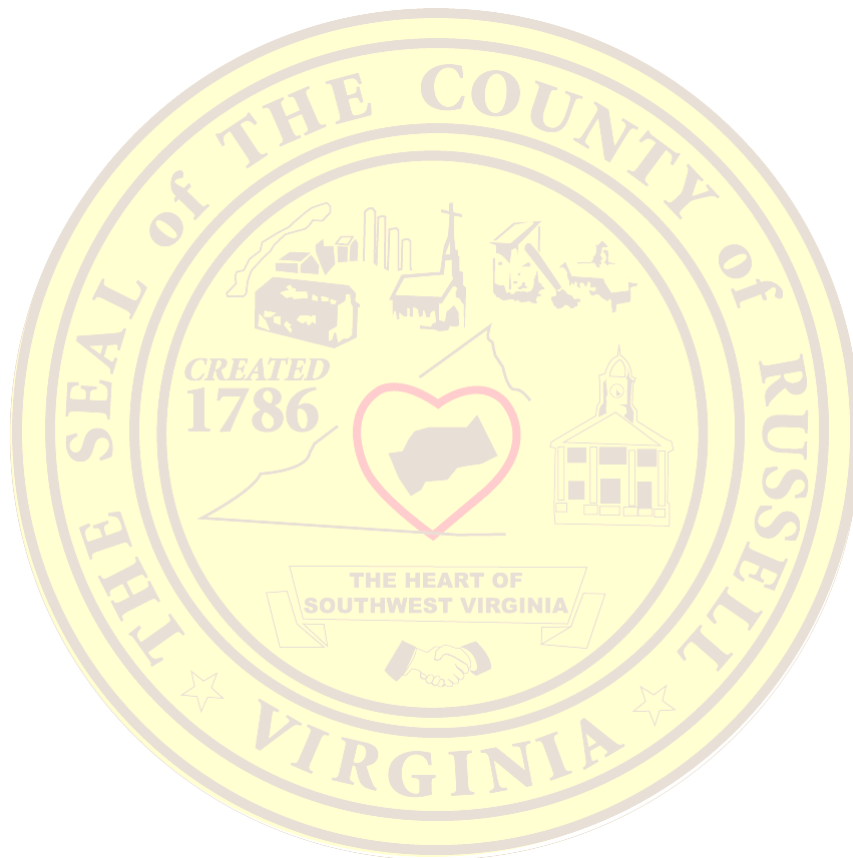
- SECTION 13-01 EMPLOYEE TRAVEL**
- SECTION 13-02 REIMBURSEMENT OF EMPLOYEE PURCHASES**
- SECTION 13-03 EMPLOYEE USE OF COUNTY INTERNET ACCESS**

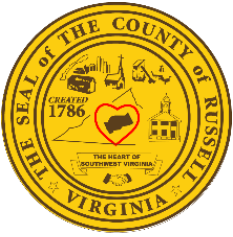
**SECTION 00-01**

**Effective Date: August 3, 2020**

**ADOPTING RESOLUTION OF THE BOARD OF SUPERVISORS**

Resolution 07-20 of the Russell County Board of Supervisors are incorporated into this Manual and included on the following pages.





# COUNTY OF RUSSELL

137 HIGHLANDS DRIVE

LEBANON, VIRGINIA 24266

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(276) 889-8000

(276) 889-8011 (FAX)

## VIRGINIA:

At a meeting of the Russell County Board of Supervisors held August 3, 2020, at 6 p.m., at the Russell County Government Center in Lebanon, Virginia, the following were present:

### PRESENT

Chairperson Rebecca Dye – District 6

Vice Chairman Steve Breeding – District 5

Tim Lovelace – District 1

Lou Ann Wallace – District 2

Carl Rhea – District 3

David Eaton – District 4

Oris Christian – At-Large

Lonzo Lester, County Administrator

Katy Patton, County Attorney

On motion of Lou Ann Wallace, second by Tim Lovelace, it was resolved to adopt the following Resolution:

### **RESOLUTION NUMBER 07-20**

WHEREAS, the Board of Supervisors of Russell County has determined that the present *Personnel Policy For Employees of Russell County, Virginia* adopted by the Board of Supervisors, effective as of August 3, 2020, and including all subsequent amendments thereto is now largely inadequate to meet the needs of County employees and the Board of Supervisors as a public employer, and

WHEREAS, the Board of Supervisors desires to revise and re-adopt certain rules, relative to the conduct of personnel administration for County employees under the employment of the Board of Supervisors, and

WHEREAS, the Personnel Policies Review Committee of the Board of Supervisors recommends the re-adoption of certain revised rules, regulations, guidelines, policies and procedures now embodied in the *Russell County Board of Supervisors Personnel Policies and Procedures Manual*, and



## COUNTY OF RUSSELL

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Russell County, Virginia that it hereby approves, adopts and makes effective the provisions of Sections 1 through 13 inclusive of the *Russell County Board of Supervisors Personnel Policies and Procedures Manual* effective as of August 3, 2020.

BE IT ALSO RESOLVED the record copies of the *Russell County Board of Supervisors Personnel Policies and Procedures Manual* as adopted hereby this Resolution be maintained in the Offices of County Administrator and County Attorney pursuant to Section 01-05 of this Manual, and that original Extract Copies of the Minutes of the Meeting of the Board of Supervisors containing this Resolution be made part of those record copies.

BE IT ALSO RESOLVED that this Manual be distributed to County employees in accordance with the provisions of the Manual; and that copies also be distributed to all elected officials and other heads of agencies and organizations of the Constitutional, Independent Agency, Judicial and Political Sub-Divisions of the Russell County government as set forth in the *Preface* of the Manual.

I hereby certify that the aforementioned Resolution is a true exact copy of the Resolution adopted by the Russell County, Virginia Board of Supervisors at their regular meeting held August 3, 2020.

**The vote on this motion was as follows: (6-1)**

Rebecca Dye	Aye	Lou Ann Wallace	Aye	David Eaton	Aye
Steve Breeding	Aye	Carl Rhea	Aye	Oris Christian	Nay
Tim Lovelace	Aye				

*LONZO LESTER, MBA, CPC, VCO*

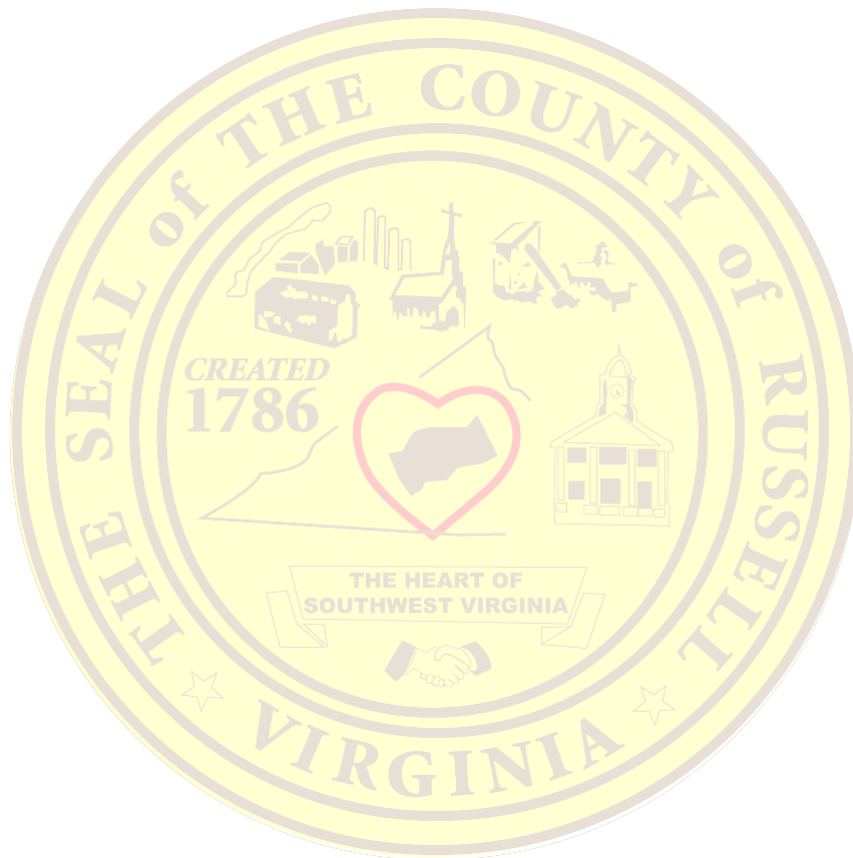
Lonzo Lester, County Administrator

## **SECTION 01-01**

**Effective Date: August 3, 2020**

### **GENERAL**

The *Russell County Board of Supervisors Personnel Policies and Procedures Manual* (hereinafter referred to as “Manual”) will contain policies and procedures governing employees of the Russell County government. These policies and procedures are to be followed with regard to employment, promotion, demotion, dismissal and any other activities dealing with personnel which is deemed necessary in order to clarify the County’s or employee’s position in the personnel system established by the Russell County Board of Supervisors.



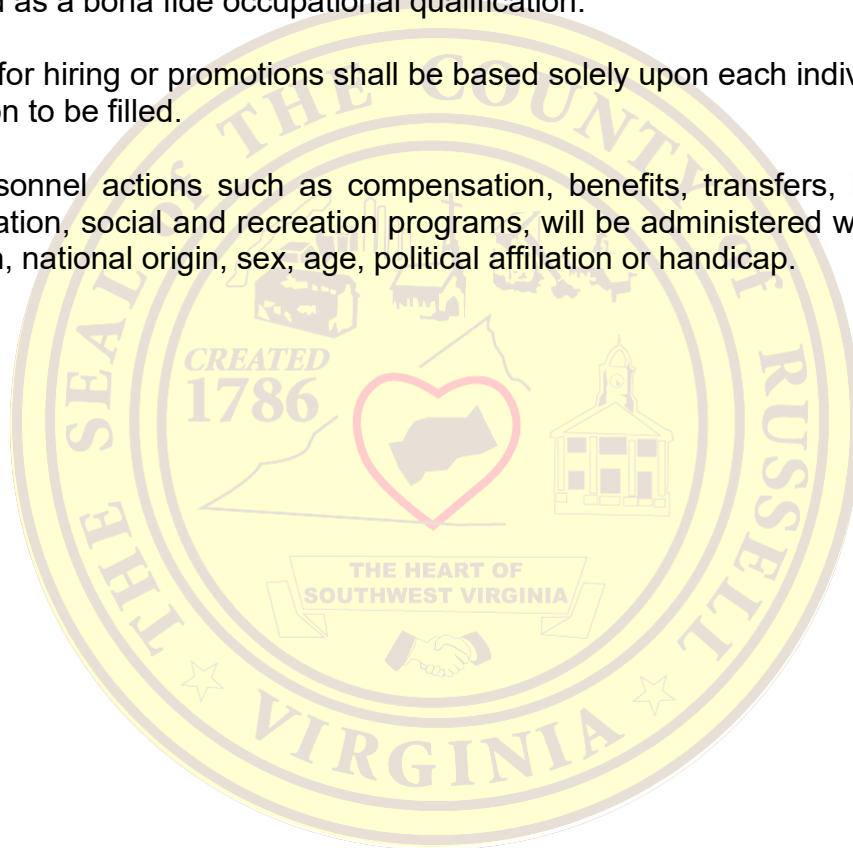
## **SECTION 01-02**

**Effective Date: August 3, 2020**

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

It is the policy of the Russell County Board of Supervisors to provide equal opportunity in employment and advancement, and to administer its employment policies without regard to race, color, religion, sex, age, national origin, political affiliation or handicapping condition. This policy will prevail throughout every aspect of employment practice including, but not limited to the following:

- (A) Recruiting, hiring and promoting in all job classifications without regard to race, color, religion, sex, age, national origin, political affiliation or handicap, except where age or sex can be demonstrated as a bona fide occupational qualification.
- (B) All decisions for hiring or promotions shall be based solely upon each individual's qualifications for the position to be filled.
- (C) All other personnel actions such as compensation, benefits, transfers, layoffs, returns from layoffs, education, social and recreation programs, will be administered without regard to race, color, religion, national origin, sex, age, political affiliation or handicap.

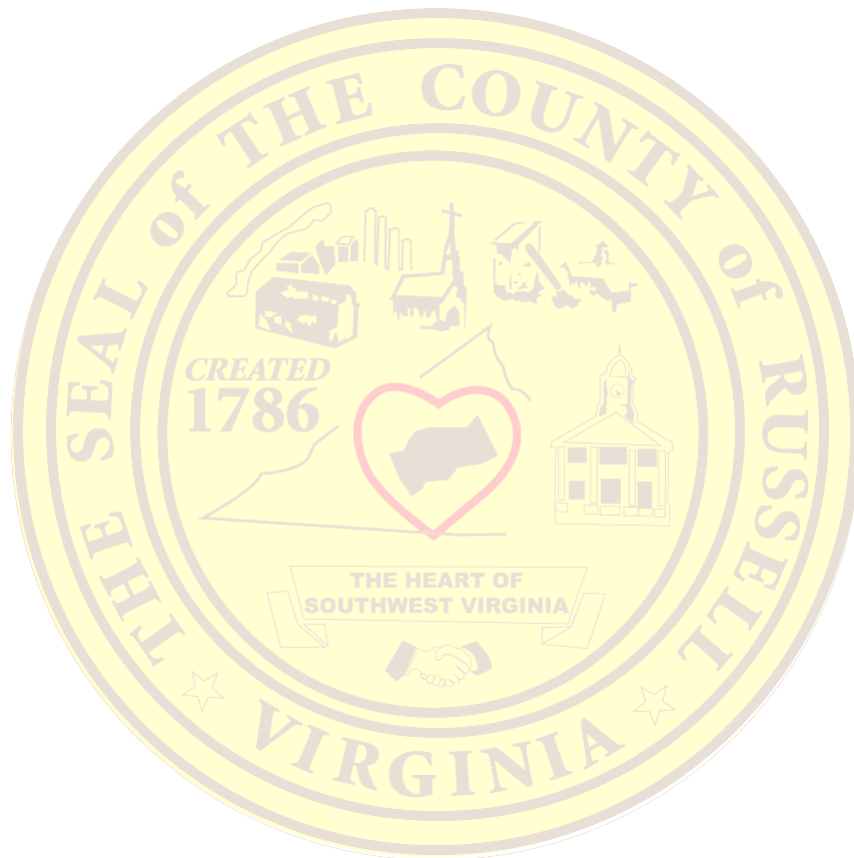


**SECTION 01-03**

**Effective Date: August 3, 2020**

**ESTABLISHMENT OF POLICIES**

The following rules, regulations, and other administrative provisions for personnel administration (hereinafter called "Policies") are established for the information and guidance of all concerned.

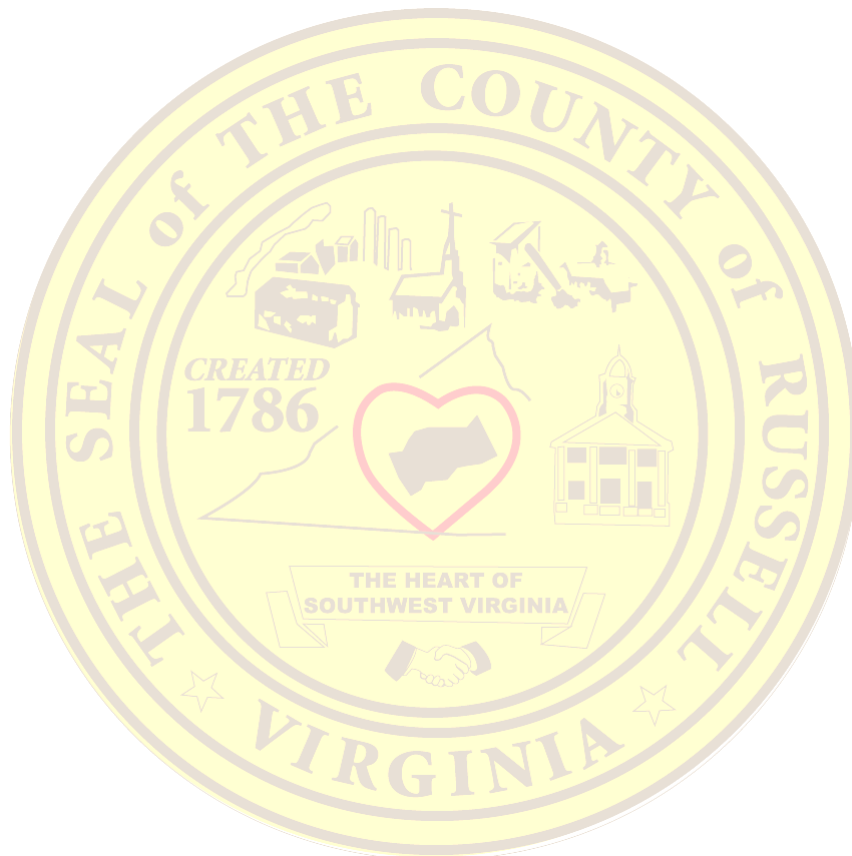


## **SECTION 01-04**

**Effective Date: August 3, 2020**

### **APPLICABILITY OF POLICIES**

The Policies herein established and set forth in this Manual shall apply to all permanent/full-time employees of the County government as defined. Application of these Policies to permanent/part-time, temporary/full-time and temporary/part-time employees are as may be indicated within the various provisions of this Manual.



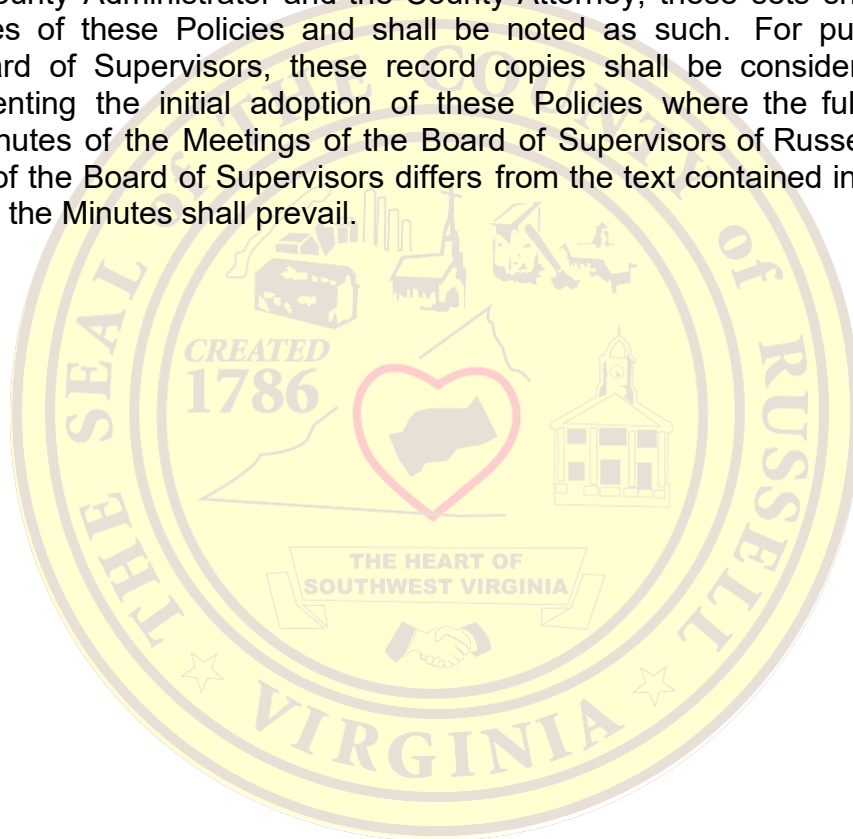
## **SECTION 01-05**

**Effective Date: August 3, 2020**

### **DISSEMINATION OF POLICIES**

The County Administrator will make public complete copies of all Policies and amendments thereto within thirty (30) calendar days and shall be responsible for maintaining a complete current set of Policies, and for bringing these Policies to the attention of all officers and employees of the County government. All employees will sign a letter of acknowledgement and understanding of these policies that will be placed in the employee's personnel file.

One (1) complete set of these Policies and all amendments thereto will be maintained at all times in the Office of the County Administrator and the County Attorney; these sets shall be considered as official record copies of these Policies and shall be noted as such. For purposes of the public records of the Board of Supervisors, these record copies shall be considered sufficient for the purpose of documenting the initial adoption of these Policies where the full text of same is not contained in the Minutes of the Meetings of the Board of Supervisors of Russell County. Where the text of the Minutes of the Board of Supervisors differs from the text contained in these record copies, the text contained in the Minutes shall prevail.



## **SECTION 01-06**

**Effective Date: August 3, 2020**

### **DEFINITIONS**

Where used within this Personnel Policy Manual, the following words and terms shall have the meaning indicated herein:

A. Administration:

The various offices, departments, and employees of the County government established by the Russell County Board of Supervisors.

B. At-Will Employment:

Employment with the County is at-will, for an indefinite period of time, until terminated by either the County or the employee, with or without cause. That means either party may end the relationship at any time.

C. Budget Authority:

A condition where sufficient funds have been appropriated by the Russell County Board of Supervisors and available for expenditure within a budgetary department of the County's Operating Budget to undertake the purchase of a good or service. In certain situations, sufficient funds must exist with a specific line-item(s) of a budgetary department and be available for expenditure before budget authority shall exist.

D. Complaint:

An allegation of a violation of or offense against the provisions of the County personnel, departmental or other policies, procedures, regulations, rules or practices by a County official, another employee, or from the public, against an employee.

E. Demotion:

County Administrator initiated assignment of an employee to a lower position with less job responsibilities that results in a minimum of a 5% reduction in base salary upon board approval.

F. Employee:

An individual filling an authorized compensated position in the County government. Employees are of two types:

1. Full-Time: A salaried employee or position employed to work up to eight hours or more per day, forty hours or more per seven consecutive calendar day workweek or not less than fifty weeks per year. P.T.O. (Paid Time Off), Sick Leave and designated County holidays shall count as time worked for this purpose. Meal Periods shall not count as time worked for this purpose. As used herein the Personnel Policy Manual, the term "Full-Time" shall apply only to Full-Time employees and positions unless otherwise specified.
2. Part-Time: Employees that are paid by the hour and limited to (1,500) hours of work in a consecutive (365) day period beginning on the anniversary of their hire date. They are paid only for hours worked.
3. **Notwithstanding the above classifications, all employees are at-will employee.**

G. Guideline:

A term used to refer to policies, procedures, or principles that may not require strict adherence in interpretation or application, but rather may be broadly construed.

H. Position Description:

A written description of minimum job qualifications and essential duties and responsibilities for a specific position of employment. It identifies job requirements and development needs and lets the employee know what is expected by defining the work to be performed in relation to the overall goals of the department. The Position Description shall not be interpreted to limit an employee's role but is, instead, intended to define the minimal requirements.

I. Permanent Personnel Record:

The body of official records maintained by the County Administrator or his/her designee on all employees relative to their employment within the County.

J. Full-Time Position:

A position of employment within the County that has been approved by the Russell County Board of Supervisors for an employee to provide services on behalf of the County for a minimum of (40) hours per work.

K. Promotion:

County Administrator initiated assignment of an employee to a higher position with more job responsibilities that results base salary increase upon board approval.



L. Resignation:

The permanent separation of employment from the County initiated voluntarily by an employee. Resignations must be submitted in writing to the County Administrator or his/her designee and likewise accepted by the board.

M. Sexual Harassment:

As defined in guidelines published by the Equal Employment Opportunity Commission and in Section 10-04 of the Personnel Policy Manual, sexual harassment includes sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

N. Suspension:

A temporary separation from paid employment for disciplinary purposes. An employee's paid employment may be suspended by action of the County Administrator without pay for an indefinite period not to exceed sixty working days as a disciplinary action.

O. Temporary Position:

A position within the County where budget authority has been provided for the County Administrator to establish such position where there exists a short term need for an employee to provide services. Budget authority for temporary positions is said to exist where funds have been appropriated to a specific line-item(s) within a budgetary department for compensation of temporary employees. Temporary positions are not established for more than one County fiscal year but may be reauthorized indefinitely so long as budget authority exists. No temporary position may be established and filled for more than fifty calendar weeks within any County fiscal year.

P. Termination:

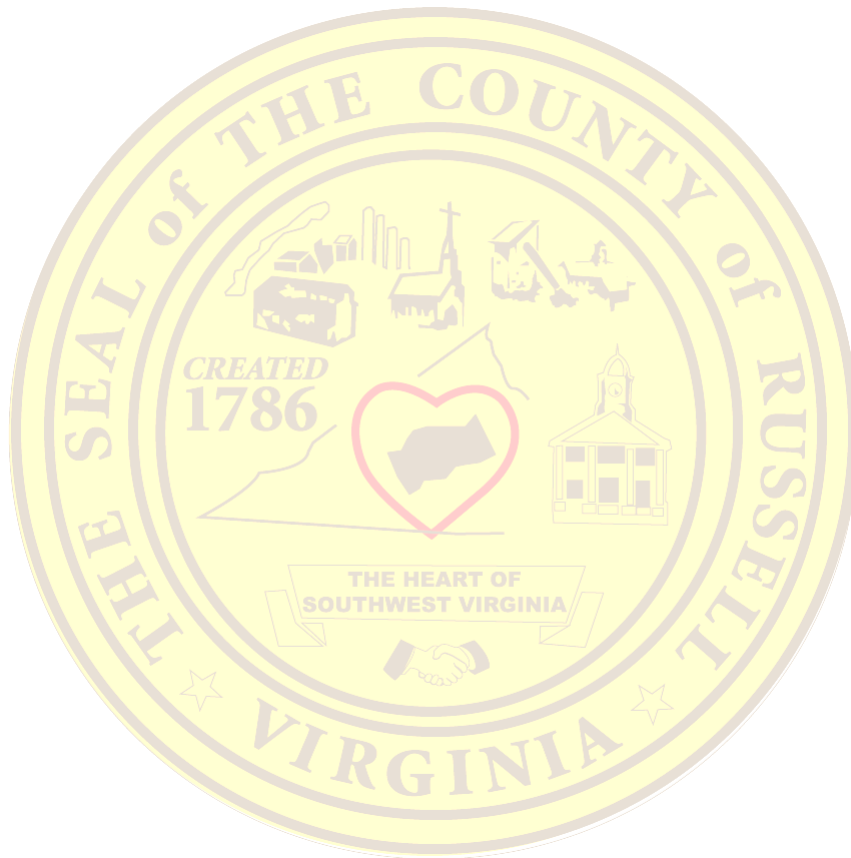
The permanent separation of employment from the County. Termination from employment may result from any of the following non-exclusive list of actions: voluntary resignation, retirement, layoff, discharge for failure to meet minimal standards of performance, or disciplinary discharge for reasons of misconduct or otherwise.

Q. Verbal Warning:

A disciplinary action involving formal discussion and correction of a violation of personnel or departmental policies, procedures, rules, practices or guidelines undertaken between the supervisor, and an employee. When using a verbal warning as a disciplinary action, the employee must be advised that the discussion is considered a verbal warning within the context of the provisions concerning employee discipline.

R. Written Warning:

A disciplinary action involving the preparation of a written record of a violation of personnel policies, procedures, rules, practices or guidelines taken by the supervisor and the County Administrator against an employee. Written warnings shall be placed in the employee's Permanent Personnel Record with prior approval of the County Administrator. When a formal written warning is used as a disciplinary procedure, it must be so stated as part of the written warning.

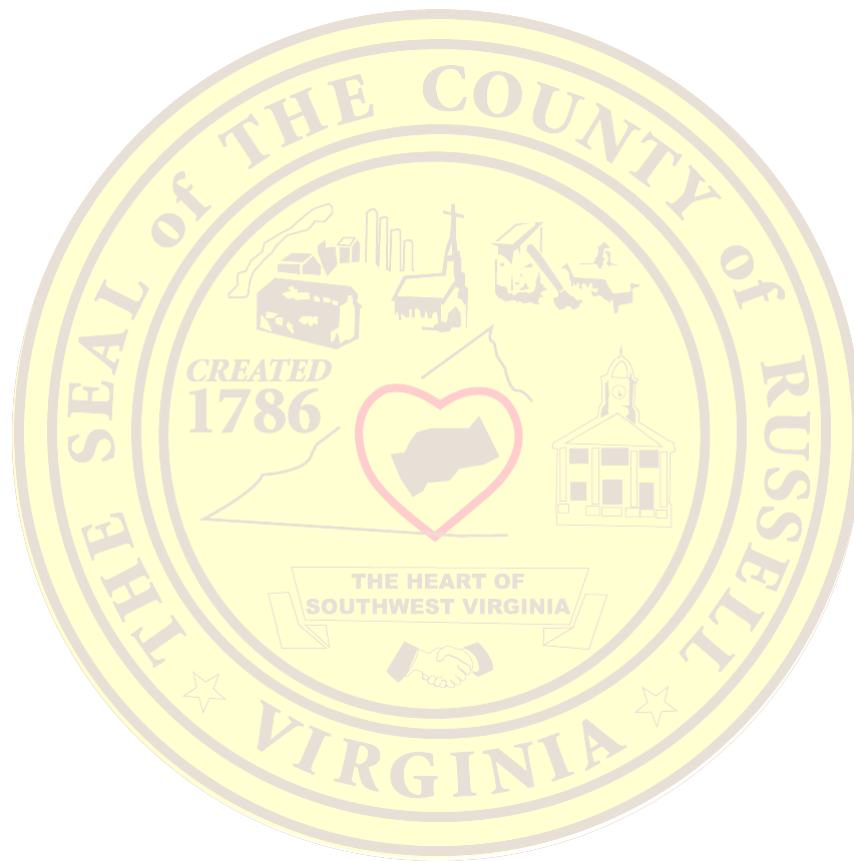


## **SECTION 01-07**

**Effective Date: August 3, 2020**

### **TERMINOLOGY**

Throughout this Personnel Policy Manual, the use of the word “shall” or “must” is interpreted as mandatory or compulsory; the word “may” be interpreted as permissive or discretionary.



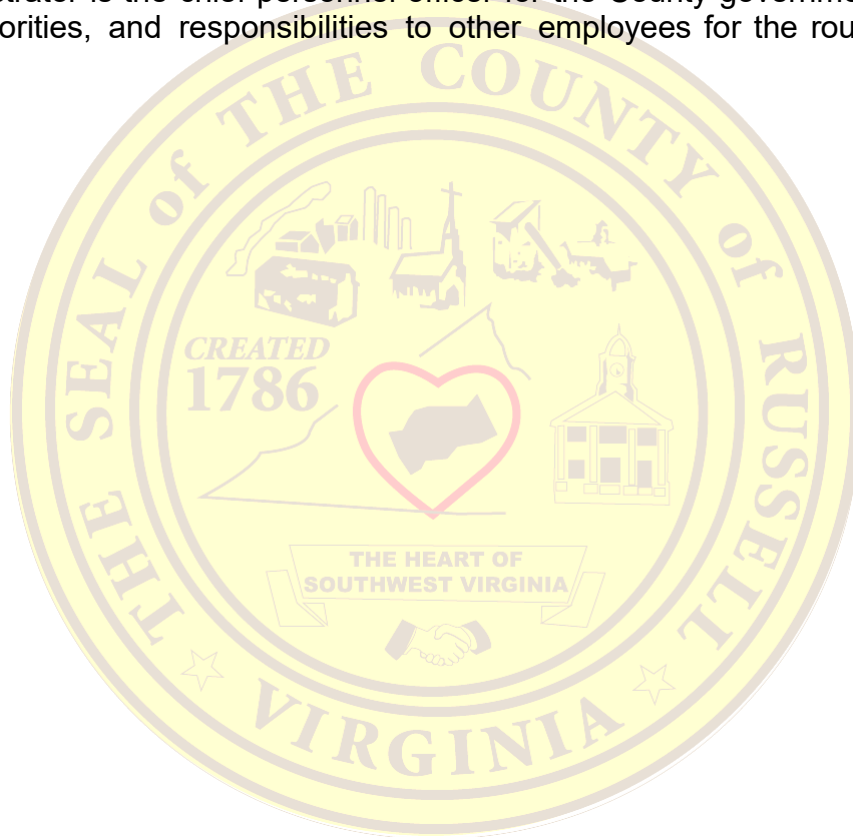
## **SECTION 01-08**

**Effective Date: August 3, 2020**

### **ADMINISTRATION**

The Russell County Board of Supervisors and the County Administrator are empowered under the *Code of Virginia* and the County ordinances to establish offices and departments, to employ personnel and to set salaries. These Policies are intended to cover all facets of the County's personnel management practices in accordance with that grant of authority. The County Administrator is responsible for overall personnel management practices and maintaining a modern personnel program.

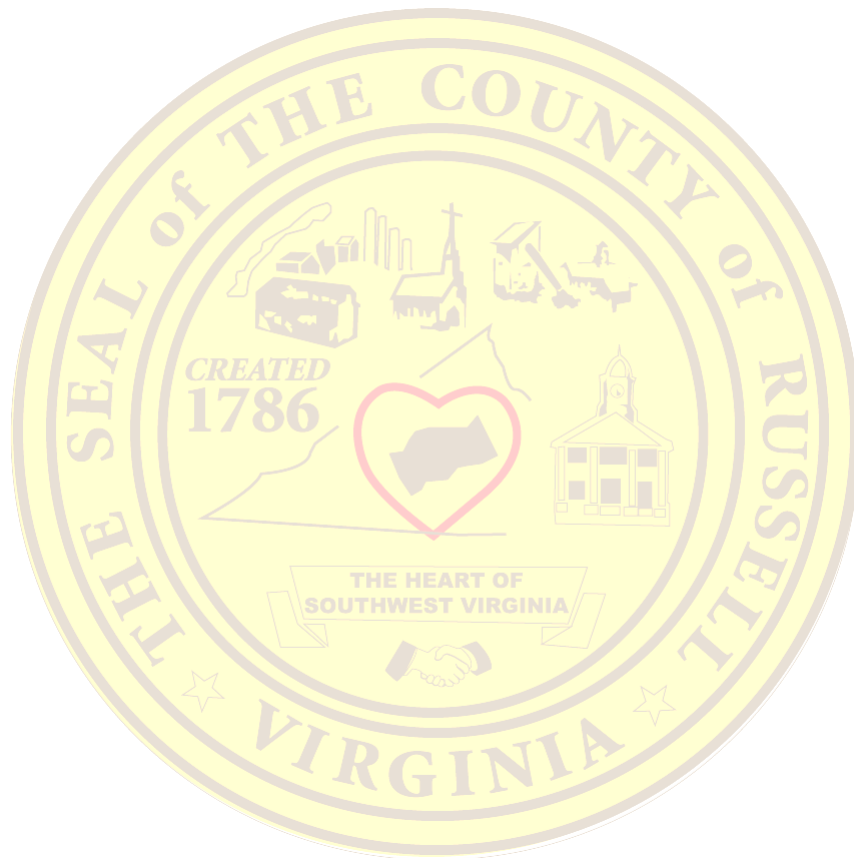
The County Administrator is the chief personnel officer for the County government and may delegate certain duties, authorities, and responsibilities to other employees for the routine administration of these Policies.



**SECTION 01-09**  
**Effective Date: August 3, 2020**

**EFFECTIVE DATE**

The Policies set forth in this Manual are effective and in full force as of August 3, 2020.



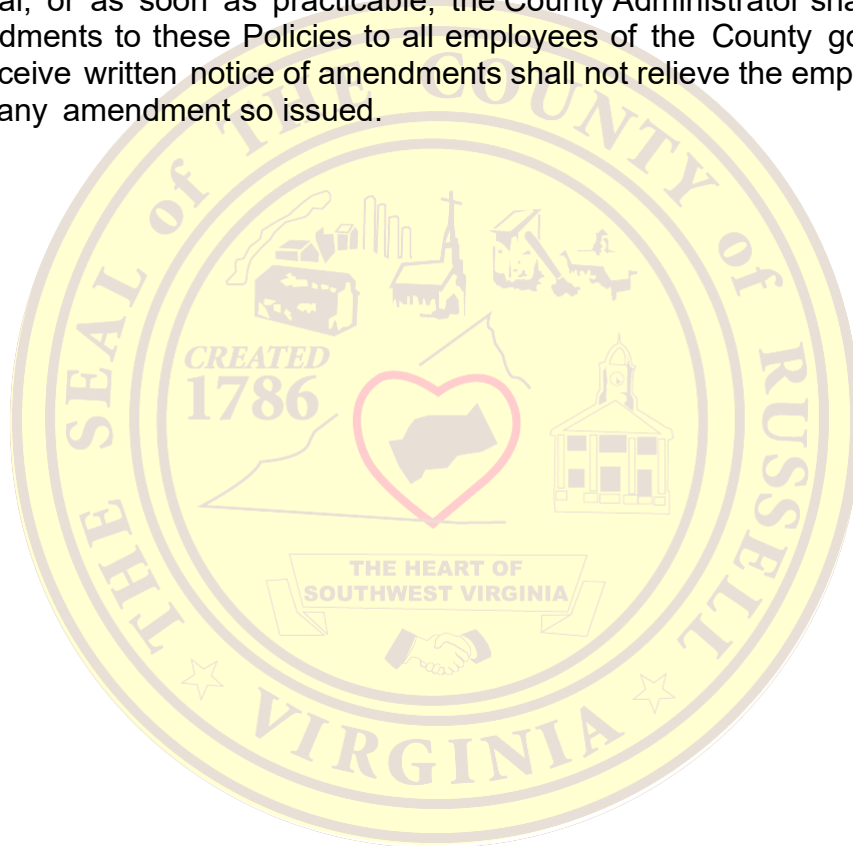
## **SECTION 01-10**

**Effective Date: August 3, 2020**

### **AMENDMENTS**

When, in the opinion of the County Administrator, reasonable change has occurred to warrant an amendment to this Manual, such an amendment will be made with the approval of the Russell County Board of Supervisors. The Board of Supervisors may direct the County Administrator to review these Policies and recommend changes. No change to these Policies may be made without said change being first reviewed and prepared by the County Administrator and approved by the Board of Supervisors.

Within such approval, or as soon as practicable, the County Administrator shall disseminate written copies of any amendments to these Policies to all employees of the County government. Failure of any employee to receive written notice of amendments shall not relieve the employee of responsibility for compliance with any amendment so issued.



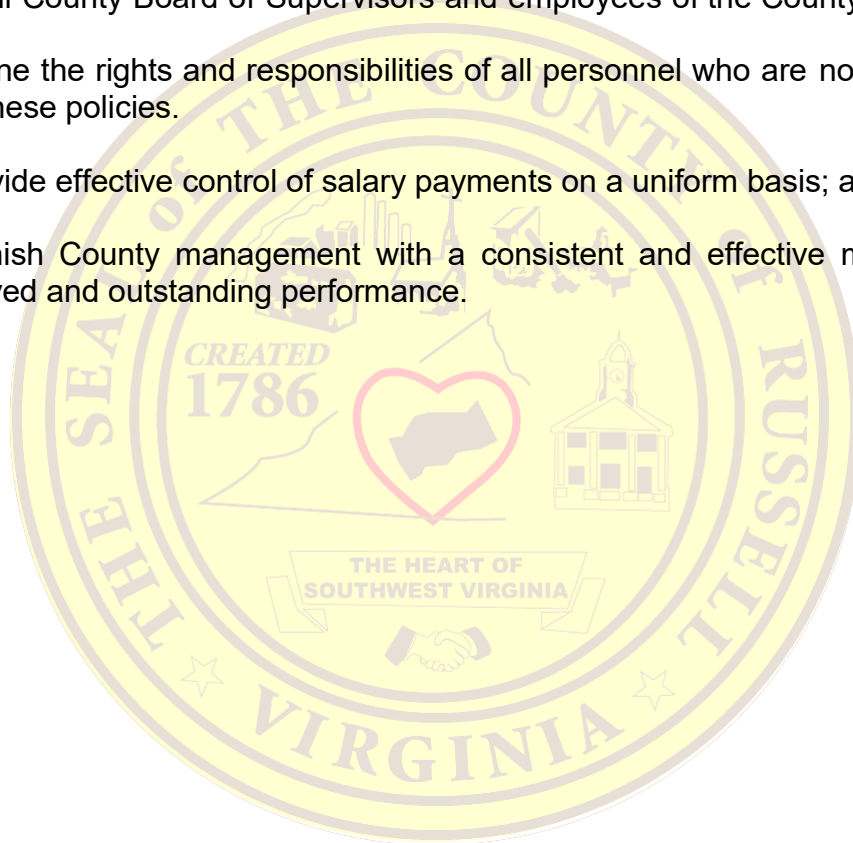
## **SECTION 01-11**

**Effective Date: August 3, 2020**

### **OBJECTIVES AND SCOPE**

The specific objectives of the Board of Supervisors' personnel management practices shall be:

- to provide a clear statement of policies, rules, regulations and standards that shall govern the conduct of employees and Russell County Board of Supervisors regarding personnel practices and policies.
- to provide a definition of rights and procedures that regulate the personnel actions of the Russell County Board of Supervisors and employees of the County government.
- to define the rights and responsibilities of all personnel who are not otherwise exempted from these policies.
- to provide effective control of salary payments on a uniform basis; and
- to furnish County management with a consistent and effective means of recognizing improved and outstanding performance.

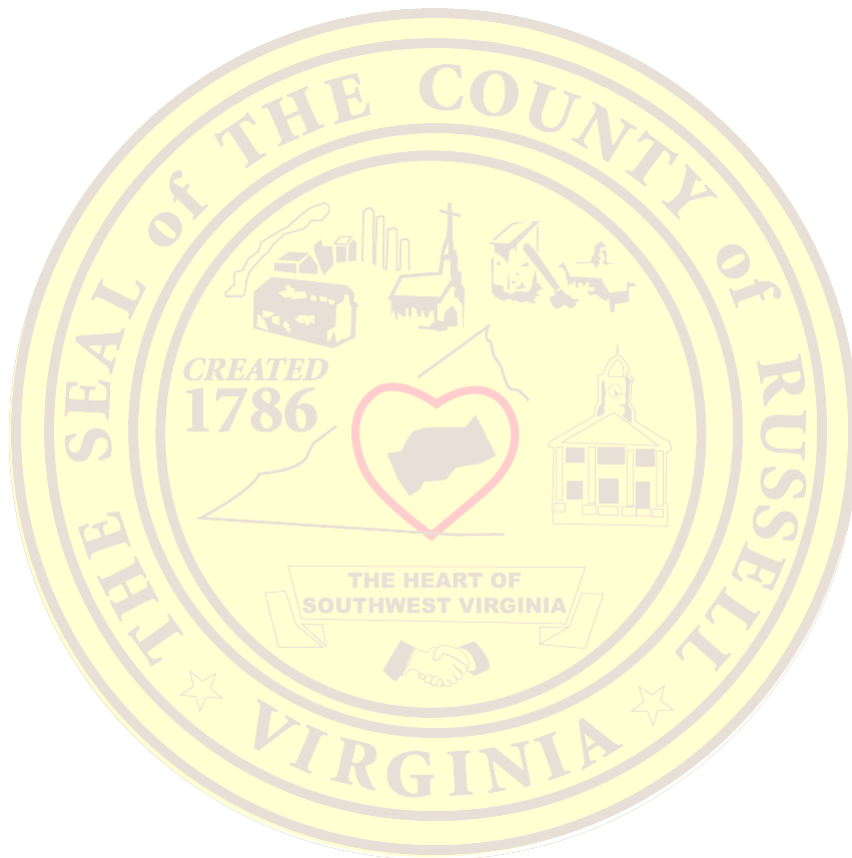


**SECTION 01-12**

**Effective Date: August 3, 2020**

**INTERPRETATION**

These Policies are intended to cover most personnel problems and actions for which the County Administrator is responsible. Those not specifically covered shall be interpreted by the County Administrator in keeping with the intent of these policies and all applicable Federal and State laws.



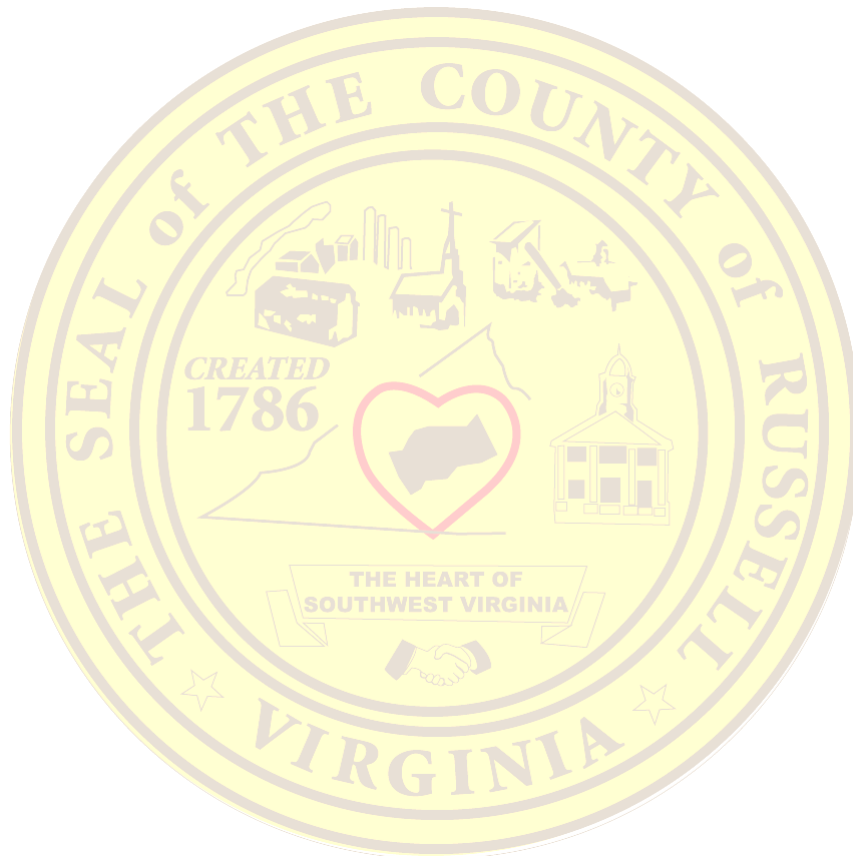


**SECTION 02-01**

**Effective Date: August 3, 2020**

**GENERAL**

It is the policy of the Russell County Board of Supervisors to recruit and employ the most qualified individuals meeting the broad general requirements found in the Position Descriptions. The Position Descriptions contain general information concerning the nature, responsibilities of and desired qualifications for positions; they are not absolute standards or for either job performance or candidacy for consideration of a posted position.



## **SECTION 02-02**

**Effective Date: August 3, 2020**

### **VACANCIES AND NEW POSITIONS**

Upon any vacancy of an existing permanent/full-time position of the *Manager* position, the County Administrator shall submit the Position Description to the Board of Supervisors for review. The Board of Supervisors may then authorize the County Administrator to post (publicize) the position as being vacant in accordance with the policies and procedures of this Section. At the time an existing permanent/full-time position of the *Supervisor/Assistant/Operator/Technician/Aide* position becomes vacant, the County Administrator may post (publicize) the position in accordance with the policies and procedures of this Section provided budget authority exists to refill the position. Board of Supervisors approval is not required to refill positions within the *Supervisor/Assistant/Operator/Technician/Aide* position unless additional funds are required in order for the position to be refilled.

Position Descriptions for permanent/full-time and permanent/part-time positions shall be approved by the Board of Supervisors prior to the posting of any such position. Temporary/full-time and temporary/part-time positions as needed may be administratively established by the County Administrator where budget authority exists to support them. No temporary position may be posted or filled without prior written approval of the County Administrator. Position Descriptions for temporary/full-time and temporary/part-time positions are not required but may be established and approved for use by the County Administrator at his/her discretion. Where a Position Description is approved for use, any vacancies in that position shall be posted based on the requirements of its Position Description.

Any request to establish or create a new permanent/full-time or permanent/part-time position shall be made to the County Administrator. The County Administrator shall review the need for such a position, and if appearing warranted, shall prepare a draft Position Description for review and approval by the Board of Supervisors. The County Administrator shall recommend a salary or wage range for the position consistent with the labor market. The Board of Supervisors must act to approve the Position Description, recommended salary or wage range, and appropriate such funds as may be needed for the position prior to its posting or filling.

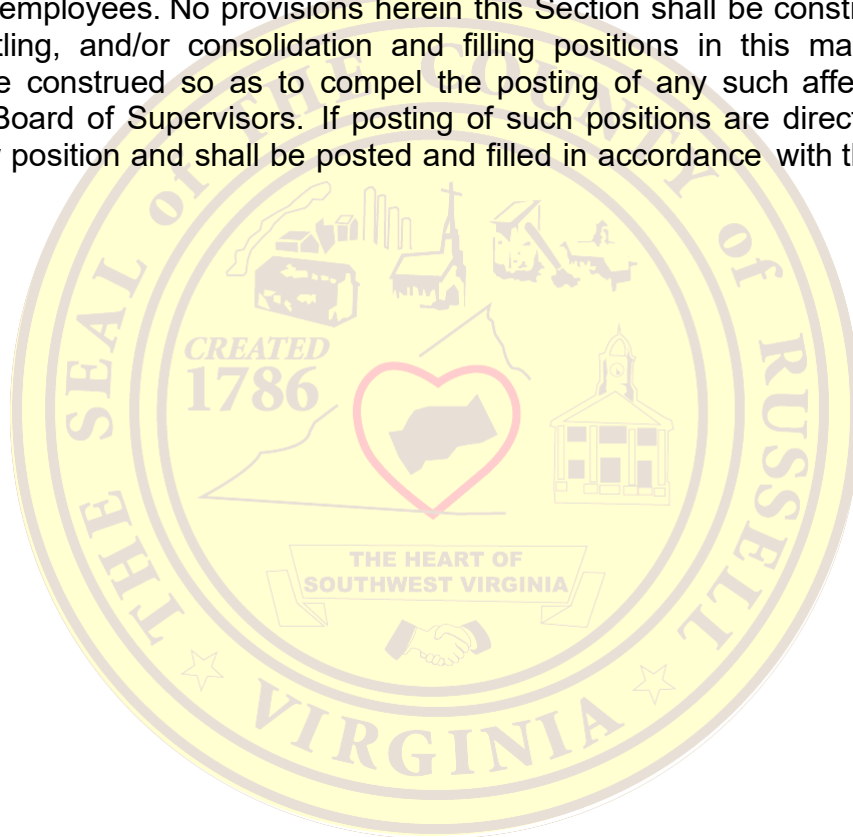
## **SECTION 02-03**

**Effective Date: August 3, 2020**

### **RECLASSIFICATION, RETITLING AND/OR CONSOLIDATION OF EXISTING POSITIONS**

From time to time, existing positions may be (i). reclassified (moved from one position to another); (ii). retitled (a new position title given to an existing position), and/or (iii). consolidated (two (2) or more positions merged into a single position). Consolidation of positions may result in a reduction of the workforce.

The Board of Supervisors may direct, or the County Administrator may recommend to the Board of Supervisors positions for reclassification, retitling, and/or consolidation with the position(s) affected to be filled by present employees. No provisions herein this Section shall be construed so as to prevent reclassification, retitling, and/or consolidation and filling positions in this manner, nor shall any provisions herein be construed so as to compel the posting of any such affected positions unless so directed by the Board of Supervisors. If posting of such positions are directed, the position shall be treated as a new position and shall be posted and filled in accordance with this Manual.



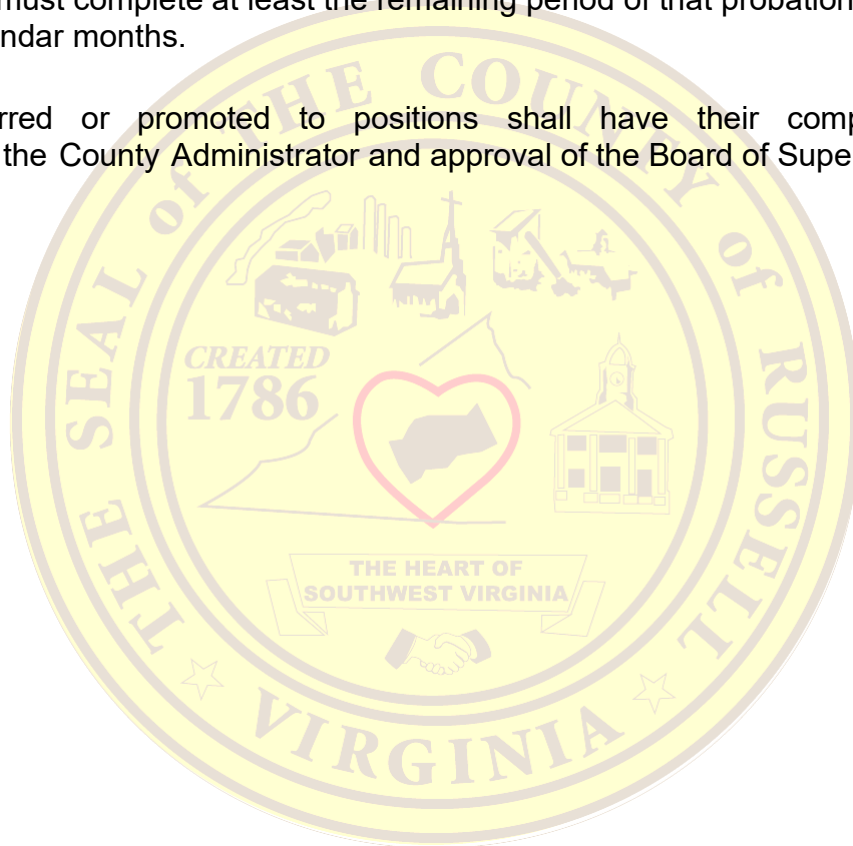
## **SECTION 02-04**

**Effective Date: August 3, 2020**

### **TRANSFER OR PROMOTION OF EMPLOYEES**

Where vacancies exist in previously approved positions of the *Supervisor/Specialist/Assistant/Operator/Technician/Aide*, upon recommendation and approval of the County Administrator, a permanent/full-time or permanent/part-time employee within the same department as the vacancy may be transferred to that position. The County Administrator shall establish a probationary employment period of no less than two (2) nor more than six (6) calendar months for any employee so transferred, provided that such employee has completed the full twelve (12) month probationary period required by all initial hires. If the employee is currently completing their initial probationary period, then that employee must complete at least the remaining period of that probationary period even if it is in excess of six calendar months.

Employees transferred or promoted to positions shall have their compensation set upon recommendation of the County Administrator and approval of the Board of Supervisors.

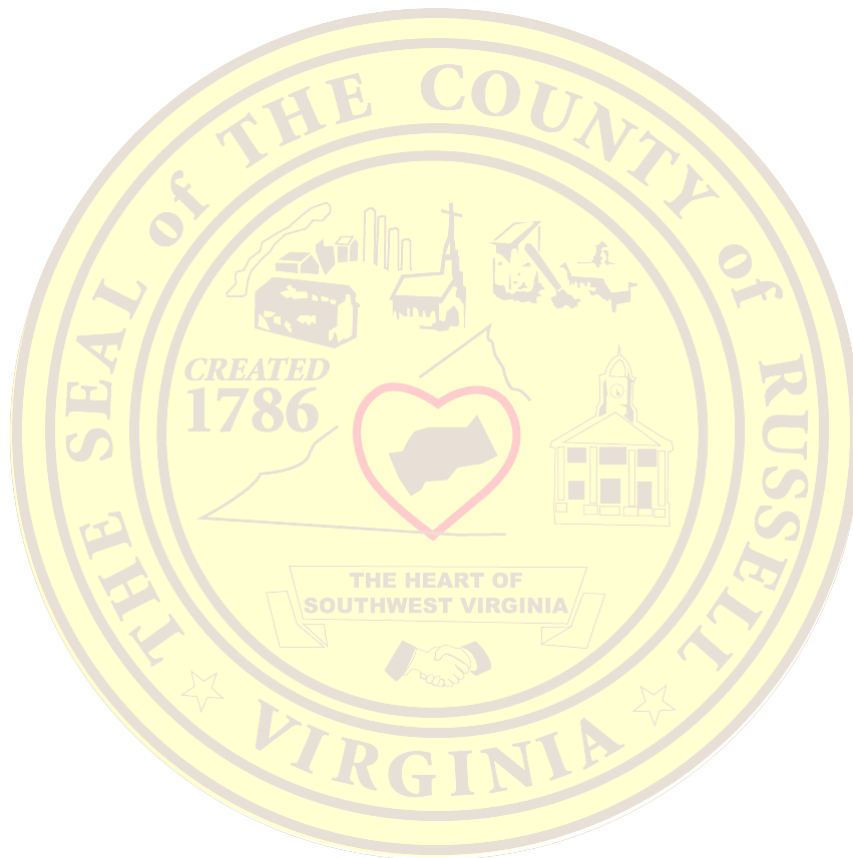


**SECTION 02-05**

**Effective Date: August 3, 2020**

**PHYSICAL STANDARDS**

Applicants for employment and all employees must meet and maintain the physical standards established for the position for which they apply or hold, if any, as set out in the Position Descriptions. Pre-employment physical examinations if required shall be administered under the guidelines of applicable federal and/or state standards. In addition, the County will adhere to the non-discriminatory policies set forth in federal and state law, including reasonable accommodations to allow handicapped persons to perform the essential functions of positions.

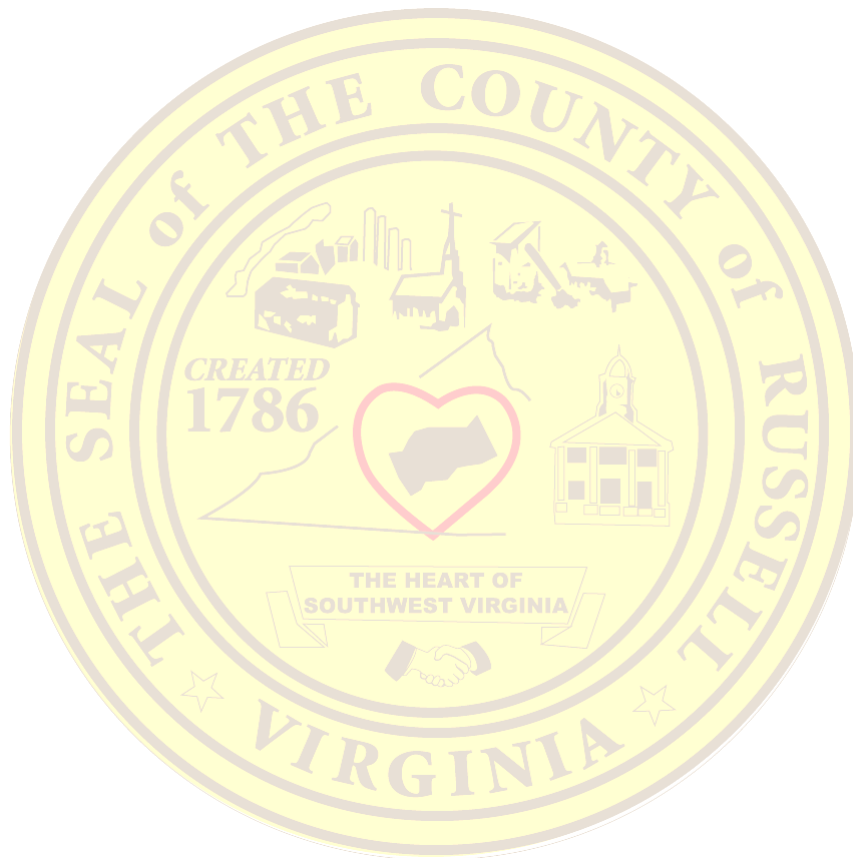


**SECTION 02-06**

**Effective Date: August 3, 2020**

**EMPLOYEE IDENTIFICATION**

All applicants for employment must furnish references and be interviewed prior to being considered for employment. Certain employees may be fingerprinted and/or bonded if determined necessary after acceptance of employment. The County Administrator shall determine and advise potential applicants at the time of posting the Notice of Position Vacancy/Availability if fingerprinting or bonding will be required.



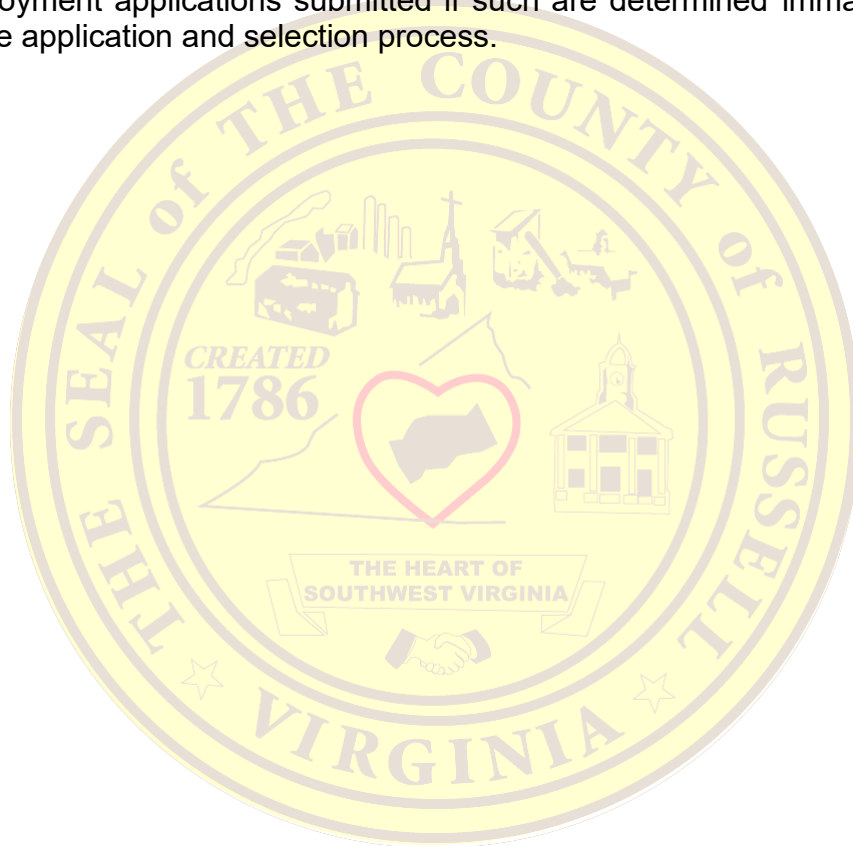
## **SECTION 02-07**

**Effective Date: August 3, 2020**

### **FORM OF APPLICATION**

All applicants for employment must prepare an application for employment form supplied by the County with all requested information completed. All application forms shall comply with applicable state and federal regulations and executive orders.

In addition to complete employment applications forms, certain positions may require resumes as part of complete employment applications. Resume submission if required shall be stated in the Notice of Position Vacancy/Availability posting. The County Administrator may waive any irregularities or deficiencies in employment applications submitted if such are determined immaterial to informational needs supporting the application and selection process.



## **SECTION 02-08**

**Effective Date: August 3, 2020**

### **APPLICATION PROCESS**

The County will adhere to the following rules and procedures concerning the application process:

(A). The County Administrator or his/her designee shall develop, maintain, and update as necessary all forms needed to constitute a complete application for employment for positions. The County Administrator in consultation with the County Attorney shall review all such forms prior to use.

(B). A "Notice of Position Vacancy" (for vacant, previously approved positions) or "Notice of Position Availability" (for new, approved but not-previously-filled positions) shall be prepared by the County Administrator for all open positions within the County. This Notice shall contain the full text of the Position Description's *General Description of Responsibilities* and *Qualifications* sections or an adequately summarized version thereof along with the Closing Date for receipt of applications and full mailing address for submission of applications. Any additional information required for a complete application shall be specified in the posting. All applications shall be directed to the County Administrator's Office for receipt and initial processing.

(C). Vacancies will be posted (publicized) no less than two (2) times within period of two (2) consecutive weeks in the employment section of at least one (1) newspaper of general circulation serving Russell County. At the direction of the Russell County Board of Supervisors or the County Administrator, additional local, regional, state or national postings may be specified. In addition, the Notice of Position Vacancy/Availability will be posted (displayed) in the County Government Center and on the County website until the Closing Date for receipt of applications.

(D). Closing Date for receipt of applications shall be no less than fourteen (14) nor more than twenty-one (21) calendar days from the date of first posting in a newspaper of general circulation in Russell County. A longer period may be specified by the Russell County Board of Supervisors or the County Administrator. Closing Dates shall be established to conclude at the close of business of working day.

(E). The County Administrator or his/her designee shall assemble application packets containing the Application for Employment forms, copy of the full Position Description, and other information relevant to making application for a vacant position. Application packets shall be available on the County's website or pick-up in the County Administrator's Office during regular County working hours and such other locations as may be listed in the notice posted for the position. In the discretion of the County Administrator, the County Administrator's Office may forward application packets to applicants by U.S. Mail or private carrier at the County's expense.

(F). Completed applications must be returned to the County Administration Office or to an address given in the posting for the position before the close of business of the specified Closing Date. If submitted by U.S. Mail or private carrier, an application must be clearly postmarked before 5:00 PM of the Closing Date to be accepted. Telefax copies of applications will be accepted but must be followed by original documents to be considered as complete. If any additional information is requested



as part of an application, this information must be included with the application to be considered as complete. Applications that are incomplete may not receive consideration. The County Administrator or his/her designee shall review applications received for completeness in accordance with the posted application documentation requirements. Any incomplete applications received shall be brought to the attention of the County Administrator and the applicants are not required to be notified prior to Closing Date unless so directed by the County Administrator.

(G). Upon receipt of any application for employment for a posted position, the County Administrator or his/her designee will mark the date of receipt on the first page of the County application form. All correspondence from the applicant will be maintained with the application for employment.

(H). All employment applications and supporting materials received for any position become the property of the County of Russell upon receipt and may not be returned.

(I). All employment applications submitted must be for a presently posted position. The County Administrator or his/her designee shall not solicit or accept any applications for positions not posted at the time of receipt of application materials, nor accept employment applications where the position being applied for is not stated or uncertain. The County Administrator or his/her designee shall require new employment applications and supporting materials for each posted position, regardless of whether an applicant has previously submitted an employment application for a recently filled position. Any unsolicited application materials received may be disposed.

(J). The County Administration will retain all information relative to applicants and applications for employment in strict confidence. No information will be released to any official, officer or employee of the County unless authorized by the County Administrator.

(K). If a position has been previously posted, but no applicant was chosen due to the belief that no applicant was qualified or the responsibilities of the position have been changed, the vacancy may be re-posted. In this event, all original applicants for the posted position shall be so notified in writing. Original applicants may reapply for position by forwarding a letter to the County Administrator or his/her designee requesting continued consideration of their original application for the re-posted position.

(L). The County Administration shall retain all employment applications and supporting materials for a period of one (1) year from the Closing Date of a posted position.

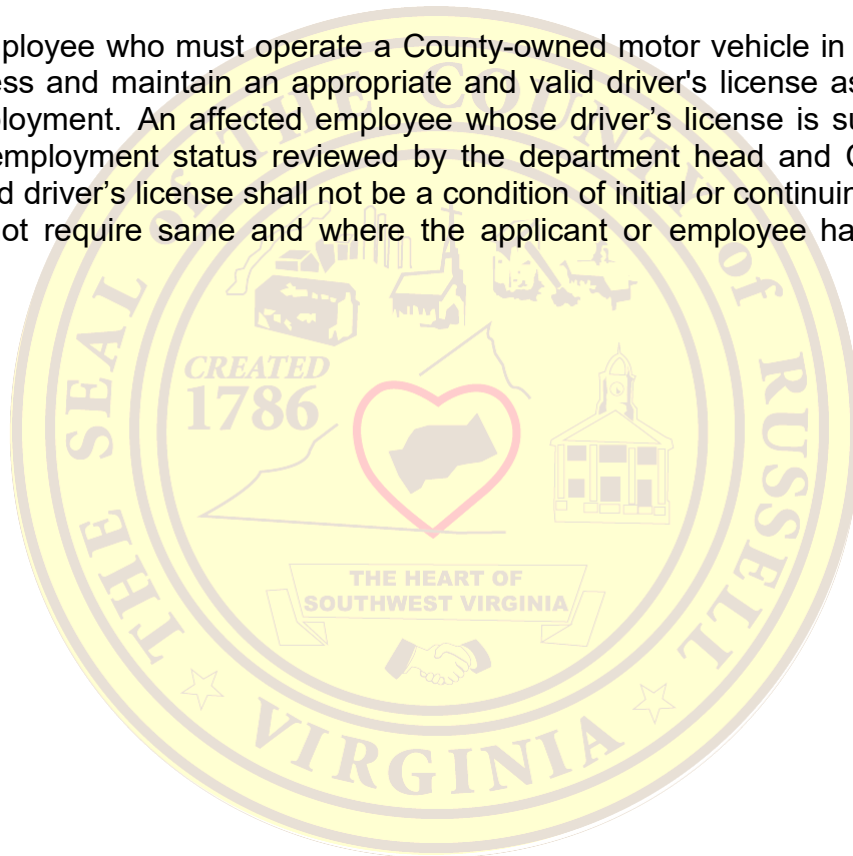
## **SECTION 02-09**

**Effective Date: August 3, 2020**

### **OTHER STANDARDS FOR EMPLOYMENT**

Where standards or requirements for a position are established which are in accordance with federal and state guidelines, all applicants shall be required to meet those standards as a condition of initial or continuing employment. Such standards shall be listed on the Position Description. Any substitution for or deviation from established standards must have prior approval by the Board of Supervisors and/or appropriate state/federal oversight agency. The County Administrator may establish or prescribe tests or examinations to determine whether an applicant or employee meets such standards or requirements.

Any applicant or employee who must operate a County-owned motor vehicle in the performance of a position must possess and maintain an appropriate and valid driver's license as a condition of initial and continuing employment. An affected employee whose driver's license is suspended or revoked shall have his/her employment status reviewed by the department head and County Administrator. Possession of a valid driver's license shall not be a condition of initial or continuing employment where the position does not require same and where the applicant or employee has alternate means of transportation.

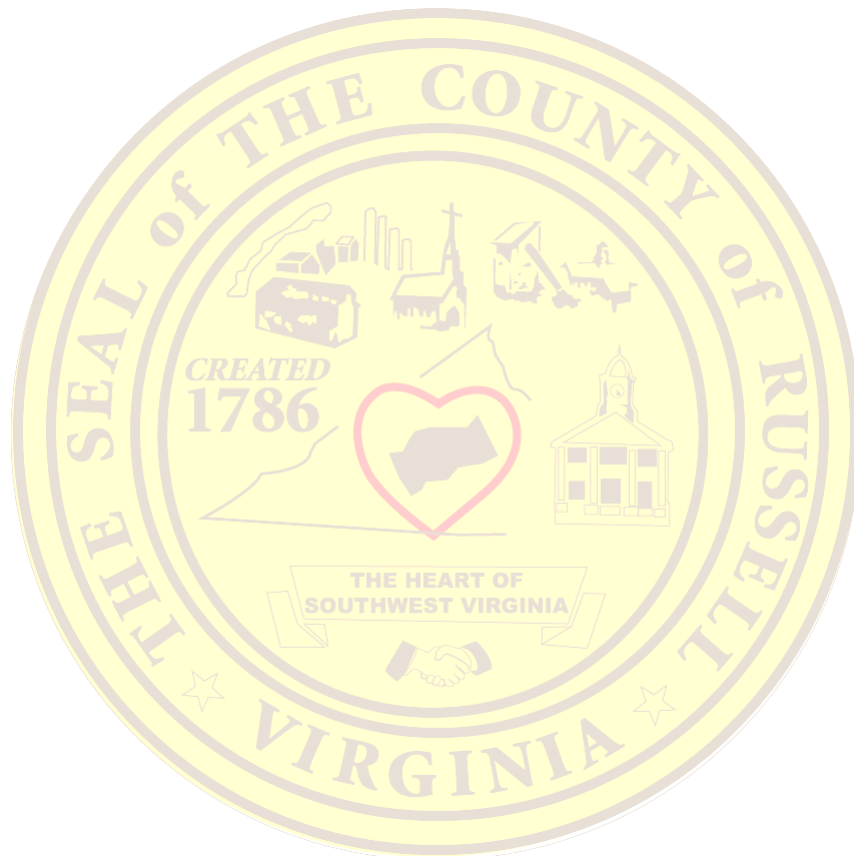


**SECTION 03-01**

**Effective Date: August 3, 2020**

**GENERAL**

Those persons empowered to participate in the hiring and appointment of employees shall endeavor to do so in the most effective, neutral and responsible way possible. Accordingly, the provisions of this Section shall govern the means and procedures by which hiring, and appointments are performed.



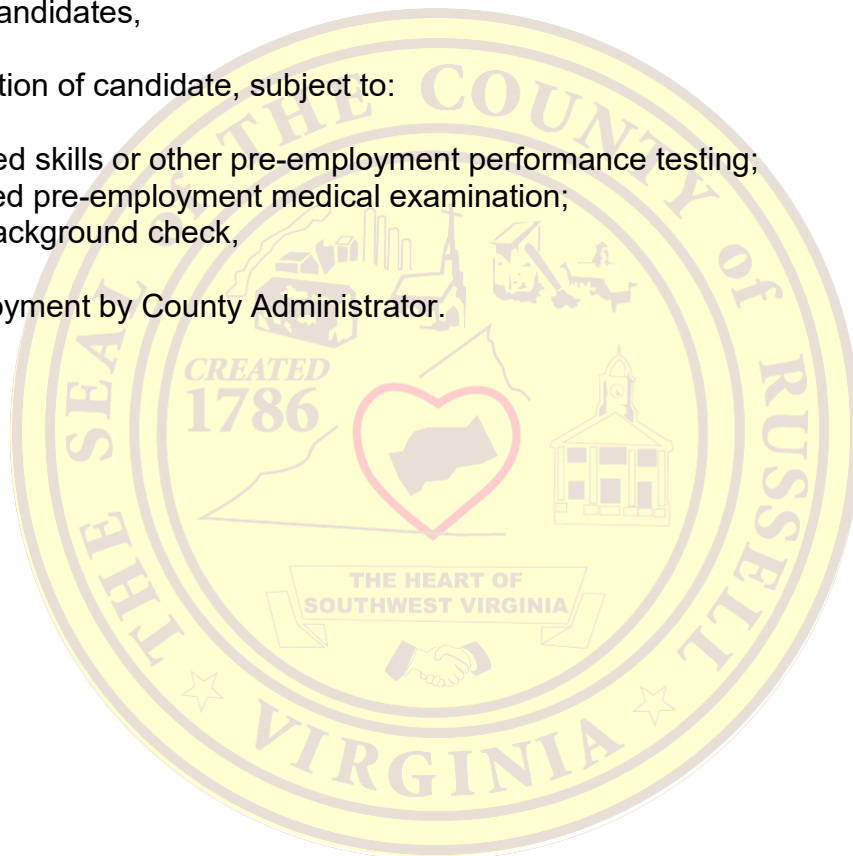
## **SECTION 03-02**

**Effective Date: August 3, 2020**

### **EMPLOYMENT SELECTION PROCESS**

The steps in hiring employees of the County is known as the “employment selection process”. The County shall conduct this process generally as set out below:

- (A). review of all employment applications received for a posted position,
- (B). designation of candidates,
- (C). interview of candidates,
- (D). recommendation of candidate, subject to:
  - (i). any required skills or other pre-employment performance testing;
  - (ii). any required pre-employment medical examination;
  - (iii). criminal background check,
- (E). offer of employment by County Administrator.



## **SECTION 03-03**

**Effective Date: August 3, 2020**

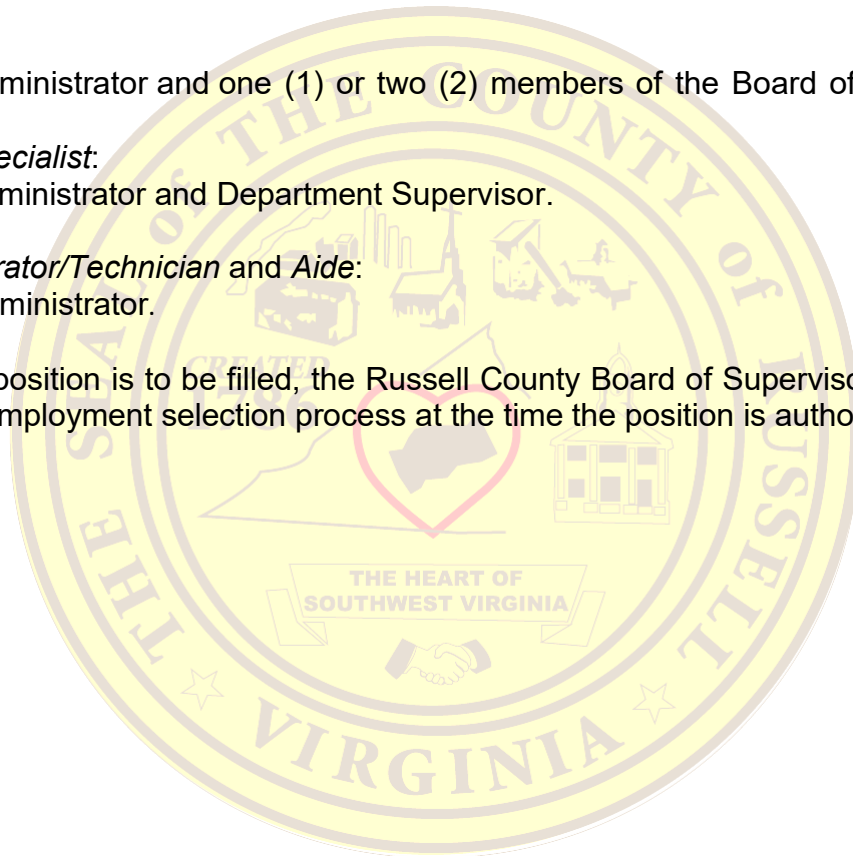
### **SELECTION PROCESS PARTICIPANTS**

Within five (5) working days of the Closing Date for any posted position, the County Administration shall make available and/or copy and distribute all applications for employment received to the County Administrator. At the direction of the County Administrator, the County Administration may distribute such materials in advance of the Closing Date.

Participants in the employment selection process shall be referred to as “application reviewers”. Employment applications shall be reviewed accordance with the position, as follows:

- (A). *Manager:*
  - (i). County Administrator and one (1) or two (2) members of the Board of Supervisors.
  
- (C). *Supervisor/Specialist:*
  - (i). County Administrator and Department Supervisor.
  
- (D). *Assistant/Operator/Technician and Aide:*
  - (i). County Administrator.

Where a *Manager* position is to be filled, the Russell County Board of Supervisors shall designate its participants in the employment selection process at the time the position is authorized to be posted.

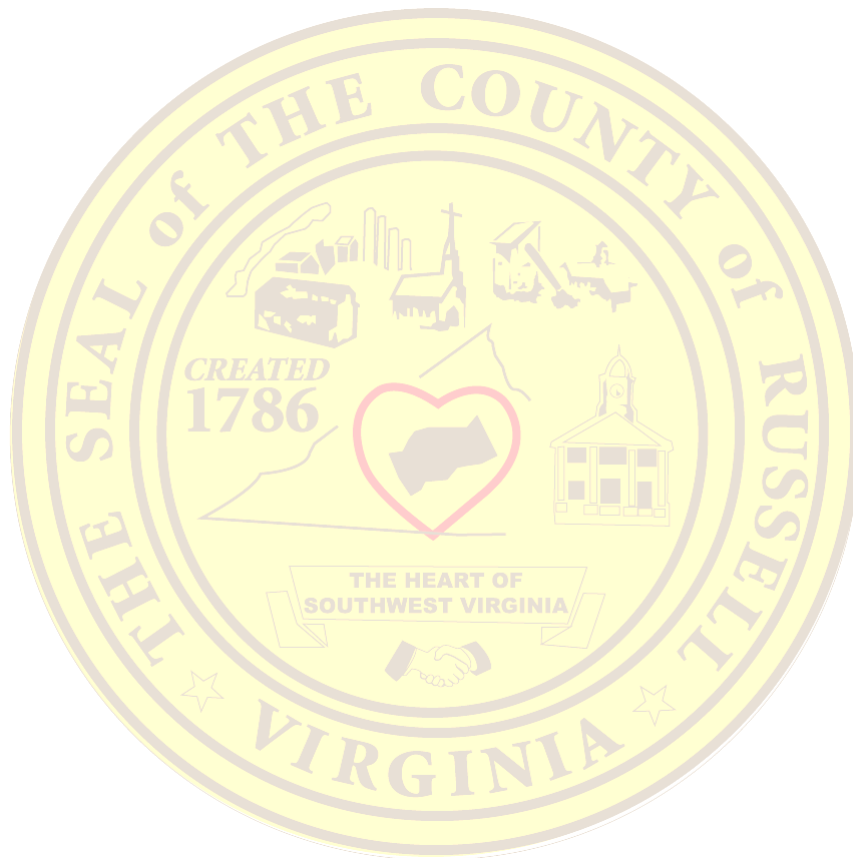


## **SECTION 03-04**

**Effective Date: August 3, 2020**

### **REVIEW OF EMPLOYMENT APPLICATIONS**

Depending on the number of complete applications received, a maximum of five (5) applicants deemed most qualified shall be designated by the above application reviewers, and a minimum of three (3) of these top five applicants shall be granted employment interviews. Applicant references if provided may be contacted at the discretion of the application reviewers. Present or past employers listed as references shall not be contacted if the applicant so requests. Applicants selected for interviews shall be designated as “candidates”.



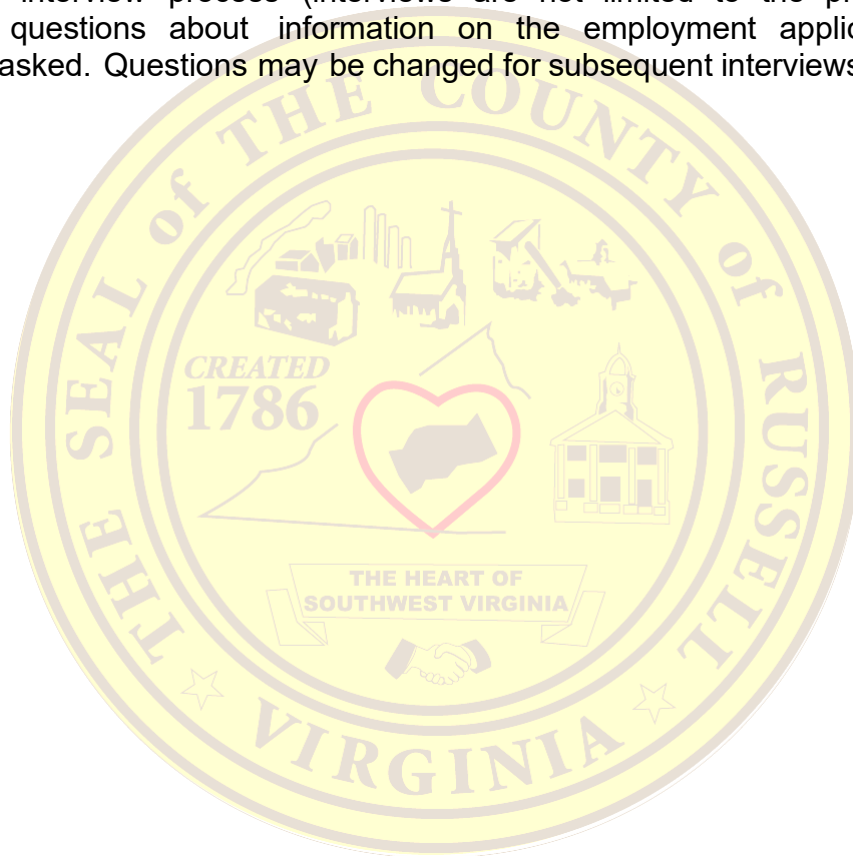
## **SECTION 03-05**

**Effective Date: August 3, 2020**

### **EMPLOYMENT INTERVIEW**

Interviews with candidates shall be conducted by the County Administrator or his/her designee. All application reviewers need not participate in the interview process at the direction or consent of the County Administrator or Board of Supervisors.

Prior to the conduct of interviews, the County Administrator or reviewers shall determine a reasonable number of questions to pose to each candidate during the interview in order to achieve some consistency in the interview process (interviews are not limited to the pre-determined line of questioning). Only questions about information on the employment application or job-related information may be asked. Questions may be changed for subsequent interviews for new vacancies in a similar position.

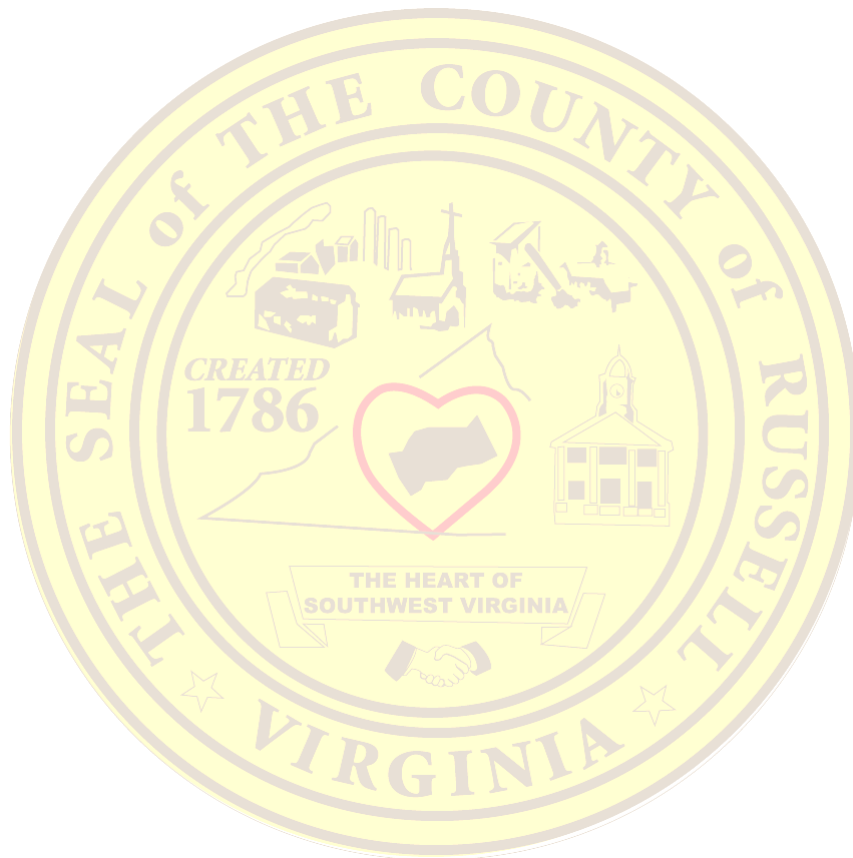


**SECTION 03-06**

**Effective Date: August 3, 2020**

**CANDIDATE RECOMMENDATION**

The candidate deemed most qualified by the County Administrator or application reviewers based on the employment application, interview, and comparison to Position Description requirements shall be recommended by the highest-ranking reviewer in writing.



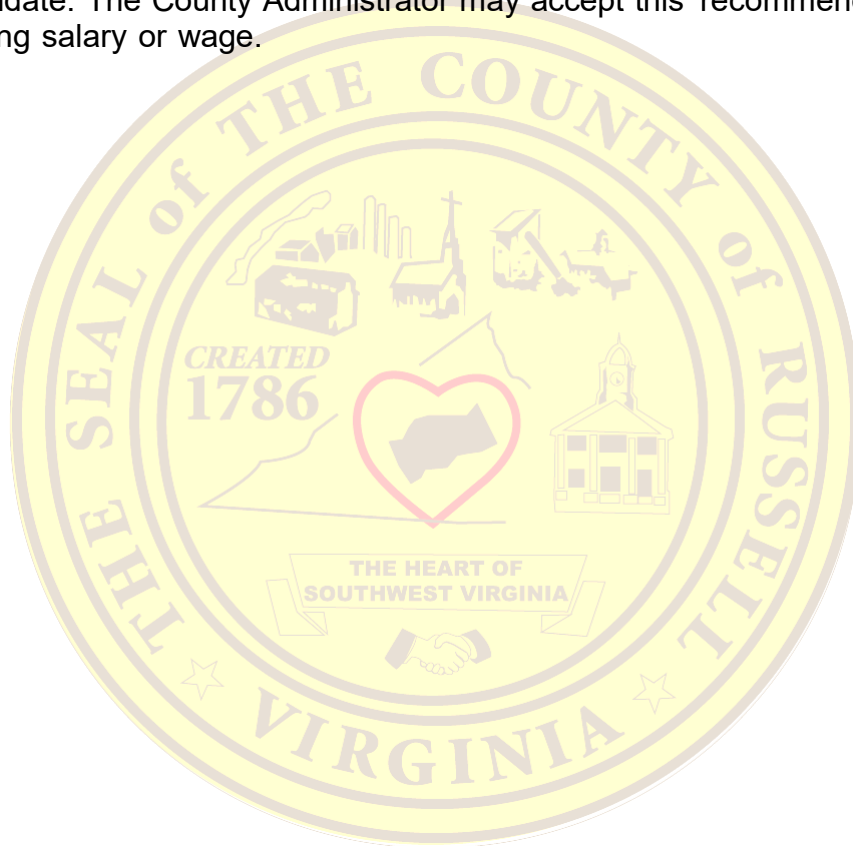


**SECTION 03-07**

**Effective Date: August 3, 2020**

**NEGOTIATION OF SALARY OR WAGE**

During the candidate interview process, the County Administrator or application reviewers may discuss the salary or wage available to the position. In the absence of a previously approved salary or wage range for a position, the County Administrator shall provide instruction to the application reviewers in this regard. Application reviewers may not establish the exact initial starting salary or wage for the position unless the exact figure has previously been set by the County Administrator prior to the candidate interview process. Application reviewers recommend a starting salary or wage recommendation to the County Administrator based on discussion of this issue with the recommended candidate. The County Administrator may accept this recommendation or may offer a different initial starting salary or wage.

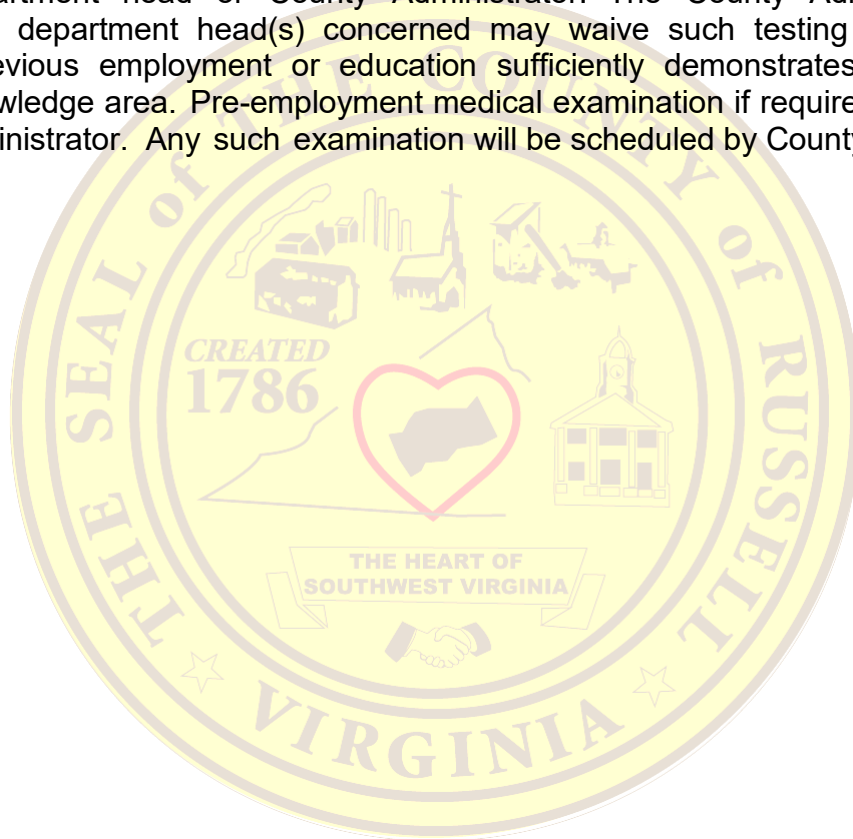


## **SECTION 03-08**

**Effective Date: August 3, 2020**

### **PRE-EMPLOYMENT REQUIREMENTS**

Any candidate for a position whose Position Description contains pre-employment requirements such as required skills, competency, or other performance testing shall be required to complete such testing prior to being offered employment. Any skills testing, competency, or other performance testing shall be designed to be a fair evaluation of the abilities and knowledge needed to meet the minimum requirements of the position. Skills or performance testing if required shall be developed by the department head(s) to which the position is assigned and approved by the County Administrator. Computer skills tests shall be developed and administered by the County Administration in concert with the position's department head or County Administrator. The County Administrator with the concurrence of the department head(s) concerned may waive such testing if in his/her opinion the candidate's previous employment or education sufficiently demonstrates competency in the required skill or knowledge area. Pre-employment medical examination if required may not be waived by the County Administrator. Any such examination will be scheduled by County Administration.



## **SECTION 03-09**

**Effective Date: August 3, 2020**

### **PRE-EMPLOYMENT CRIMINAL RECORD REVIEW**

In the interest of public welfare and safety, offers of permanent/full-time and permanent/part-time employment with the County shall be conditioned on fingerprinting in order to facilitate a review of the applicant's criminal history record, except as follows: (i) applicants for voluntary (uncompensated) positions; (ii) temporary clerical and/or seasonal workers whose anticipated employment is less than six (6) calendar months, and (iii) applicants for re-hire by the County within a twelve (12) month period of prior County employment and who were fingerprinted during their prior employment may be exempt from criminal history record review. Except for re-hire as stated in the foregoing sentence, no exemption applies if the position involves working with cash or minors. The County Administrator may require fingerprinting of exempted positions on a case-by-case basis.

(A) This policy shall apply to all candidates for employment except as otherwise specified herein and shall apply to candidates for employment in the office of any Constitutional Officer, board, authority, commission or agency of the County government if such employer adopts a written pre-employment criminal records review policy consistent with the provisions of this section.

(B) The County reserves the right to fingerprint and conduct a criminal history record review for any employee of the County after employment has commenced. Refusal by an employee to submit to a criminal history record review as described herein shall be grounds for termination.

(C) All applicants for positions of employment with the County shall sign a release to authorize the County to conduct a criminal history record review. Refusal to sign such written release shall be grounds to discontinue further consideration of an application for employment.

(D) When criminal history record review is required, an offer of employment shall not be made until after results of the criminal history record review have been received and reviewed by the County Administrator or his/her designee. Failure by the County to implement this requirement prior to making an offer of employment shall not waive the County's authority to require a criminal history record review as a prerequisite to continued employment with the County.

(E) Upon determination that an offer of employment with the County would be made to an applicant contingent upon results of criminal history record review, the County Administrator shall require the applicant to request the Russell County Sheriff's Office to provide to the County two sets of the applicant's fingerprints. Upon receipt of the fingerprints, County Administration shall have the fingerprints submitted to the Virginia State Police Central Criminal Records Exchange and the Federal Bureau of Investigation for review.

(F) Upon receipt of the results of criminal records review, the County Administrator shall review such results to determine the applicant's fitness for employment. The County Administrator may consult with the County Attorney and/or the Department Head for the position to which the applicant has applied as necessary in making this determination.

(G) Criminal history information considered in accordance with this section shall include outstanding warrants, pending criminal charges, and records of conviction. Records of dispositions that occurred while an applicant was considered a juvenile shall not be referenced unless authorized by court order, federal law or regulation, or state statute authorizing such dissemination.

(H) In determining whether a criminal conviction revealed by the report would disqualify an applicant, the County Administrator shall consider the following criteria:

1. whether the report consistent with information provided by the applicant by the applicant in the employment application materials;
2. the nature and seriousness of the crime;
3. the relationship of the crime to the work to be performed in the position applied for;
4. the extent to which the position applied for might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved;
5. the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the position being sought;
6. the extent and nature of the person's past criminal activity;
7. the age of the person at the time of the commission of the crime;
8. the amount of time that has elapsed since the person's last involvement in the commission of a crime;
9. the conduct and work activity of the person prior to and following the criminal activity; and
10. evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release.

(I) If an applicant is denied employment because of information appearing in his/her criminal history record, the County shall provide written notification to the applicant that information obtained from the Central Criminal Records Exchange contributed to such denial.

(J) If the criminal history record wrongly shows that the applicant had no criminal convictions, the County shall consider information regarding criminal convictions in accordance with this policy at the time such information becomes known to the County.

(K) The criminal history information provided in accordance with this policy shall be used solely to assess eligibility for public employment or service and shall not be disseminated to any person not involved in the assessment process.

(L) The County shall maintain the confidentiality of all criminal history record reports and contents and shall provide the subject of the report a copy within five (5) working days of a request. In the event the applicant is not offered a position of employment due to the criminal history report, the County shall maintain a copy of the report for the period of time required by Virginia law from the date of application, after which time the report shall be shredded. The information from the records review shall not be disseminated except as provided for in this section.

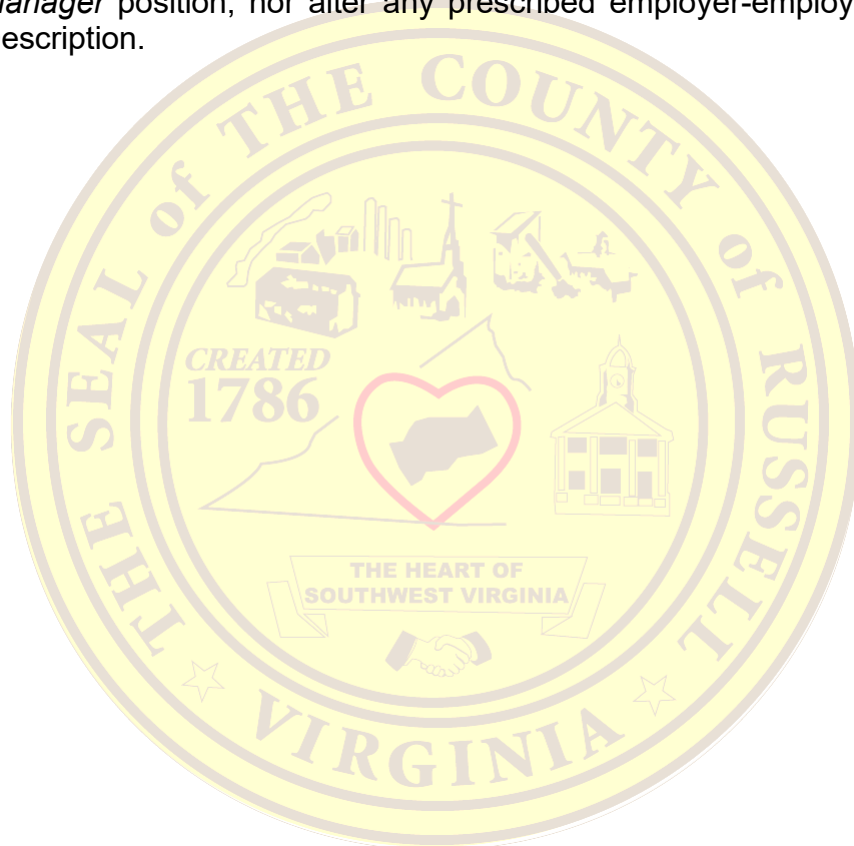
(M) If an applicant seeks to amend or correct his/her record, the applicant may contact the Virginia State Police Central Criminal Records Exchange or the Federal Bureau of Investigation.

## **SECTION 03-10**

**Effective Date: August 3, 2020**

### **MANAGER POSITIONS**

At the discretion of the Russell County Board of Supervisors, appointments to *Manager* positions shall be subject to prior approval of the Board of Supervisors. Such exercise of discretionary authority shall be determined at the time of approval to fill any vacancy in such position, or upon initial authorization of a new *Manager* position. In this event, the County Administrator shall bring forth a formal recommendation to the Board of Supervisors as to an appointment, whereupon Board approval or rejection shall be given, including discussion of same in a closed meeting of the Board of Supervisors as deemed appropriate. Any such recommendation shall not be construed as a Board appointment of a *Manager* position, nor alter any prescribed employer-employee relationship as set out in the Position Description.

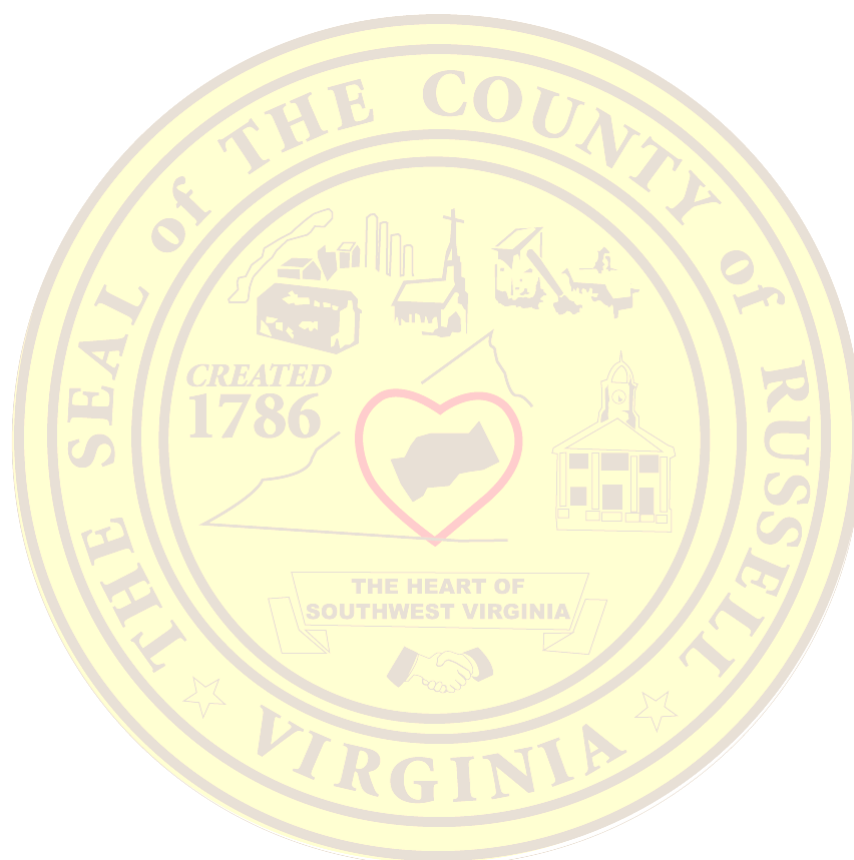


## **SECTION 03-11**

**Effective Date: August 3, 2020**

### **TEMPORARY POSITIONS**

The selection process for temporary/full-time and temporary/part-time employees may follow the procedure described in this Part for positions of the *Assistant/Operator/Technician/Aide* positions.



## **SECTION 03-12**

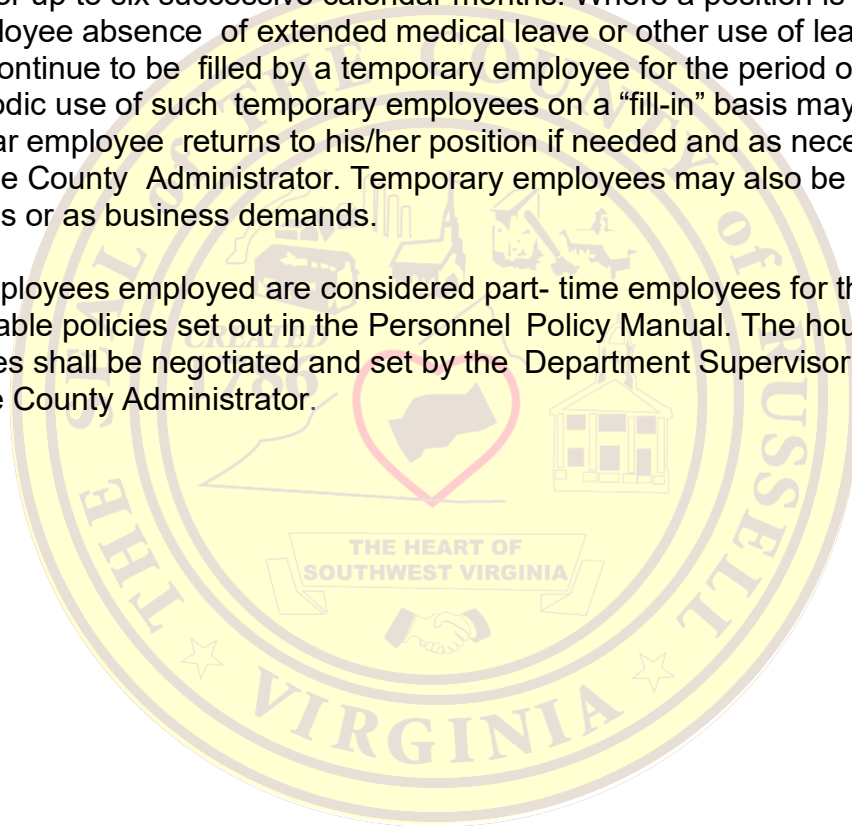
**Effective Date: August 3, 2020**

### **TEMPORARY EMPLOYEES**

When a vacancy due to termination of employment or absence due to extended medical leave or other use of leave time exists within a full-time or part-time position, and where there exists an immediate, urgent need to fill that position, the County Administrator may authorize the hiring of a temporary employee to fill positions on a short-term basis.

The person hired as a temporary employee may be recommended by the Department Supervisor where the employee is needed or otherwise selected by the County Administrator. Where a vacant position is filled on this basis, a temporary employee may be used for up to six successive calendar months. Where a position is being filled due to an employee absence of extended medical leave or other use of leave time, the position may continue to be filled by a temporary employee for the period of the absence. Periodic use of such temporary employees on a "fill-in" basis may continue after the regular employee returns to his/her position if needed and as necessary at the discretion of the County Administrator. Temporary employees may also be used for seasonal needs or as business demands.

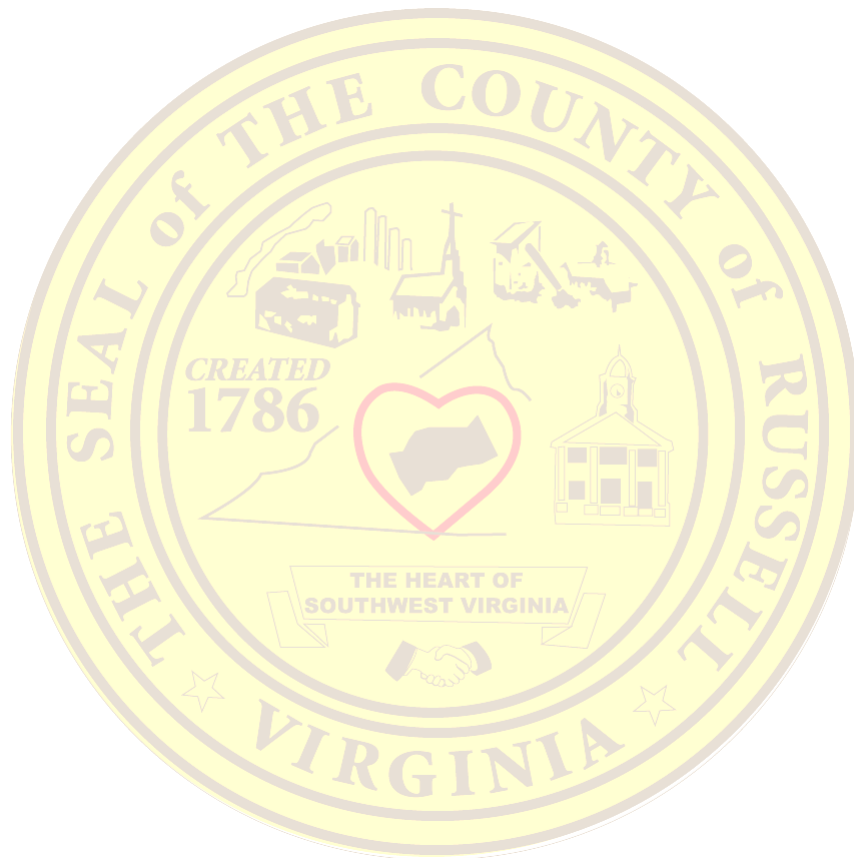
Temporary employees employed are considered part-time employees for the purposes of other applicable policies set out in the Personnel Policy Manual. The hourly wage for such employees shall be negotiated and set by the Department Supervisor with the approval of the County Administrator.



**SECTION 04-01**  
**Effective Date: August 3, 2020**

**GENERAL**

It is the policy of the Board of Supervisors to provide for adequate initial orientation to new employees as well as a period of probationary employment to ensure that new employees may be trained and tested in the performance of their duties.



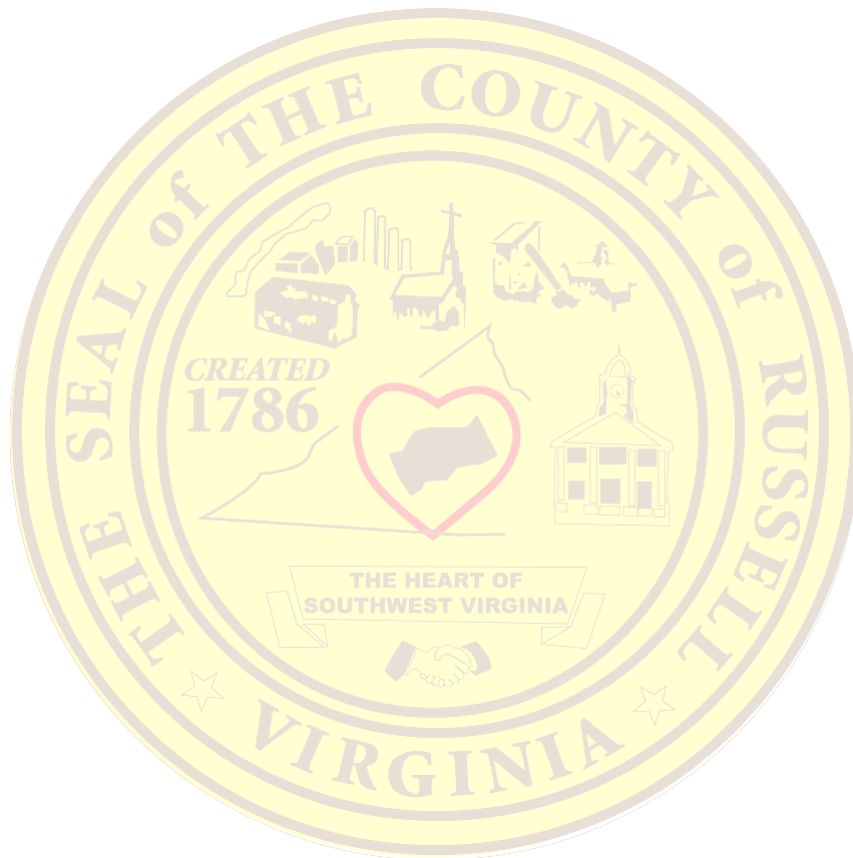


## **SECTION 04-02**

**Effective Date: August 3, 2020**

### **ORIENTATION SESSION**

After employees have been hired, they will be given an orientation session to the organization of the County government. Review of important personnel policies and procedures and employment benefits, and their new position. The responsibility for conducting the orientation session shall be shared between the County Administration and the new employee's department head or his/her designee. The County Administrator or his/her designee and department supervisors are responsible for the development of adequate procedures for conducting the orientation session.

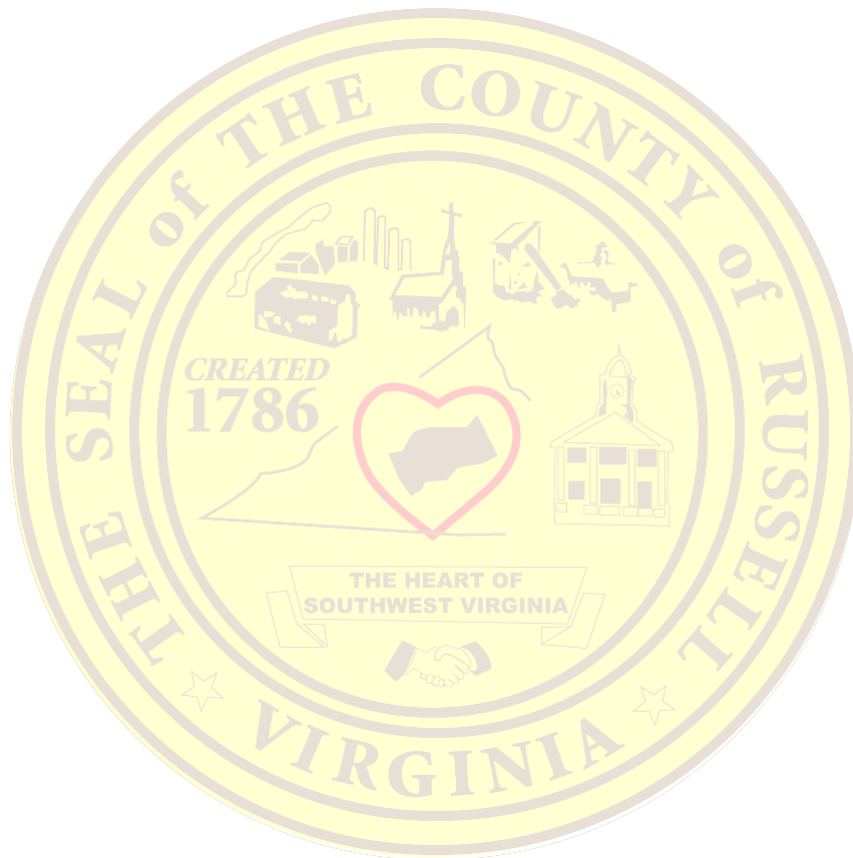


## **SECTION 04-03**

**Effective Date: August 3, 2020**

### **ORIENTATION INFORMATION PACKET**

Each new employee shall receive an information packet and each department supervisor to supplement verbal orientation. At minimum, this information packet shall contain a current copy of this Manual or information concerning the Manual's location on the County website for employees with County-provided Internet access at their workstations; information, forms and other materials pertinent to the County's employment benefits programs; any written or graphic departmental policies and procedures, and such other information as deemed relevant to the new employee's position. Such materials become the personal property of the employee upon completion of the probationary employment period.

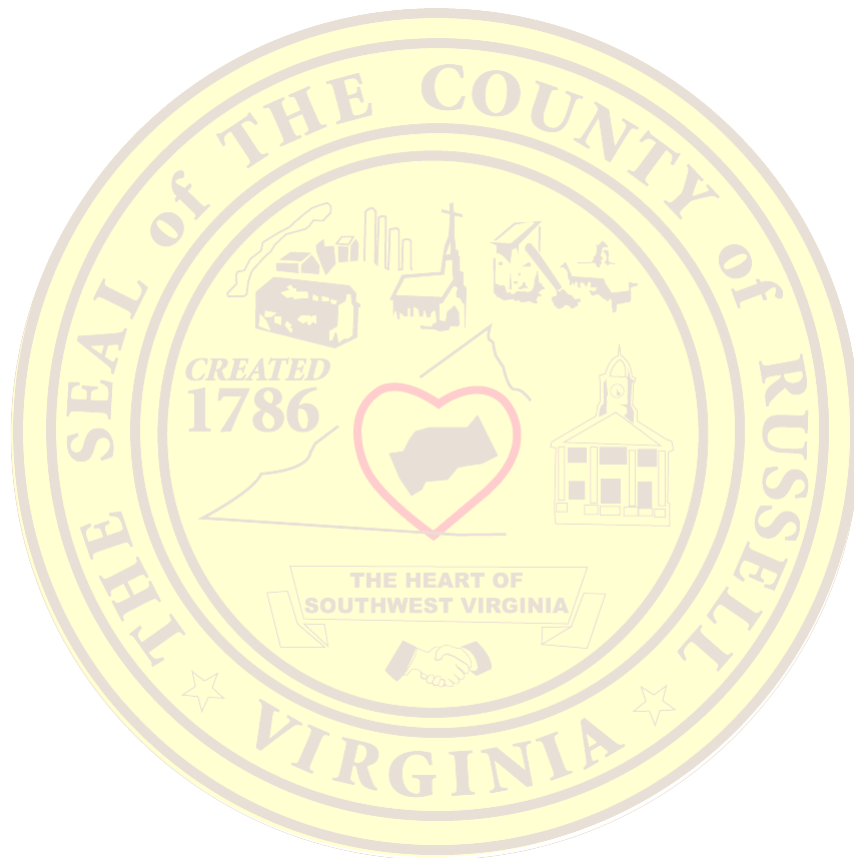


## **SECTION 04-04**

**Effective Date: August 3, 2020**

### **ON-THE-JOB TRAINING**

During the new employee's probationary period, each department head shall facilitate on-the-job training whereby the new employee may be instructed in the conduct, techniques and procedures of the position while contributing positively to the work of the department. On-the-job training may extend to the full length of the probationary employment period.



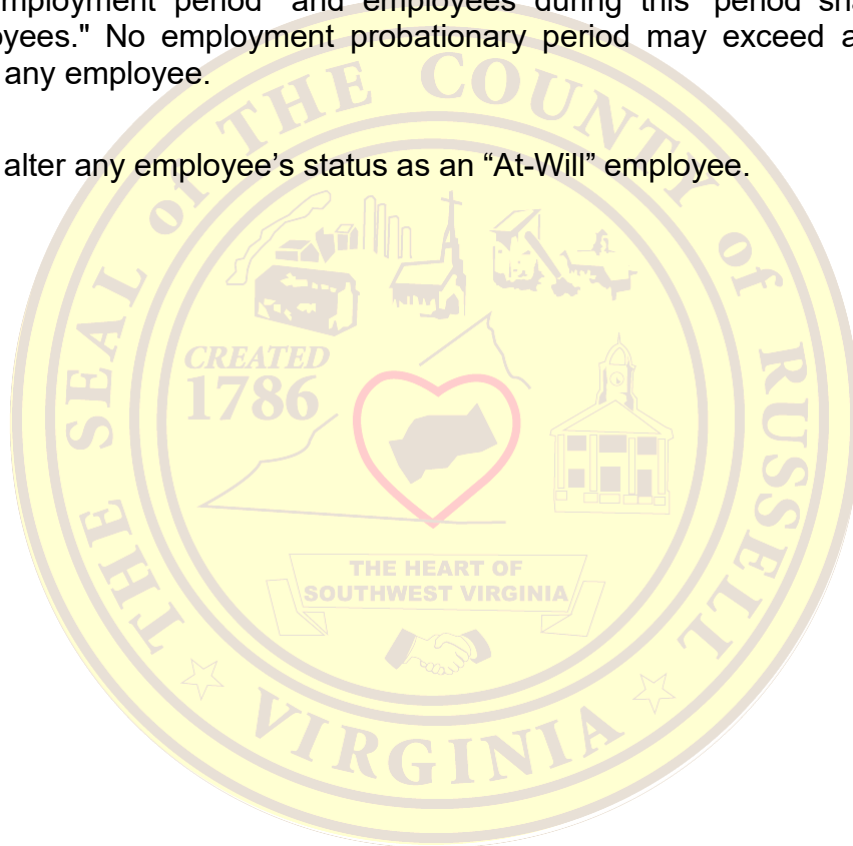
## **SECTION 04-05**

**Effective Date: August 3, 2020**

### **PROBATIONARY EMPLOYMENT PERIOD**

For each permanent/full-time and permanent/part-time position of the *Manager/Supervisor/Specialist/Assistant/Operator/Technician/Aide* positions there is an established probationary employment period of twelve (12) calendar months from the first full day of employment. No probationary employment period is established for temporary/full-time or temporary/part-time positions. During the probationary employment period, any permanent/full-time and permanent/part-time employee may be subject to disciplinary procedures, including termination of employment, without recourse to the Grievance Procedure set out in Part 09 of this Manual. This twelve-month period shall be known as the "probationary employment period" and employees during this period shall be referred to as "probationary employees." No employment probationary period may exceed a total of twelve (12) calendar months for any employee.

Nothing herein shall alter any employee's status as an "At-Will" employee.

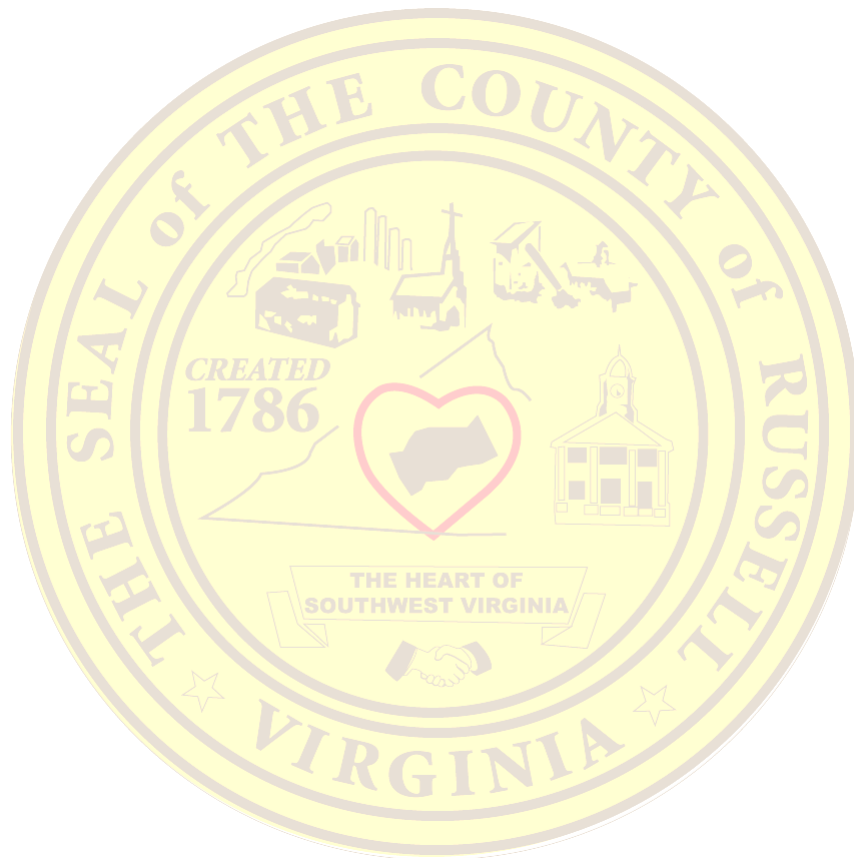


**SECTION 05-01**

**Effective Date: August 3, 2020**

**GENERAL**

It is the policy of the Russell County Board of Supervisors to provide a well-structured employment environment and competitive levels of compensation to attract and retain quality employees. In furtherance of this policy, the Board of Supervisors may establish and maintain a Position Classification Plan, as well as other policies, rules, and procedures governing issues relating to the structure of positions and the nature of employee compensation.

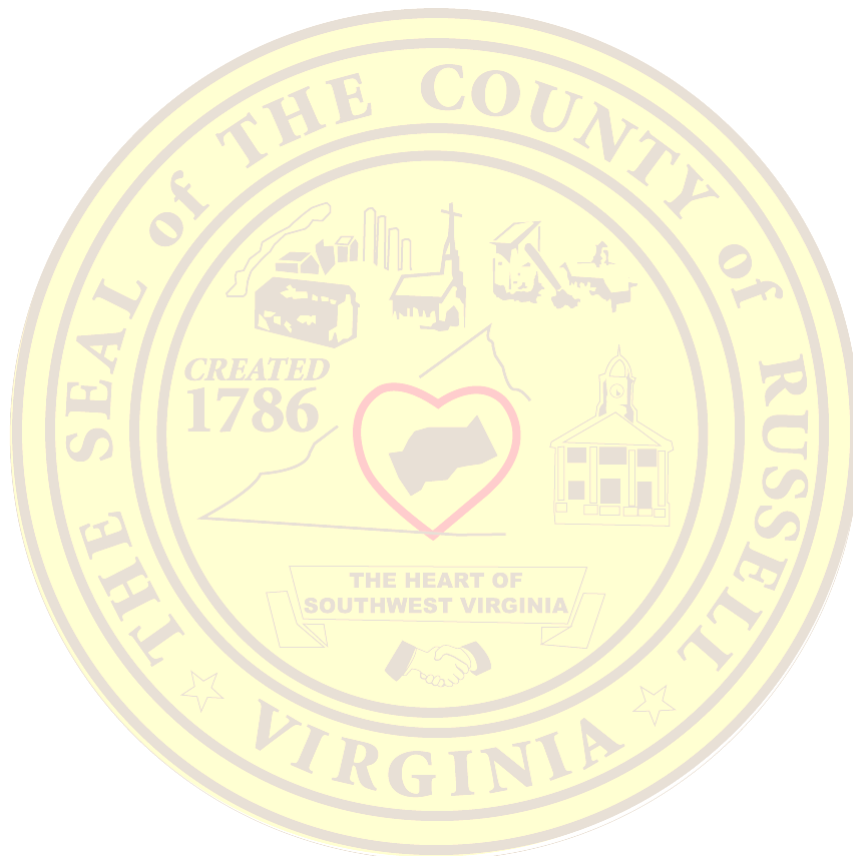


**SECTION 05-02**

**Effective Date: August 3, 2020**

**ESTABLISHMENT OF POSITION CLASSIFICATION PLAN**

The Position Classification Plan has been established by the Board of Supervisors herein. The Classification Plan is intended as a management tool to facilitate the definition of positions through Position Descriptions, to categorize positions, and to recognize the relationships between different positions.



## **SECTION 05-03**

**Effective Date: August 3, 2020**

### **DESIGNATION OF POSITIONS**

The following Positions are designated:

A. *Manager* – Heads of departments.

B. *Supervisor/Specialist* – Positions possessing supervisory authority over others within their department and/or requiring advanced job knowledge or skills relative to others within their department.

C. *Assistant/Operator/Technician* – Positions providing administrative assistance and/or requiring basic job knowledge or skills relative to other within their department

D. *Aide* – All permanent/part-time positions.

*Manager* positions are those responsible for the day-to-day operations of the various departments.

*Supervisor/Specialist* positions may be generally characterized as those serving as a "second-in-charge" of the departments to which they are assigned and may have supervisory authority over other departmental employees delegated to them by their manager. *Specialist* positions also fall into this classification where advanced job knowledge or skills are required.

*Assistant/Operator/Technician/Aide* positions constitute the non-managerial, non-supervisory workforce of the departments.

All positions shall be assigned to one of the above designations. Generally, formal position titles shall contain the word *Manager*, *Supervisor*, *Specialist*, *Assistant*, *Operator*, *Technician* or *Aide* denoting to which class the position is assigned. Certain position titles shall be as prescribed by the Code of Virginia (1950), as amended.

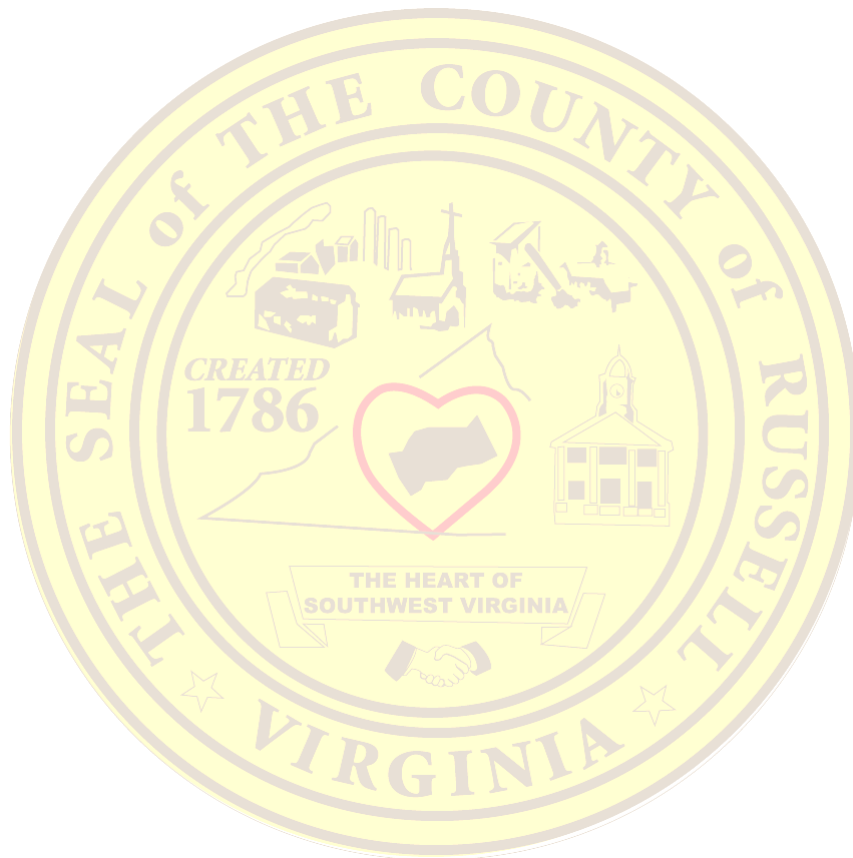
Temporary/full-time or temporary/part-time positions may be afforded official position titles as may be necessary or appropriate at the discretion of the County Administrator or manager to which the position is assigned.

**SECTION 05-04**

**Effective Date: August 3, 2020**

**ASSIGNMENT OF POSITIONS**

The County Administrator shall make all assignments of existing positions, subject to approval of the Board of Supervisors. The County Administrator shall be responsible for the assignment of newly created, retitled and/or consolidated positions or to new positions, subject to approval of the Board of Supervisors. The Board of Supervisors may direct that such assignments be reviewed and approved or recommended by a committee or other body appointed by the Board of Supervisors prior to same being brought to the Board of Supervisors for final approval.



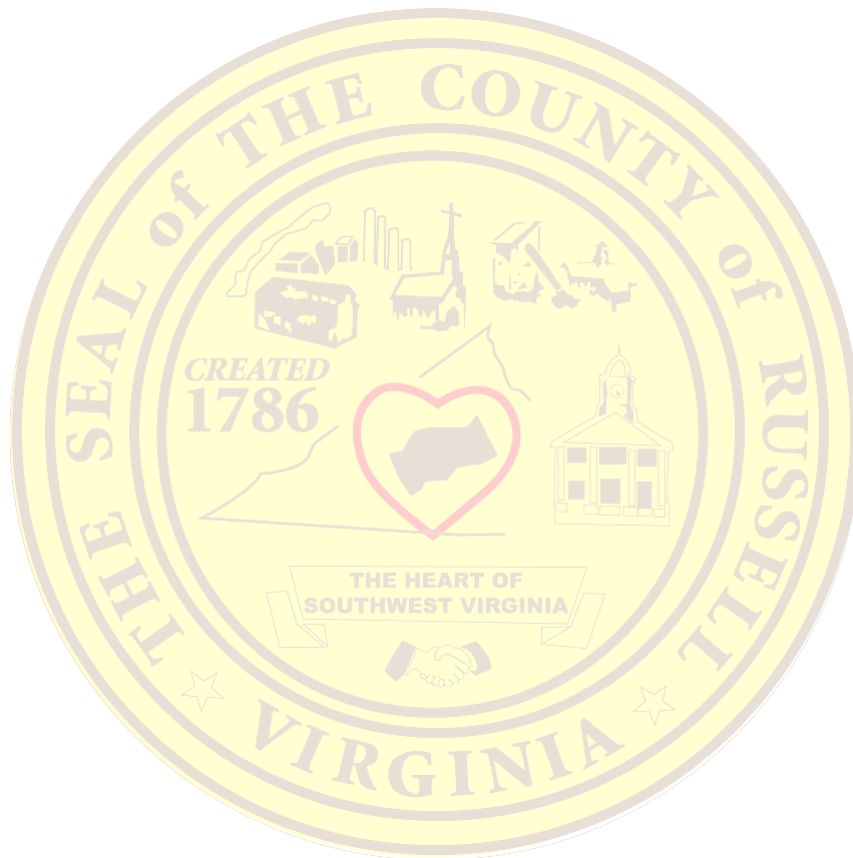


**SECTION 05-05**

**Effective Date: August 3, 2020**

**MAINTENANCE OF POSITION CLASSIFICATION PLAN**

*Supervisors* shall be responsible for bringing attention to any material change in duties, responsibilities, working conditions, or other factors affecting the classification of any position to the County Administrator. Following the receipt of such information, the County Administrator may review the position and determine if the classification should be changed.



## **SECTION 05-06**

**Effective Date: August 3, 2020**

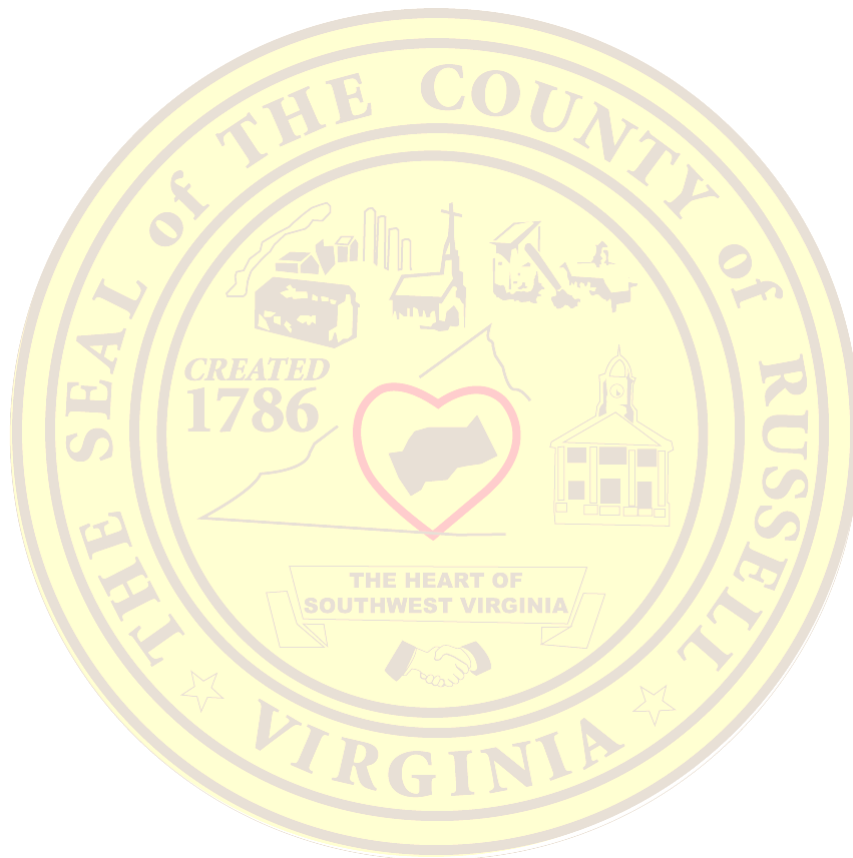
### **SPECIAL PROVISIONS FOR LIMITED FULL-TIME EMPLOYEES**

At the discretion of the Board of Supervisors, a position may be established, or an existing position reclassified as "limited full-time". Limited full-time positions are those which the Board of Supervisors have determined merit compensation based on an annual salary with fringe benefits similar or proportional to that provided regular full-time employees for working hours of less than forty (40) per week. Employees holding such positions may be employed to work up to eight (8) hours or more per day, thirty-nine (39) hours or less per seven (7) consecutive calendar day work week for not less than fifty (50) weeks per year. The total working hours per week for a limited full-time position shall be established by the Board of Supervisors consistent with its determination of the amount of time needed per week for such position. The days of the week during which limited full-time positions work may be established by the County Administrator or Board of Supervisors.

For the purposes of the application of policies set out in this Manual, limited full-time employees are treated the same as regular full-time employees except as otherwise provided for in this section. Limited full-time employees shall be permitted to participate in County-provided retirement and health insurance benefits programs on the same basis as regular full-time employees subject to eligibility and approval of the benefit program providers. Personal Leave, Annual Leave and Sick Leave for limited full-time employees are provided on a proportionate basis to leave time provided to regular full-time employees consistent with the provisions of Sections 07-04, 07-05 and 07-07 of this Manual.

As an example, a limited full-time employee compensated for a twenty (20) hour work week (or 50% percent of a regular full-time 40-hour work week) would receive fifty (50%) percent of the Personal Leave time of a regular full-time employee (thirty-six (36) hours per County fiscal year); fifty (50%) percent of the Annual Leave time of a regular full-time employee based on the limited full-time employee's time in continuous service, and fifty (50%) percent of the Sick Leave time (four (4) hours per month) of a regular full-time employee. Annual Leave days may be continuously accumulated by limited full-time employees; the County will compensate such employees for up to one hundred and ninety-two (192) hours or twenty-four (24) Annual Leave days accrued but unused at the time of termination of employment consistent with the provisions of Section 07-04 of this Manual. Limited full-time employees classified as "exempt" pursuant to Section 08-02 of this Manual are eligible to receive Discretionary Leave pursuant to Section 07-13 of this Manual for time worked in excess of the position's designated regular working hours. Such time may be taken off by the employee on an hour for hour basis by the end of the calendar month following the month in which it is earned. Limited full-time employees classified as "non-exempt" pursuant to Section 08-03 of this Manual are eligible to receive compensatory time off or overtime pay pursuant to Section 08-04 of this Manual for all hours worked in excess of the position's designated working hours (i.e., if a non-exempt, limited full-time employee is compensated for a twenty (20) hour work week, the employee would receive compensatory time off or overtime pay for each hour worked over twenty (20) in any given work week). If a designated County holiday pursuant to Section 07-12 of this Manual falls on a limited full-time employee's scheduled working day, the employee shall receive Holiday Leave on a proportionate basis to leave time provided to regular full-time employees. As an example, a limited

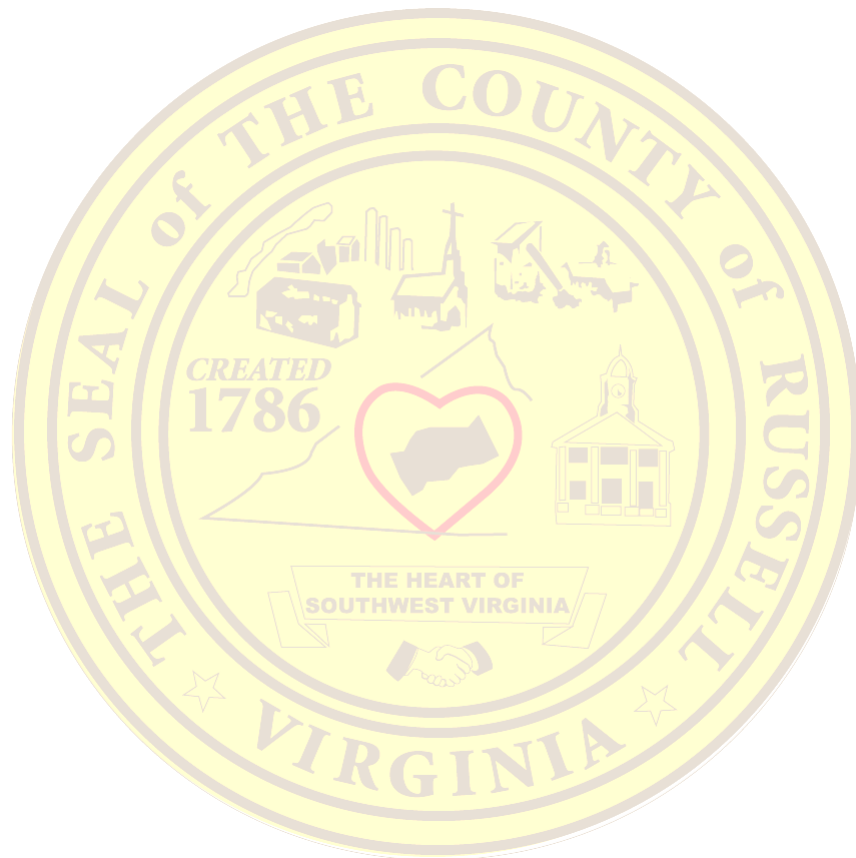
full-time employee compensated for a twenty (20) hour work week (or 50% percent of a regular full-time 40-hour work week) would receive fifty (50%) percent of the Holiday Leave time of a regular full-time employee (i.e., four (4) hours for each designated County holiday). The time remaining within a designated County holiday may be taken off as Annual, Personal, or Discretionary Leave or compensatory time off, or otherwise must be worked within the seven-day work week in which the holiday falls. No allowance shall be made if a holiday falls on a limited full-time employee's scheduled day(s) off. Where the working days of a limited full-time employee are established by the County Administrator, the working days may be altered during the week of a designated County holiday if so agreed to by the employee and the employee's manager.



**SECTION 06-01**  
**Effective Date: August 3, 2020**

**GENERAL**

Employees shall be assigned to a position within one (1) or more offices and/or departments for the conduct of the duties of that position. Each office or department shall be immediately overseen and supervised. Non-department employees will report directly to their respective Supervisors, the County Administrator (or, where personnel of the *Supervisor/Specialist* position are employed, to departmental Supervisors as may be directed by the manager). All Managers report directly to the County Administrator who is responsible for the general direction and oversight of all departments.

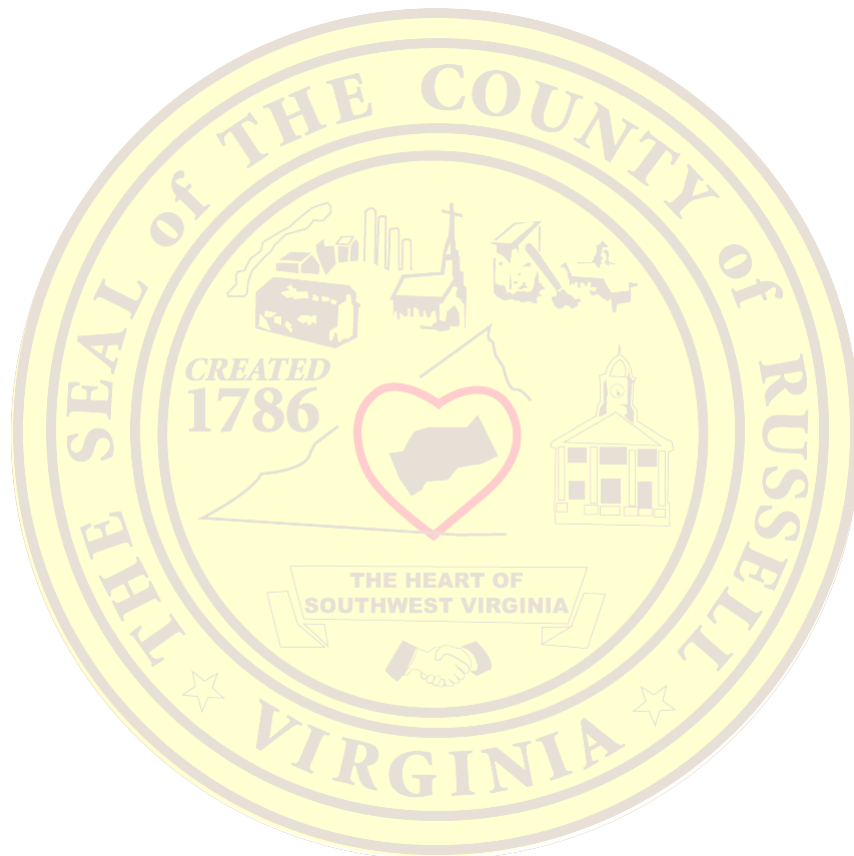


**SECTION 06-02**

**Effective Date: August 3, 2020**

**SHARED POSITIONS BETWEEN DEPARTMENTS**

Upon the recommendation of the County Administrator and approval of the Board of Supervisors, certain positions of the *Supervisor/Specialist/Assistant/Operator/Technician* and *Aides* may be "shared" between two departments. "Shared" positions shall provide services to both departments to which the position is assigned on a continuous basis under arrangements and conditions approved by the County Administrator and set forth generally in the Position Description for the position



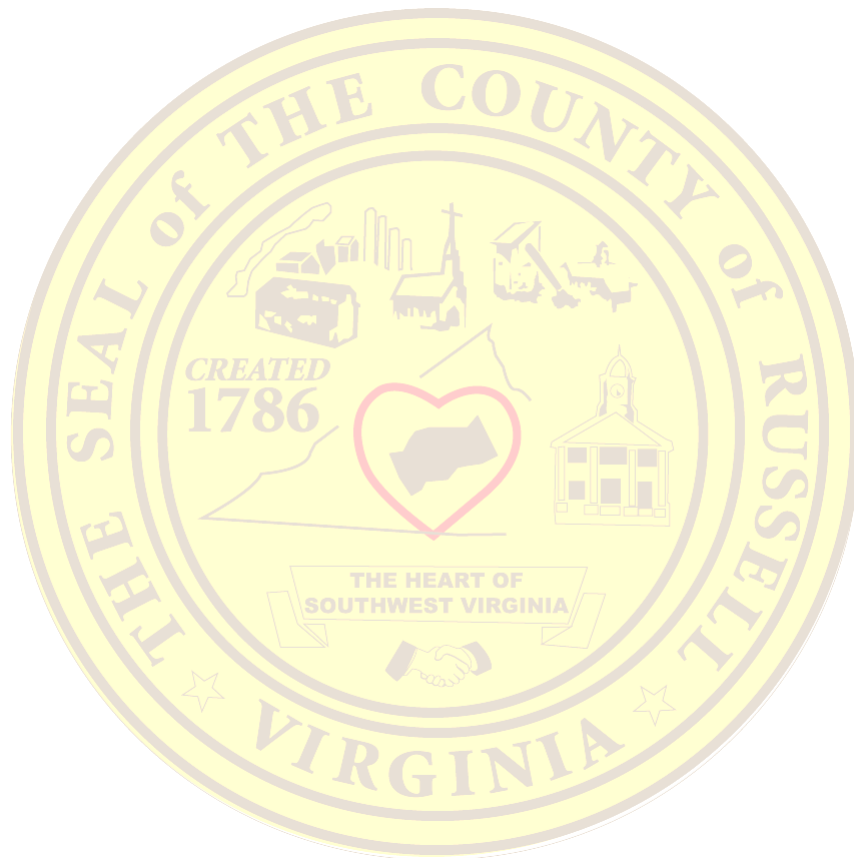
**SECTION 06-03**

**Effective Date: August 3, 2020**

**DESIGNATED WORKDAY, WORK WEEK, AND WORK YEAR**

The designated "workday" for all employees shall be a period of eight (8) hours. The designated "work week" for all employees shall consist of forty hours beginning at 12:01 AM Monday and ending 12:00 PM midnight Sunday.

The "work year" for all employees shall consist of two thousand and eighty (2,080) hours per County Fiscal Year, beginning July 1 and ending June 30. Fifty-two (52) work weeks comprise the work year.



## **SECTION 06-04**

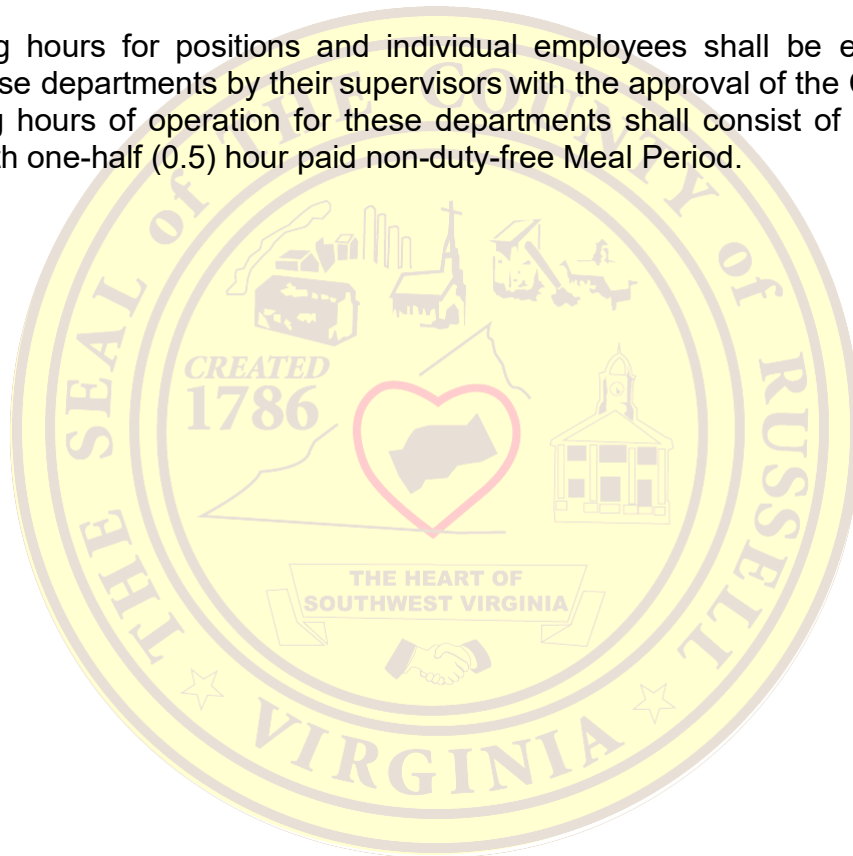
**Effective Date: August 3, 2020**

### **HOURS OF OPERATION**

The regular working hours of operation shall be Monday through Friday, 8:30 AM to 4:30 PM unless other operating hours are needed for County operations.

The regular working hours of operation for the above consist of eight (8) hours of work per day, with one-half (0.5) hour paid, non-duty-free Meal Period. No Meal Period may be taken between 8:30 AM and 9:30 AM, and generally no Meal Period may be taken between 4:00 PM and 5:00 PM unless the employee is to return to work after 5:00 PM that same day.

The regular working hours for positions and individual employees shall be established according to the needs of those departments by their supervisors with the approval of the County Administrator. The regular working hours of operation for these departments shall consist of up to eight (8) hours of work per day, with one-half (0.5) hour paid non-duty-free Meal Period.



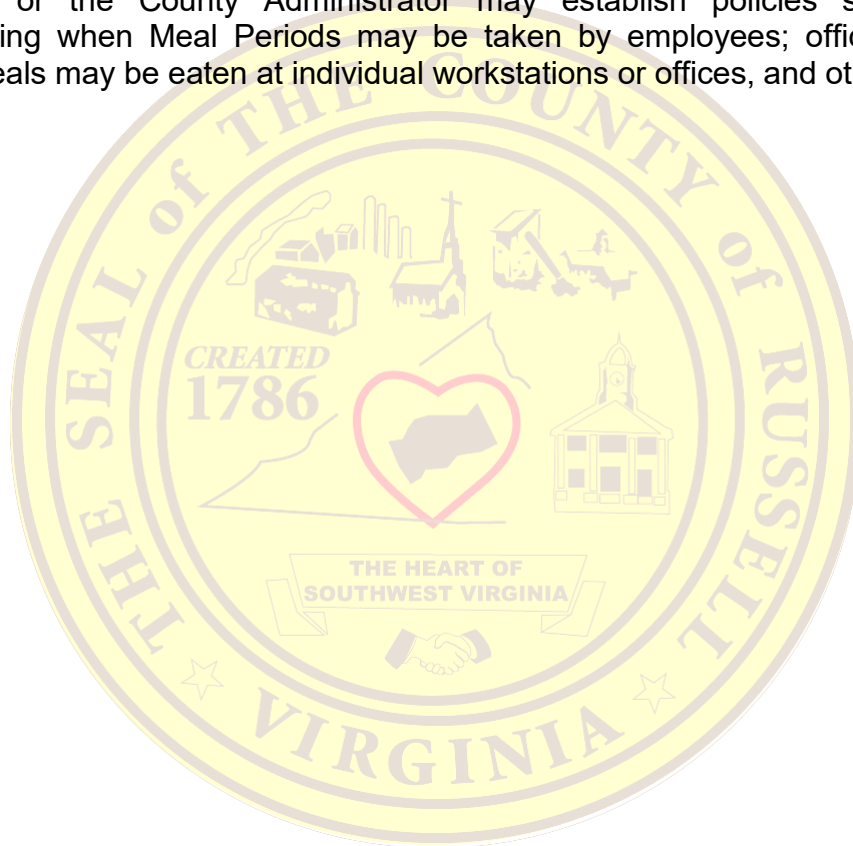
## **SECTION 06-05**

**Effective Date: August 3, 2020**

### **MEAL PERIODS**

Meal Periods consisting of one-half (0.5) hour shall be provided to Administrative Division employees working at least eight (8) consecutive hours per day at which time the employee may leave his/her workplace or station for meals and/or personal use. A Meal Period is not provided for employees working less than eight (8) consecutive hours as a daily work schedule. Employees choosing to work through their Meal Period are considered to have done so voluntarily, and no compensable time (whether compensatory time or overtime) shall be earned for doing so.

Department heads or the County Administrator may establish policies specific to individual departments regarding when Meal Periods may be taken by employees; office closures for Meal Periods; whether meals may be eaten at individual workstations or offices, and other related issues.



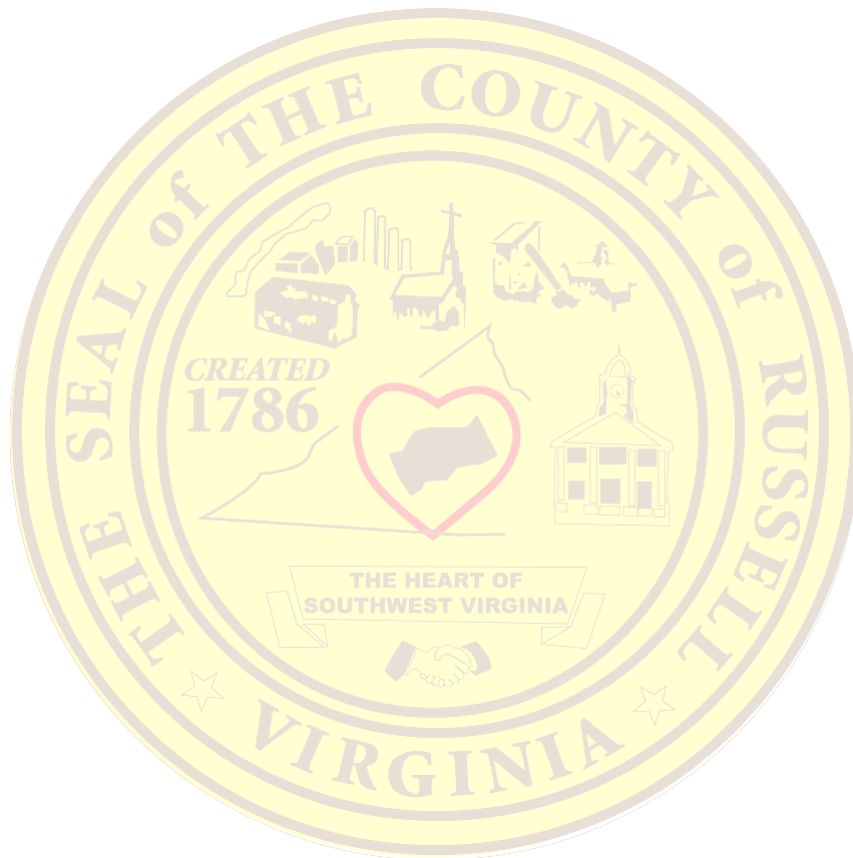


**SECTION 06-06**

**Effective Date: August 3, 2020**

**ESTABLISHMENT OF DEPARTMENTAL OPERATING POLICIES AND PROCEDURES**

From time to time and/or at the direction of the Board of Supervisors or the County Administrator, may establish specific policies, guidelines, rules, regulations and procedures to aid in the conduct of their operations not inconsistent with the provisions of this Manual, other policies of the Board of Supervisors, and the ordinances, laws and regulations of the County, state and federal governments. Such policies and procedures shall be set out in writing and be subject to review, modification and approval by the County Administrator and Board of Supervisors as may be directed.



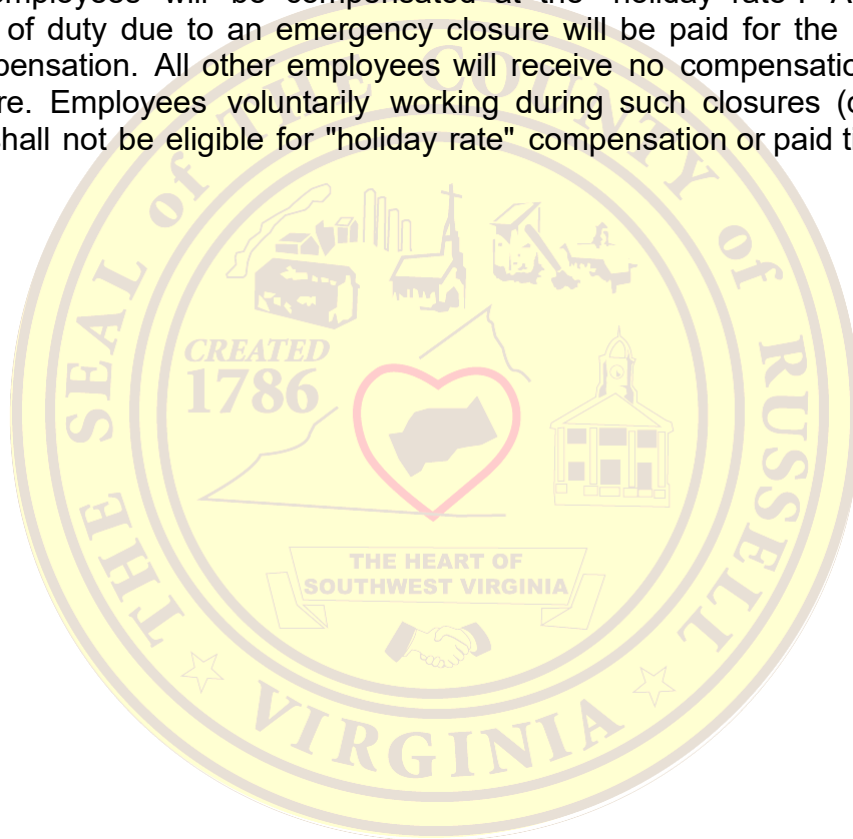
## **SECTION 06-07**

**Effective Date: August 3, 2020**

### **OFFICE CLOSURE DURING EMERGENCIES**

The County Administrator and/or Chairman of the Board of Supervisors may close the offices and operations when in their judgment circumstances warrant due to a health, safety or other threat to County employees or to the public who must use County facilities and properties. Such threats include severe inclement weather or other unusual conditions.

The County Administrator or Chairman of the Board of Supervisors may direct that certain employees and departments report to or remain at work during an emergency closure. In this event, all hours worked by such employees will be compensated at the "holiday rate". All permanent/full-time employees relieved of duty due to an emergency closure will be paid for the time relieved at their regular rate of compensation. All other employees will receive no compensation for lost work time due to such closure. Employees voluntarily working during such closures (doing so purely from personal initiative) shall not be eligible for "holiday rate" compensation or paid time off.

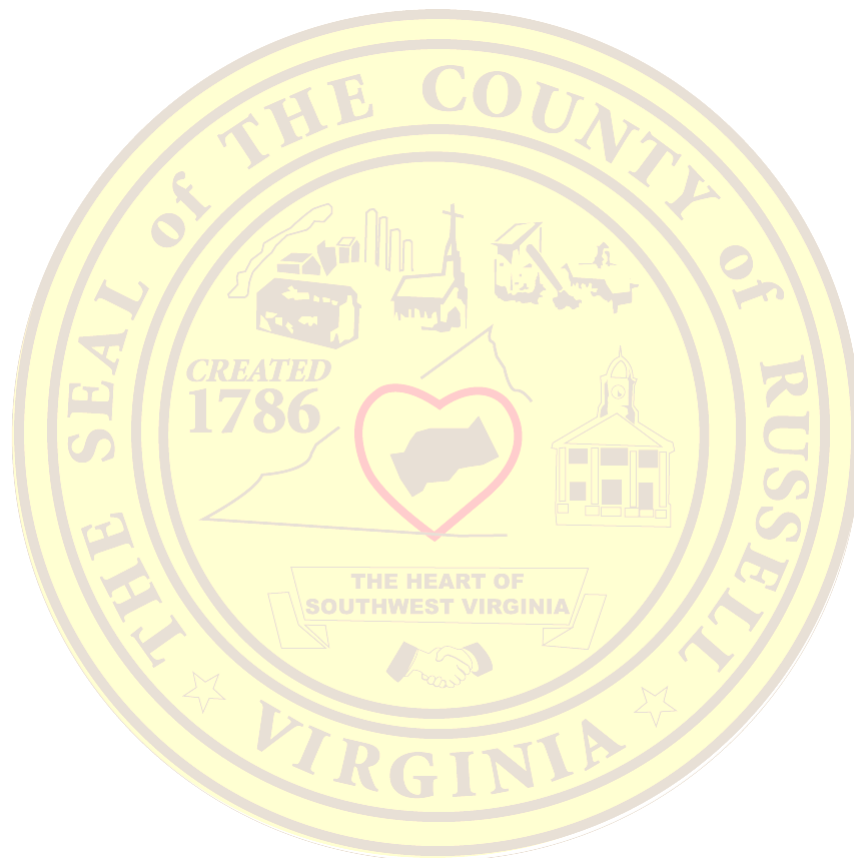


## **SECTION 07-01**

**Effective Date: August 3, 2020**

### **GENERAL**

It is the policy of the Russell County Board of Supervisors to provide certain employment benefits, including paid leave from work in consideration of the service provided by employees and to provide an attractive work environment to attract and retain quality personnel.. Such benefits are not continuing obligations of the Board of Supervisors and do not vest themselves as rights or obligations to employees from the Board of Supervisors as an employer.



## **SECTION 07-02**

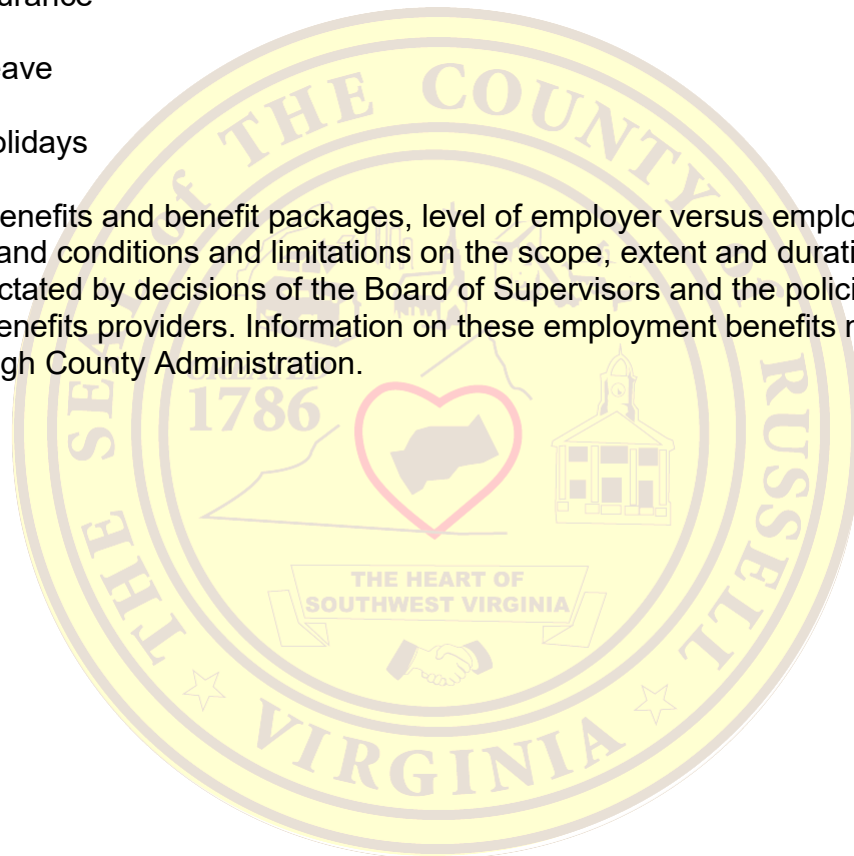
**Effective Date: August 3, 2020**

### **TYPES OF EMPLOYMENT BENEFITS**

The Board of Supervisors may offer to full-time employees of the Administrative Division the following employment benefits, among others:

- A. Health Insurance
- B. Retirement Plan
- C. Life Insurance
- D. Paid Leave
- E. Paid Holidays

The types of benefits and benefit packages, level of employer versus employee contributions, and conditions and limitations on the scope, extent and duration of such benefits are dictated by decisions of the Board of Supervisors and the policies of participating benefits providers. Information on these employment benefits may be obtained through County Administration.



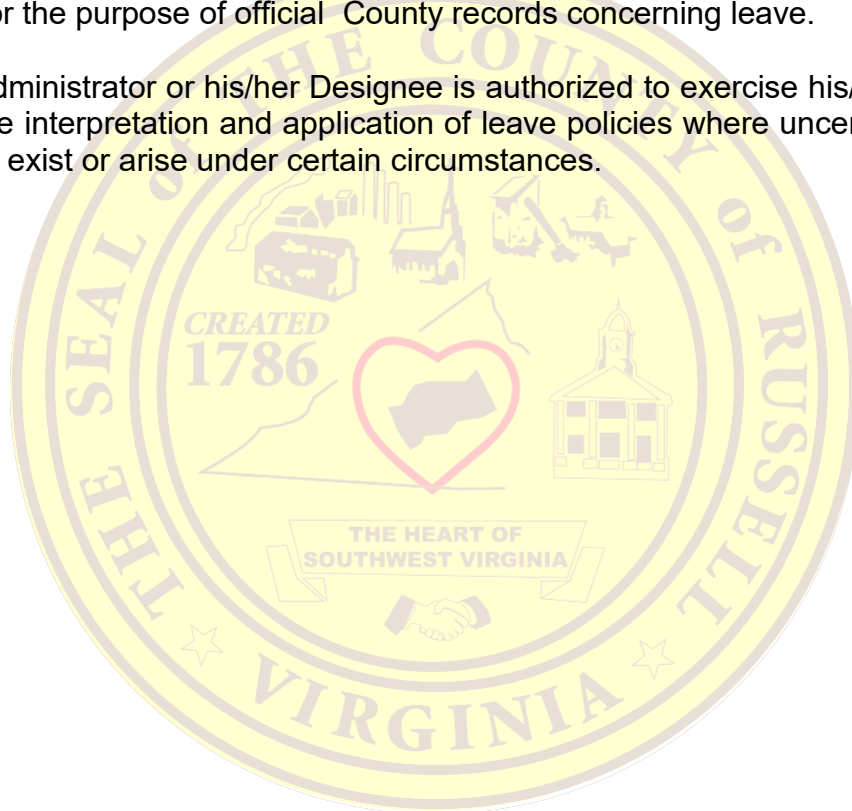
## **SECTION 07-03**

**Effective Date: August 3, 2020**

### **ADMINISTRATION OF LEAVE**

The types of leave set out under this Part are administered by the County Administrator or his/her Designee unless otherwise noted. It is the responsibility of the County Administration to generally oversee such leave provisions to ensure accuracy and accountability in their application and employees' use of same. The County Administrator or his/her Designee shall develop appropriate mechanisms and documentation for accurately tracking and recording the use of leave and instructing employees concerning leave policies. Only such mechanisms and documentation as are approved for use in this regard by the County Administrator or his/her Designee will be accepted for the purpose of official County records concerning leave.

The County Administrator or his/her Designee is authorized to exercise his/her best judgment in the interpretation and application of leave policies where uncertainty or ambiguity may exist or arise under certain circumstances.



**SECTION 07-04**  
**Effective Date: August 3, 2020**

**Annual Leave**

Leave with pay (i.e., P.T.O.) will be provided for each completed calendar year of employment as follows:

<u>Length of Service</u>	<u>Accrual Rates</u>
Under 5 years	120 hours
10 years	160 hours
15 years	200 hours
20 years	240 hours
25 years	280 hours
30 years	320 hours

Increases in P.T.O. monthly accrual rates as a result of accumulated years of service will occur starting the month following an employee's employment anniversary date.

P.T.O. will be earned in accordance with the provisions of the Personnel Policy Manual. P.T.O. may be accumulated by all employees up to the Maximum Balance and Payout of 320 hours. At termination of employment, the County will compensate up to the Maximum Payout, according to the schedule above. Compensation will be rendered based on the employee's rate of compensation at the time of termination of employment. Any P.T.O. accumulated in excess of the Maximum Payout of 320 hours shall be forfeited without compensation.

**Constitutional Officers and Employees:**

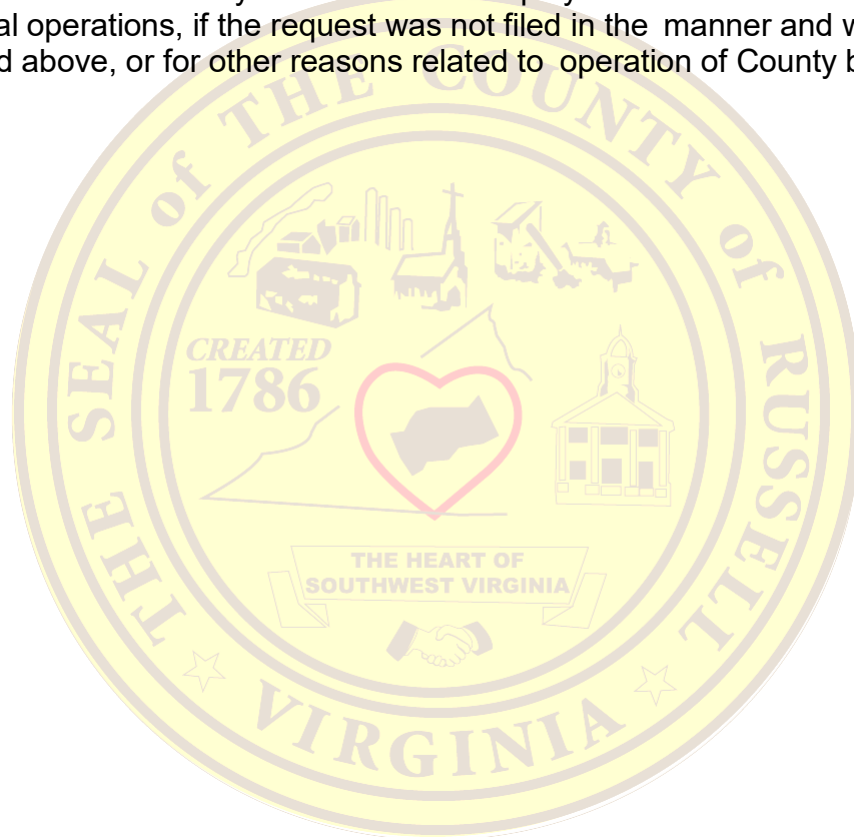
"Employee" as used in this section, means employee or deputy of the Attorney for the Commonwealth, Treasurer, the Commissioner of the Revenue, the Clerk of the Circuit Court and the Sheriff and shall also include the officers of all courts whose salaries are paid by the Commonwealth. The maximum payout shall be not more than 240 hours of accrued P.T.O.

An employee may use P.T.O. upon approval by the employee's Department Director for vacation, personal, sick and other leave purposes as needed. P.T.O. may not be taken in excess of (15) consecutive working days within any (60) calendar day period unless approved by the County Administrator or his/her Designee. No P.T.O. can be taken during any period of absence following an absence of (60) consecutive calendar days until the employee has been back at work at least (30) consecutive working days, unless the Family and Medical Leave Act or other law mandates approval of continued leave.

Employees are encouraged to submit requests for the use of P.T.O. with as much advance notice as possible, but at minimum, in accordance with the following advance request schedule.

All requests shall be made in writing using the County P.T.O. Request Form. An employee requesting (3) or more consecutive working days of P.T.O. must provide to his/her Department Director (or the Deputy County Administrator if the employee is a Department Director) a completed County P.T.O. Request Form at least (24) hours in advance of the date or time for which the P.T.O. is requested. P.T.O. requests in excess of (3) consecutive working days must be submitted at least (3) working days in advance of the date the leave is requested.

County Administrator or his/her designee have authority to grant or deny a request for P.T.O. A request for P.T.O. may be denied if an employee's absence would be disruptive to departmental operations, if the request was not filed in the manner and within the time frame specified above, or for other reasons related to operation of County business.



## SECTION 07-05

**Effective Date: August 3, 2020**

### **Sick Leave**

Sick Leave may be used only for the following:

1. An illness, injury or medical procedure and recuperative period, including the birth of a child, incapacitating the employee to perform his/her duties.
2. An exposure to a contagious disease such that the employee's presence on duty would jeopardize the health of fellow employees or the public.
3. Appointment for examination and treatment related to health when such an appointment cannot reasonably be scheduled during non-work hours.
4. Illness or death in the immediate family. Any employee required to be absent because of death in his/her immediate family shall be entitled to 24 hours of paid (bereavement) leave. The immediate family includes only the employee's parents; grandparents; spouse; children; brother; sister; mother-in-law; father-in-law; sister-in-law; brother-in-law; son-in-law; daughter-in-law; or any person living as family in the household of the employee. Any additional leave, if taken, shall be deducted from the employee's accumulated sick or annual leave.
5. Exceptions to these policies for extenuating circumstances may be granted by the Board of Supervisors upon written request through the County Administrator.

Sick leave shall be granted to full time employees based on eight hours for each month of service. Accumulation of sick leave shall be unlimited for full-time County employees.

Payout for sick leave shall be at the time of separation of employment, by **retirement only**. The maximum payout for County employees for accrued sick leave shall be unlimited. Sick leave shall be reimbursed upon retirement at a rate equal to Russell County Schools pay per day of unused sick leave. Accrued sick leave may also be used to pay for health insurance after retirement.

### **Constitutional Officers and Employees:**

"Employee" as used in this section, means employee or deputy of the Attorney for the Commonwealth, Treasurer, the Commissioner of the Revenue, the Clerk of the Circuit Court and the Sheriff and shall also include the officers of all courts whose salaries are paid by the Commonwealth. The maximum payout shall be not more than 240 hours of accrued sick leave.

The justification for use of Sick Leave shall be subject to verification at the discretion of the County Administrator or his/her designee.

Verification may be required in the form of a signed statement from the employee's attending physician describing the employee's medical condition and stating that the employee was unable by reason of this condition to be at work during the entire period of absence. Where extended absence (after 5 consecutive working days) is indicated, FMLA procedures will be followed.



## **SECTION 07-06**

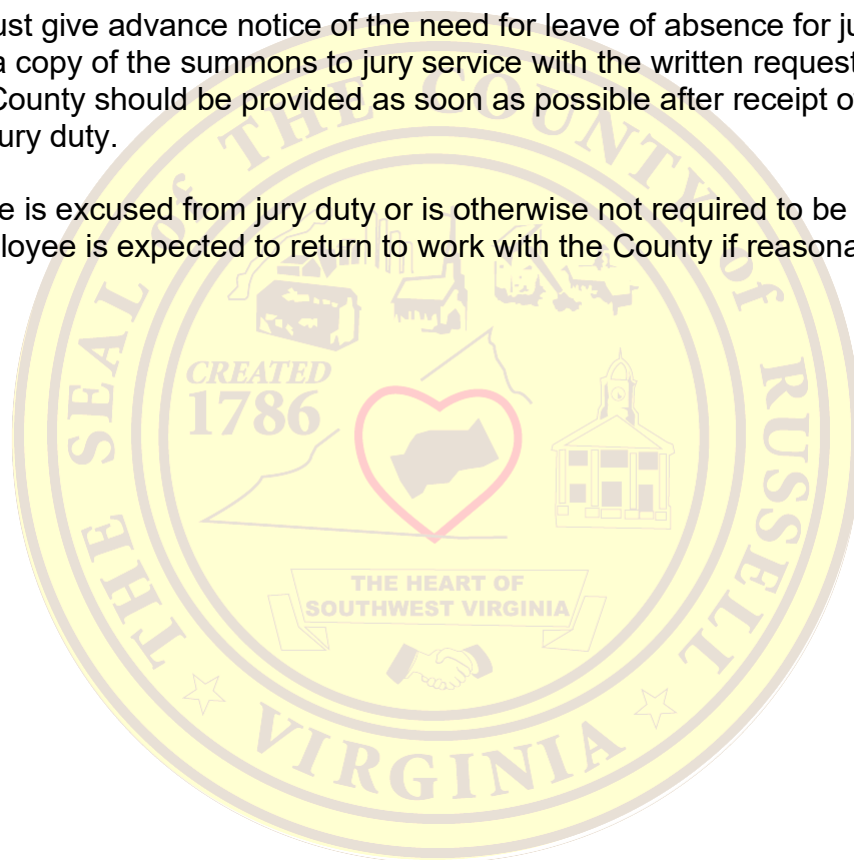
**Effective Date: August 3, 2020**

### **JURY LEAVE**

The County Administrator or his/her Designee shall grant a full-time employee leave with pay for an absence necessary for serving on a jury or attending court as a witness under subpoena. An employee compensated for civil duties, as by jury or witness fees, shall be paid only the difference between such compensation and the regular salary for the period of absence. Part-time employees shall be granted leave without pay for jury duty or as a subpoenaed witness.

Employees must give advance notice of the need for leave of absence for jury duty and must provide a copy of the summons to jury service with the written request for leave. Notice to the County should be provided as soon as possible after receipt of the summons for jury duty.

If the employee is excused from jury duty or is otherwise not required to be present in court, the employee is expected to return to work with the County if reasonably possible.



## **SECTION 07-07**

**Effective Date: August 3, 2020**

### **MILITARY LEAVE**

Russell County is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the County's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, re-employment, promotion, or other benefit of employment based on such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact the County Administrator, or his/her designee.

#### **Eligibility:**

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists, National Guard members for training, periods of active military service, and funeral honors duty, as well as time examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

#### **Procedures for Military Leave:**

Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide Russell County with notice of the need for leave as far in advance as is reasonable under the circumstances. Written notice is preferred, but not required under the law or this policy.

Employees on temporary or extended military leave may, at their option, use any or all accrued paid P.T.O. or Sick Leave during their absence.

When the employee intends to return to work, he or she must make application for re-employment to County Administrator, or his/her designee, within the application period set forth below.

If the employee does not return to work, the Department Director must notify County Administration so that appropriate action may be taken.

### **Benefits:**

An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31-day period, the employee and covered dependents can continue group health insurance up to 24 months at 100% of the overall (both employer and employee) premium rate.

Employees do not accrue P.T.O. or Sick Leave while on military leave of absence status.

With respect to the County's retirement plan, upon re-employment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service.

### **Re-Employment and Exceptions:**

An employee who has engaged in military service must, in order to be entitled to the re-employment rights as set forth under the "USERRA" Act, must submit an application for re-employment according to the following schedule.

1. If service is less than (31) days (or for the purpose of taking an examination to determine fitness for service)- the employee must report for re-employment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of (8) hours after a time for safe transportation back to the employee's residence.
2. If service is for (31) days or more but less than (181) days-the employee must submit an application for re-employment with County Administration no later than (2) years following the completion of service.
3. If service is over (180) days-the employee must submit an application for re-employment with County Administration no later than (90) days following the completion of service.
4. If the employee is hospitalized or convalescing from a service-connected injury-the employee must submit an application for re-employment with County Administration no later than (2) years following completion of service.

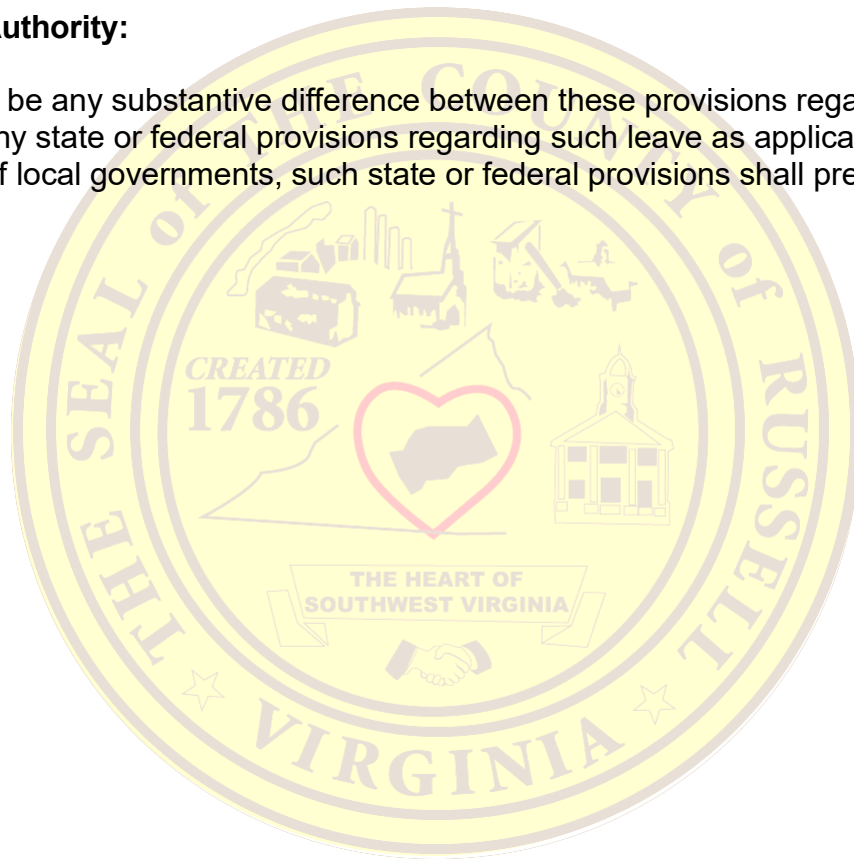
In addition to the employee's failure to apply for re-employment in a timely manner, an employee is not entitled to re-instatement as described above if any of the following conditions exist.

1. The County's circumstances have so changed as to make re-employment impossible or unreasonable.
2. Re-employment would pose an undue hardship upon Russell County.
3. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
4. The employee did not receive an honorable discharge from military service.

Employees re-employed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed.

**Prevailing Authority:**

Should there be any substantive difference between these provisions regarding Military Leave and any state or federal provisions regarding such leave as applicable to employees of local governments, such state or federal provisions shall prevail.



## **SECTION 07-08**

**Effective Date: August 3, 2020**

# **Family and Medical Leave**

## **Who the Policy Covers**

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To be eligible for Family and Medical Leave Act (FMLA) leave, an employee must:

- Have been employed by the County for at least 12 months (need not be continuous);
- Have worked at least 1,250 hours during the previous 12-month period (unless absent on military leave); and
- Work at a location where the County employs at least 50 persons within a 75-mile radius.
- Pursuant to FMLA, “key employees” are not eligible for FMLA leave and the County may deny reinstatement to the same or equivalent position after extended absence of a key employee. The key employees in the County subject to this exception are the “County Administrator” and “County Attorney”.

## **Policy**

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Under this policy, the County provides eligible employees with 1) up to 12 workweeks of unpaid, job-protected leave in a 12-month period for certain family and medical reasons. Or, up to 26 workweeks of leave for eligible employees to care for a covered service member with a serious illness or injury, as specified in the County’s Military FMLA Policy. *In general, Military FMLA issues are addressed in a separate section, below. The County shall review any leave for any “Reason for Leave” stated herein for qualification as FMLA leave after absence of more than 5 consecutive days or 10 days cumulative absence in a rolling 12-month period.*

## **Reasons for Leave**

Eligible employees can take leave for any of the following reasons which may qualify for FMLA:

- To care for the employee’s own serious health condition, including health conditions relating to pregnancy, childbirth, and related medical conditions.
- To care for the serious health condition of the employee’s child, spouse, or parent.
- Because of the birth of an employee’s child.
- Because of the placement of a child with the employee for adoption or foster care.
- Because of certain family and medical events as specified in the Military FMLA Policy, below.

## **Leave Is Unpaid but Employee Must Use Paid Time Off When Available**

Although FMLA leave is unpaid, during any FMLA leave, employees are required to use all available leave time, including vacation leave, sick leave and any other earned or paid time off. The use of paid time off during an FMLA leave of absence shall not extend the length of an employee’s FMLA leave.

Any

absences after the 5<sup>th</sup> day without a request for FMLA Leave from the employee will trigger FMLA procedures from the County Administration.

During FMLA leave, the County allows the employee to continue to accrue paid time off until all paid leave is exhausted. FMLA leave does not constitute a break in service for purposes of longevity, seniority, or any employee benefit plan.

## **Employee Benefits During FMLA Leave**

During FMLA leave, the County will maintain fringe benefits provided to an Employee, subject to the following provisions. If paid time off is applied during a period of FMLA leave, the County will deduct the employee portion of the benefit premiums as payroll deductions, as usual. If FMLA leave is unpaid, the employee must make arrangements with County Administration to pay the employee portion of the premiums. If an employee does not pay their share of premiums during unpaid leave, coverage may lapse. If an employee does not return to work after FMLA leave, the County may require the employee to reimburse the County for the portion of the employee's benefit premiums paid by the County during the FMLA leave.

## **Notice of Leave**

A "Request for Leave" form is available from County Administration and should be used for the following notices of leave for reasons that may qualify as FMLA leave. For any absence due to "Reasons for Leave" identified in this policy, an employee shall provide to County Administration written notice of such expected absence at least 30 days in advance if at all possible. When an employee becomes aware of a need for such absence less than 30 days in advance, the employee shall provide to County Administration notice of such need as soon as possible but no later than the same day or next business day after commencement of such leave. For an unexpected absence for such "Reasons for Leave", written notice of such leave shall be provided to County Administration as soon as possible but no later than three business days after commencement of leave.

A Request for Leave Form is available from County Administration.

## **Eligibility Notice/Rights and Responsibilities**

Upon receipt of an employee's Request for Leave, the County will provide the following documents to the employee along with instructions as to their use:

1. Notice of Eligibility and Rights and Responsibilities for Taking FMLA Leave;
2. Certification of Health Care Provider Form for Employee's Serious Health Condition;
3. Certification of Health Care Provider Form for Family Member;
4. Medical Information Release Form.

## **Medical Certification Is Required**

Employees who request FMLA leave must submit to County Administration a Medical Certification Form completed by the health care provider to support the leave request. The County also requests that a Medical Information Release Form be certified by the employee and returned to County Administration. The Medical Certification Form should be returned to the County within 15 calendar days after it is requested or as soon as possible thereafter, if circumstances demand longer than 15 calendar days. The Medical Certification Form must be completed with sufficient details about the reason for the absence before a determination of qualification can be made.

If the Medical Certification Form returned to the County is not satisfactory, an employee will be told of the deficiencies in writing and given 7 calendar days to complete the Form. If the medical information is inadequate, designated County representatives may contact the employee's health care provider directly to authenticate or clarify information on the certification without the employee's consent. Also, the designated County representative may directly contact the employee's health provider, after receiving the employee's permission, to get more complete information regarding the nature of the ailment, the duration of the leave, the need for intermittent leave, etc. Failure to submit a complete and sufficient Medical Certification will be grounds for, and may result in, deferral or denial of the employee's requested FMLA leave.

The County can request a second or third opinion regarding the employee's condition and treatment (at the County's expense).

### **Designation Notice**

Within 5 business days (absent extenuating circumstances) of having enough information to determine whether the requested leave is FMLA-eligible, the County will provide a Designation Notice, informing the employee whether or not leave is designated FMLA leave and the amount of leave that will be designated, if known. This designation may be retroactive.

### **Duration of Family and Medical Leave**

Generally, eligible employees will be entitled to a cumulative total of 12 workweeks of FMLA leave within a 12-month leave period. However, when the leave time includes covered service member care leave, alone or in combination with regular FMLA or Qualifying Exigency leave, the employee is entitled to up to 26 workweeks of leave during any single 12-month period. Any combination of FMLA leave may not exceed the maximum limit of 26 workweeks.<sup>1</sup>

The County will apply the "rolling method" to determine FMLA eligibility. The "rolling method" means that the 12-month period to determine FMLA eligibility shall be measured backwards from the date an employee's requested leave begins for the purpose to determine how many FMLA-qualified absences have occurred in the 12-month period and whether additional FMLA leave is available (FMLA Leave Year). The FMLA Leave Year will begin on the first day that the employee takes FMLA leave.

A husband and wife who both work for the County are entitled to a combined total of 12 weeks' leave in a 12-month period for the birth, adoption, or foster care of a child or to care for a parent with a serious health condition. Both the mother and father are entitled to take 12 workweeks of leave to care for a seriously ill child. Leave time taken for the purpose of bonding with a new child will require notice from the employee that such time is being requested as bonding.

In certain cases, the County may approve "intermittent leave" or "reduced schedule" pursuant to FMLA. The need for either of these types of leave must be certified by a health care provider and should be scheduled to avoid disruption to the County insofar as is reasonable.

### **Re-certification**

The County may require an employee to re-certify a serious health condition periodically. The County shall require annual medical certifications for serious health conditions that persist for more than one FMLA Year, including chronic/lifelong ailments.

### **Return to Work**

Prior to return to work, employees absent on FMLA leave shall provide medical certification of their fitness to return to work, using the Fitness for Duty form provided by County Administration. The certification must take into consideration the employee's Job Description and its essential job functions. Employees failing to provide the Fitness for Duty certification based on essential job functions cannot resume work until such certification is provided.

Employees returning to work from FMLA leave will be returned to the same or an equivalent position held prior to the leave, unless the position has ceased to exist because of business necessity. If an employee does not return to work as soon as possible as such is certified on the Fitness for Duty form or upon exhaustion of FMLA leave, whichever occurs first, the County may terminate employment of such employee.

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<sup>1</sup> See Military FMLA Policy, below, for specific rules governing any use of military caregiver leave.

## Military Family and Medical Leave

### Who the Policy Covers

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To qualify for leave under the military Family and Medical Leave Act provisions, an employee must be eligible for traditional FMLA leave and be either:

- The parent, spouse, son, or daughter of a service member in the National Guard or a Reserve component of the Armed Forces, or of an Armed Forces retiree, who is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation; **or**
- The spouse, son, daughter, parent, or next of kin of a covered service member undergoing medical treatment, recuperation, or therapy, who is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

### Policy

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Under the Military FMLA policy, the County provides eligible employees with:

- Up to 12 workweeks of unpaid, job-protected leave in a 12-month period because of a qualifying exigency; **or**
- Up to 26 workweeks of leave for eligible employees within a single 12-month period to care for a covered service member with a serious illness or injury.

Unless specifically stated otherwise, procedures, notices, and rights and responsibilities stated above as part of County policy for traditional FMLA apply to military FMLA.

### Reasons for Leave

Eligible employees can take military FMLA leave for any of the following reasons:

- Because of any qualifying exigency arising out of the fact that a son, daughter, spouse, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. **This leave is limited to relatives of National Guard and Reserve service members and of Armed Forces retirees who are in federal service.**
- To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin (nearest blood relative) of the covered service member. **This leave does not cover relatives of veterans or service members on the permanent disability retired list.**

### Who Is the Covered Service Member?

A covered service member is one who is undergoing medical treatment, recuperation, or therapy, who is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The serious injury or illness is covered if it was incurred while in the line of duty and renders the service member medically unfit to perform his/her military duties. The County will rely on authorized health care providers or designated officials in the Department of Defense to determine whether the service member is deemed a covered service member.

### Notice of Leave

When the need for leave because of a **qualifying exigency** related to a family member's active duty is "foreseeable," the employee should provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, it should be practicable for the employee to provide notice of the need for



leave either the same day or the next business day. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

When military caregiver leave is requested, as with traditional FMLA, an employee must provide the County at least 30 days' advance notice before FMLA leave is to begin if the need for the leave is foreseeable. If 30 days' notice is not practicable, notice must be given as soon as practicable.

A Request for Military Leave Form is available from County Administration Office.

### **Eligibility Notice/Rights and Responsibilities**

Employees will receive the same Eligibility Notice and Notice of Rights and Responsibilities when requesting military FMLA leave as are given under traditional FMLA. The County will provide employees who request military FMLA leave with the appropriate certification form for Qualifying Exigency Leave or Military Caregiver Leave at this time. The Eligibility Notice/Rights and Responsibilities Notice are available from County Administration.

### **Certification for Leave Taken Because of a Qualifying Exigency**

The first time an employee requests leave because of a qualifying exigency; the employee must provide a copy of the covered military member's active duty orders or other documentation issued by the military. The documentation must indicate that the covered military service member is on active duty or called to active duty status in support of a contingency operation and the dates of the covered military member's active duty service. The employee shall need to supply such documentation again only if requesting leave for a different active duty or call to active duty status of the same or a different covered military member.

A Certification for Qualifying Exigency Leave Form is available from County Administration; it includes a list of approved qualifying exigencies. A completed certification form is required in order for the employee to be granted this Leave.

The County also may contact an appropriate unit of the Department of Defense to request verification that a covered military service member is on active duty or called to active duty status, without the employee's permission.

The County may require confirmation of the employee's relationship with the service member at any time in this process.

### **Certification for Military Caregiver Leave**

When an employee takes leave to care for a covered service member with a serious injury or illness, the County will require the employee to obtain a certification completed by an authorized health care provider of the covered service member. A Certification for Military Caregiver Leave Form is available from County Administration. Except as stated below, a completed form is required in order for the employee to be granted this Leave. The County may require confirmation of the employee's relationship with the covered service member at any time in this process.

In lieu of any certification, the County will accept Invitational Travel Orders (ITOs) or Invitational Travel Authorizations (ITAs) issued to any family member to join an injured or ill service member at his or her bedside, regardless of whether the employee is named in the order or authorization. An ITO or ITA is sufficient certification for the duration of time specified in the ITO or ITA. During that time period, an eligible employee may take leave to care for the covered service member in a continuous block of time or on an intermittent basis.

The County may seek authentication and clarification of the ITO or ITA but will not seek a second or third opinion or a re-certification during the period of time in which the employee's leave is supported by an ITO or ITA.

If an employee will need leave to care for a covered service member beyond the expiration date specified in an ITO or ITA, the County will request that the employee have one of the authorized health care providers complete a certification form for the additional time. Timelines designated under the traditional FMLA policy will apply for return of such certifications.

In all instances in which certification is requested, it is the employee's responsibility to provide the County with complete and sufficient certification, and failure to do so may result in the delay or denial of FMLA leave.

The County may seek authentication and/or clarification of the Certification Form but will not seek second and third opinions or re-certifications for military FMLA leave.

### **Duration of Military Family and Medical Leave**

Eligible employees using qualifying exigency leave will be entitled to a cumulative total of 12 workweeks of FMLA leave within a 12-month leave period and are covered by the same policy provisions (as to duration, benefits, return to work, etc.) as employees requesting traditional FMLA leave, as detailed above.

Employees using military caregiver leave alone or military caregiver leave in combination with traditional FMLA-qualifying leave or qualifying exigency leave may take up to 26 workweeks of leave during any single 12-month period. The amount of the leave taken for traditional or qualifying exigency is limited to a total of 12 workweeks; the difference may be taken as military caregiver leave. The 26 workweeks of military caregiver leave run on a separate FMLA year that commences with the first day leave is taken and can run forward until the end of that 12-month period. Any combination of FMLA leave may not exceed the maximum limit of 26 workweeks in that single 12-month period. Unused military caregiver leave is forfeited at the end of that 12-month period.

With regard to the military caregiver leave, if both a husband and wife work for the County, the husband and wife's leave is limited to a combined total of 26 workweeks for military caregiver leave alone. The same 26-workweek limitation applies when in combination with any other 12-workweek FMLA leave, with the exception of caring for a seriously ill child, which expands the traditional FMLA entitlement of 12 workweeks to 24 for the mother and father combined. (Generally, family members would be limited to 12 workweeks for care due to the birth, adoption, or placement of a child or the care of a qualifying relative during the 12-month period.)

In certain cases, leave may be taken on an intermittent basis or the employee may work a reduced schedule. Intermittent leave must be necessary and should be scheduled to avoid disruption insofar as is reasonable.

A Certification for Military Caregiver Leave is available from County Administration.

## **SECTION 07-09**

**Effective Date: August 3, 2020**

### **HOLIDAY LEAVE**

The following days are authorized as official holidays and office shall be closed:

New Year's Day

Election Day

Martin Luther King, Jr. Day

President's Day

Good Friday

Memorial Day

Independence Day

Labor Day

Columbus Day

Veterans Day

Thanksgiving Day

Day After Thanksgiving Day

Christmas Eve

Christmas Day

These generally are those holidays recognized by the state and federal governments (subject to amendment by action of the Board of Supervisors). Full-time employees shall be paid at their regular rate of compensation for holidays as designated by the Board of Supervisors, unless the employee is subject to disciplinary suspension from employment at the time of the holiday. In addition, any other day so declared by the Governor of the Commonwealth, or President of the United States shall be a legal holiday.

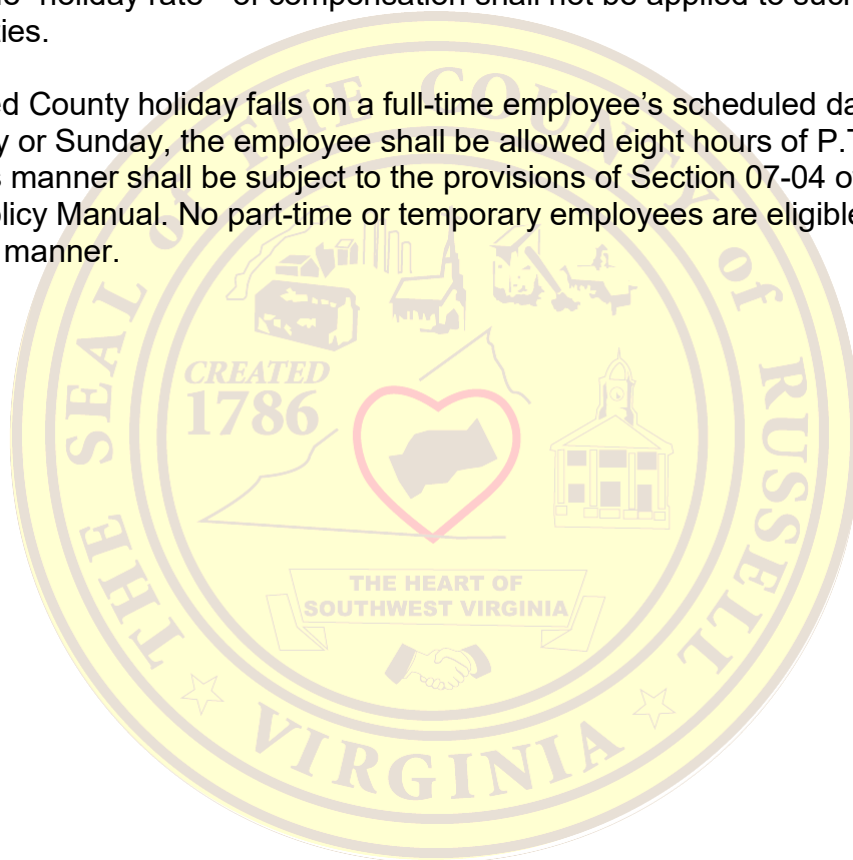
No paid work by any Administrative Division employee or Department may be performed on a designated County holiday without prior written approval of the County Administrator or his/her Designee. All Administrative Division Department Directors must submit a written request for approval to work departmental employees on a County holiday to the County Administrator or his/her Designee, no less than ten working days prior to the designated holiday.

Upon approval of the County Administrator or his/her Designee, time worked by full-time, FLSA non-exempt employees during a designated County holiday, or during a closing of County offices other than for a County holiday (such as due to inclement weather or other circumstance where the closure is declared by the County Administrator or his/her Designee, or the Board of Supervisors) will be compensated in pay at a rate equal to one and one-half times the employee's regular hourly rate of compensation for non-exempt employees pursuant to Part (8) of the Personnel Policy Manual. This shall be referred to as the "holiday rate" of compensation.

During designated closing of County offices including holidays, no part-time or temporary employees are eligible to be compensated at the “holiday rate”; any time worked by such employees during designated County holidays or during a designated closing of County offices shall be at the employees’ regular hourly rate of pay.

In the event a full-time employee attends a work-related function or activity on a designated County holiday conducted at some other location other than the employee’s primary place of work involving education, training, technical assistance, workshops, seminars, symposiums, conferences, or other types of instructional or informational meeting events, the employee shall be entitled to receive up to eight hours of additional P.T.O upon approval of the County Administrator or his/her Designee. The “holiday rate” of compensation shall not be applied to such work-related activities.

If a designated County holiday falls on a full-time employee’s scheduled day off other than Saturday or Sunday, the employee shall be allowed eight hours of P.T.O. Leave earned in this manner shall be subject to the provisions of Section 07-04 of the Personnel Policy Manual. No part-time or temporary employees are eligible to earn P.T.O. in this manner.



## **SECTION 07-10**

**Effective Date: August 3, 2020**

### **COMPENSATION OF LEAVE AT TERMINATION OF EMPLOYMENT**

- Paid Time Off (P.T.O.)

An employee shall be compensated in one lump sum or multiple payment within the fiscal year for the balance of accrued but unused P.T.O. (Paid Time Off) up to the maximum payout amount, pursuant to Section 07-04 of the Personnel Policy Manual and compensatory time when he/she terminates employment within the Administrative Division by virtue of retirement, voluntary separation or dismissal from employment.

Compensation for accrued but unused P.T.O. will be rendered on the basis of the employee's current rate of compensation or the employee's present rate of compensation in the event the employee has only been in service during the present fiscal year. The rate of compensation will be converted to a rate per one hour of employment based on (2,080) work hours per County fiscal year. The total number of accrued but unused P.T.O. will be converted to hours or portion thereof and multiplied by the hourly rate of compensation, the product being the amount of compensation due the employee. Any P.T.O. in excess of the maximum payout amount pursuant to Section 07-04 of the Personnel Policy Manual at the time of termination shall be forfeited without compensation.

- Sick Leave

An employee shall be compensated for accrued sick leave at the time of separation of employment, **by retirement only**, up to the Maximum payout pursuant to the Personnel Policy Manual.

- Compensatory Time

An employee shall upon termination of employment be paid for all unused compensatory time at the employee's current rate of compensation in effect at the time compensation. The rate of compensation will be converted to a rate per one hour of employment based on (2,080) work hours per County fiscal year. The total number of accrued but unused compensatory time hours or portions thereof will be multiplied by the hourly rate of compensation, the product being the amount of compensation due the employee.

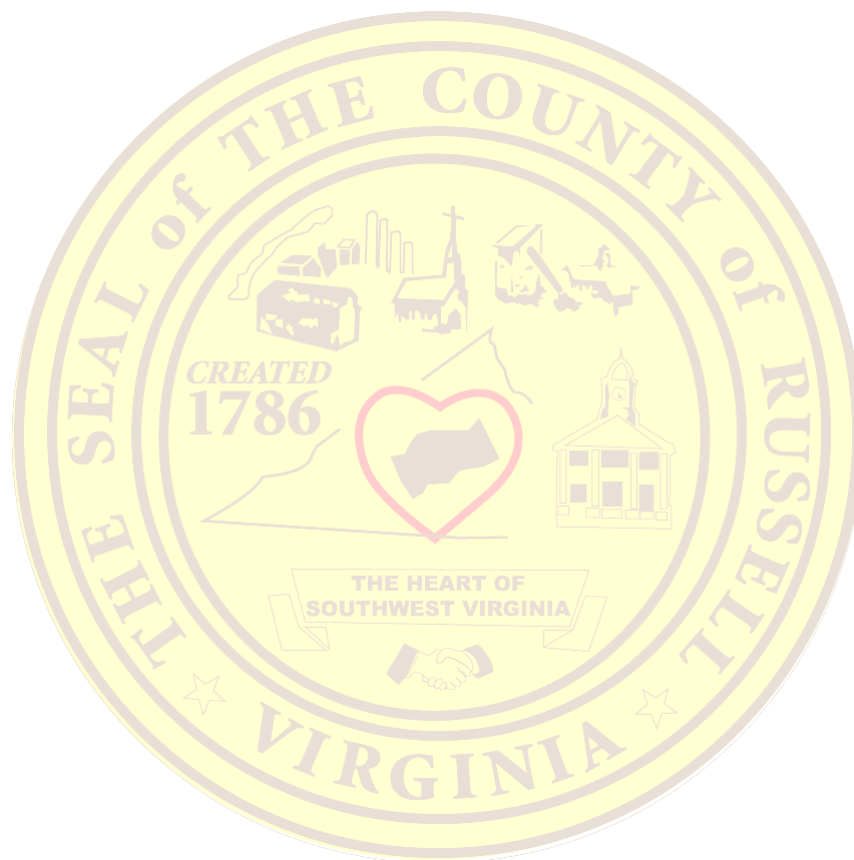
Compensatory time hours are accrued and recorded based on one- and one-half times the number of hours the employee worked over forty hours in any designated seven-day workweek.

## **SECTION 07-11**

**Effective Date: August 3, 2020**

### **EMPLOYMENT BENEFITS AND LEAVE FOR PART TIME AND TEMPORARY EMPLOYEES**

No employment benefits, paid leave or paid holidays shall be provided to Part Time or Temporary employees unless so directed by the County Administrator or the Board of Supervisors.



## **SECTION 07-12**

**Effective Date: August 3, 2020**

### **LEAVE TRANSFERRAL**

County Government employees, as described below, entering initial, full-time employment within the County Government may transfer to their service accounts their accrued, unused P.T.O. and Sick Leave from their prior County Government service. Transfer will be permitted only if the employee transitions from his/her previous employer within a time period not to exceed ten working days from the last day of employment in the previous position to the first day of employment

No P.T.O. so transferred may be used within sixty calendar days of the employee's first day of employment. No compensatory leave balances shall be transferred to employment. A written statement signed by the employee's previous employer (agency, elected official, manager, etc.) certifying the accrued but unused leave balances is required before transfer of same will be accepted. County Administration is responsible for record keeping in this regard.

For the purposes of this Section, "County Government employees" shall be limited to former employees of any entity listed in this Personnel Policy Manual as part of the Constitutional, Independent Agency, and Judicial Divisions of the County government of Russell County, Virginia. These are as follows:

29<sup>th</sup> Judicial Circuit Court Services Unit  
Juvenile & Domestic Relations Court  
Office of Clerk of Circuit Court  
Office of Clerk of General District Court  
Office of Commonwealth Attorney  
Office of County Commissioner of the Revenue  
Office of County Sheriff  
Office of County Treasurer  
Office of Voter Registrar  
Russell County Department of Social Services  
Russell County Public Library

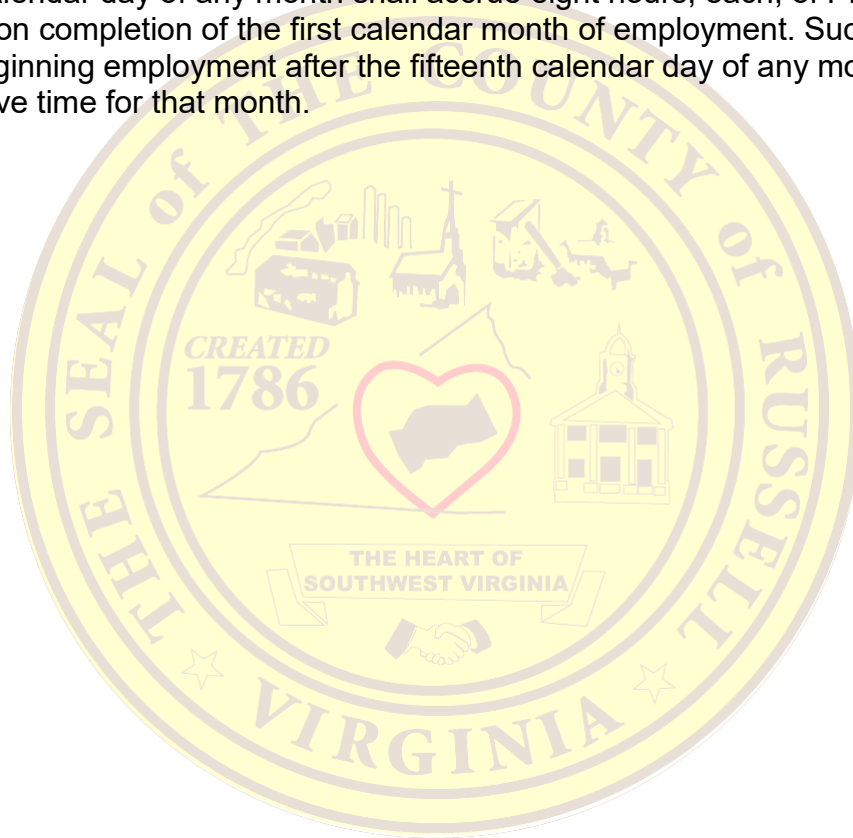
## **SECTION 07-13**

**Effective Date: August 3, 2020**

### **PAID LEAVE ACCRUED**

Full-time employees shall accrue (earn) P.T.O. and Sick Leave at the monthly rates established pursuant to Sections 07-04 and 07-05 of the Personnel Policy Manual. Employees must have worked fifty (50%) percent or more of the total number of possible working hours for any given calendar month; to accrue P.T.O. and Sick Leave. No partial accrual of P.T.O. or Sick Leave is permitted.

Newly hired full-time employees beginning their first month of employment on or before the fifteenth calendar day of any month shall accrue eight hours, each, of P.T.O. and Sick Leave upon completion of the first calendar month of employment. Such employees beginning employment after the fifteenth calendar day of any month shall not accrue leave time for that month.



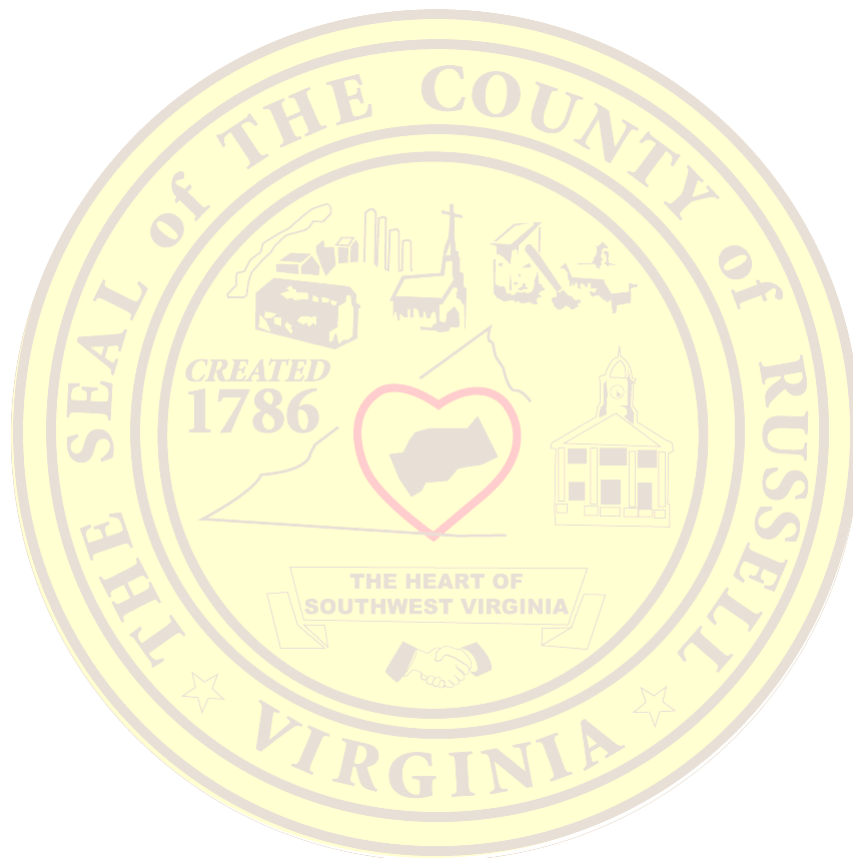


## **SECTION 07-14**

**Effective Date: August 3, 2020**

### **ABSENCES WITHOUT LEAVE**

Absences without leave time available will be deducted in pay from the employee during the month when the absence without leave occurred. Disciplinary action including termination of employment may be taken where a full-time and part-time employee is absent more than five successive working days without leave, or for absences without leave in excess of five working days separately throughout a County fiscal year.



## **SECTION 07-15**

**Effective Date: August 3, 2020**

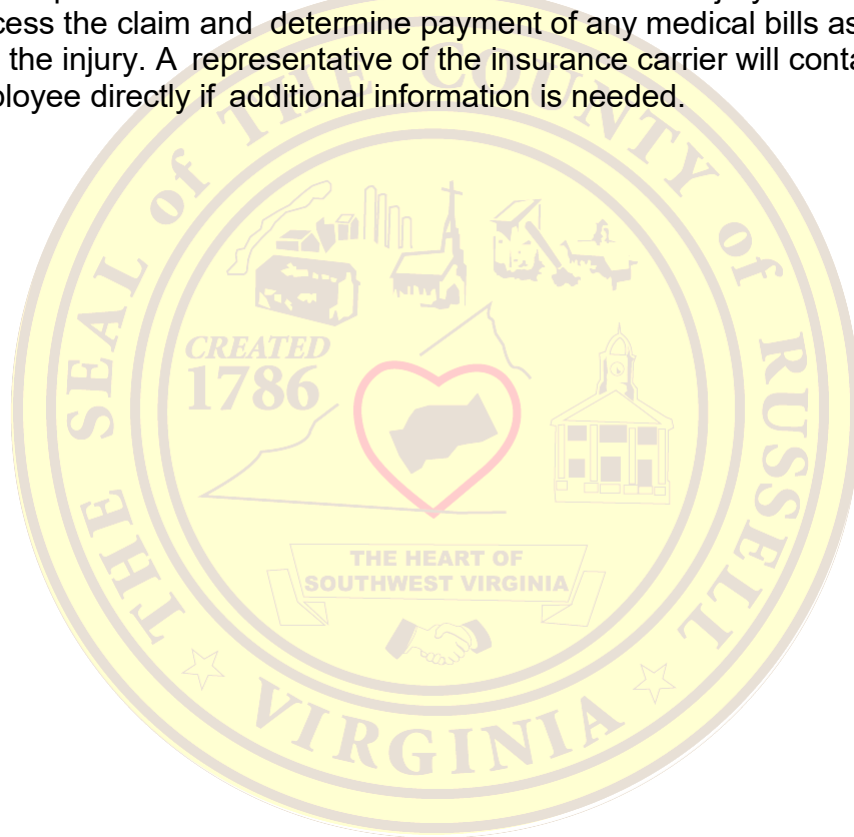
### **WORKER'S COMPENSATION**

Employees injured on the job are afforded protection in accordance with the Virginia Worker's Compensation Act. The County as an employer covers the full cost of Worker's Compensation insurance for all its employees. The County's Workers' Compensation insurance costs are based on the number of injuries that its employees suffer. The lower the injury rate, the lower the County's insurance costs, which means that more money can be put back in the County for its benefit and its employees.

Any employee involved in an accident on the job resulting in personal injury must take the following steps to be eligible to file a claim for Worker's Compensation.

- A. Employees should immediately report injuries to their Department Director, or in the absence of the Department Director, to the County Administrator, or his/her designee, so that the employee can receive fast and effective treatment. The employee shall provide the following information: (1) how the injury occurred; (2) where the employee was working when the injury occurred; (3) what time the injury occurred; (4) a description of the injury, and (5) the name of persons who may have witnessed the accident that resulted in the injury.
- B. If an injury occurs on the job, the injured employee must sign a written Accident Report of the injury within (3) days of its occurrence. Accident Report Forms may be obtained in the County Administration. If the injured employee is unable to fill out an Accident Report Form due to the nature of the injury, his/her Department Director should obtain a form and fill it out for the employee.
- C. If the employee requires immediate medical treatment, the employee's Department Director or other County employee may transport the injured employee to the nearest medical facility and must advise the registrar at that facility that the employee was injured on the job.
- D. If the employee does not require immediate medical treatment, the employee should consult with a physician as soon as possible if medical difficulties arise that appear associated with the on-the-job injury. All employees are encouraged to seek immediate medical attention for a work-related injury regardless of the severity of the injury. Medical treatment sought days after an injury may not be considered claimable under the County's Worker's Compensation insurance policy. Employees must advise any medical personnel treating them that their injury occurred while on the job.

- E. An injured employee should seek treatment by a physician who is a participant in the County's Workers' Compensation Coverage Plan. A list of these physicians can be found in the County Administration Office. If an injured employee chooses a physician who is not a member of this group, the employee may be responsible for the entire cost of medical treatment rendered by the non-member physician.
  
- F. After receipt of medical treatment (if necessary), the employee must file a First Report of Accident Form with the County Administration within five calendar days of the date of the accident. This form will then be filed with the County's Worker's Compensation insurance carrier. The employee is responsible for providing all medical bills associated with the injury to the County Administration for filing with the insurance carrier. The carrier will then request all medical records associated with the injury in order to process the claim and determine payment of any medical bills associated with the injury. A representative of the insurance carrier will contact the employee directly if additional information is needed.



## **SECTION 07-16**

**Effective Date: August 3, 2020**

### **WORKER'S COMPENSATION AND EMPLOYEE PAY**

Worker's Compensation insurance provides benefits for employees who are absent from work due to injury by accident arising out of and in the course of employment or "occupational disease" as defined in the Virginia Worker's Compensation Act, both of which shall hereinafter be referred to as "job-related injury". The County pays the entire cost of this insurance, which covers all County Administrative Division employees. The County's Worker's Compensation insurance costs are based on the number of job-related injuries the County suffers. The lower the County's injury rate, the lower the costs. Should an employee sustain a job-related injury, Worker's Compensation insurance will provide medical coverage and income replacement for the period of the employee's disability as required by law.

Injuries sustained by telecommuting employees while working at a home location and in conjunction with their regular work duties are normally covered by the County's Worker's Compensation insurance. Telecommuting employees are responsible to notify their Department Director or County Administrator or his/her Designee of such injuries in accordance with the Personnel Policy Manual. Injuries that do not occur in the course of employee's employment are matters of personal liability.

#### **Light Duty:**

In the event of job-related injury of an employee, the employee's Department Director is encouraged to consider the possibility of light duty assignments consistent with written recommendation of the injured employee's physician. Such assignments shall be at the discretion of the Department Director with written permission from the County Administrator or his/her Designee. Employees assigned to light duty responsibilities while recovering from job-related injury are advised to perform only functions that are consistent with their physician's recommendations. The County is not required to provide for light duty assignments that do not materially contribute to the operation of the department to which the injured employee is assigned, nor will the County temporarily transfer injured employees to other departments for the purpose of light duty assignments.

#### **Administration of Worker's Compensation Pay**

Under state law, Worker's Compensation pay does not begin until after the first seven calendar days of incapacity resulting from job-related injury, but if incapacity extends beyond that period, compensation shall commence with the eighth day of disability. Therefore, during the first seven days of incapacity due to a work-related injury, the County will apply the employee's accrued P.T.O. (Paid Time Off) or Sick Leave as the source of compensation to the employee for any time within that time period that the employee is absent from work due to job-related injury. Leave time will be deducted accordingly. Any time for which the employee does not have accrued leave time will be treated as leave without pay.

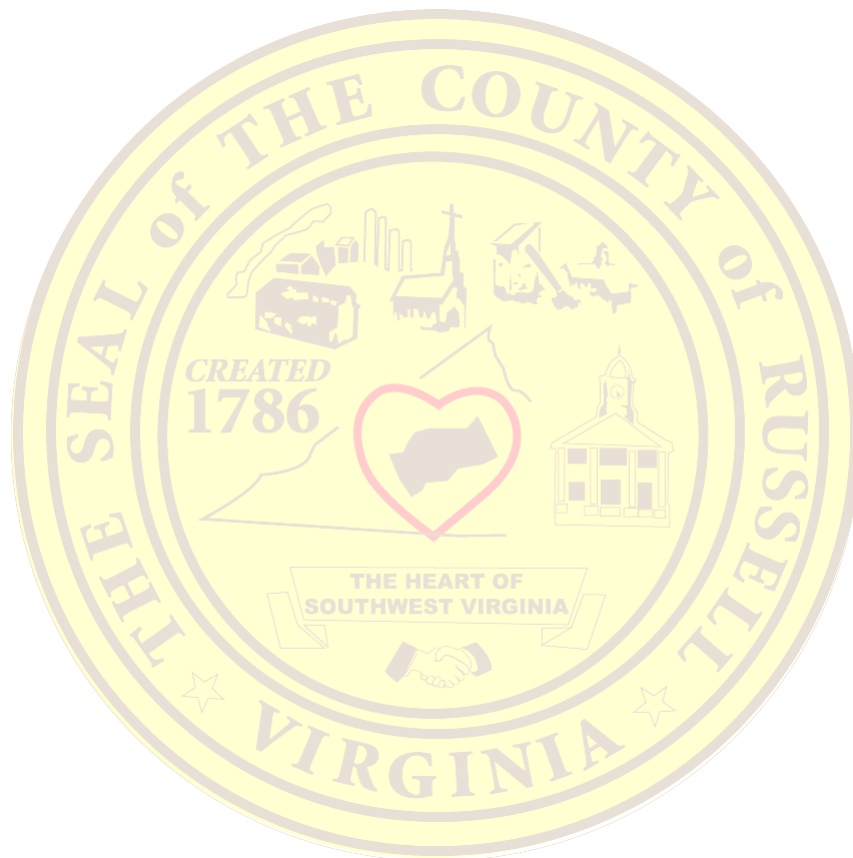
Upon the eighth day of disability, state law provides that Worker's Compensation insurance shall pay two-thirds of an employee's salary or hourly wage. When a worker's compensation claim is filed, an Election of Method of Payment Form must be signed by the employee, or his/her representative. This election form allows the employee to either receive compensatory pay, which is paid by the workers compensation carrier only, if this election is made, no wage/salary will be paid by the County to said employee. The employee shall become responsible to pay directly to the County all of the employee's share of payroll benefits (i.e., health insurance, disability insurance, and other cafeteria plan benefits). The employee may elect to turn his/her workers' compensation checks over to the County. The County shall then apply the Worker's Compensation payment, which is two-thirds (66%) of the employee's usual pay, toward the employee's salary/wage. The County will draw the remaining one-third (33%) day's pay from the employee's accrued leave time for each day of absence so that the employee will receive a paycheck for a full day as long as accrued leave time is available to supplement the Worker's Compensation Insurance payment. Time will be deducted from the employee's accrued leave time, accordingly. The employee shall continue to accrue leave benefits pursuant to Section 07-17 of the Personnel Policy Manual and their Virginia Retirement System (VRS) retirement service credit will be accrued at the same rate as if the employee were working on the job. Payments for payroll benefits shall be deducted from the compensation payment made to the employee.

- State law provides that upon the twenty-second day of incapacity due to job-related injury, Worker's Compensation insurance shall reimburse two-thirds (66%) of the employee's usual pay for each day of absence from work during the first seven days of incapacity. Again, an Election of Method of Payment Form must be signed by the employee, or his/her representative. This election form allows the employee to either receive compensatory pay, which is paid by the workers compensation carrier only, if this election is made, no wage/salary will be paid by the County to said employee. The employee shall become responsible to pay directly to the County all the employee's share of payroll benefits (i.e., health insurance, disability insurance, and other cafeteria plan benefits). The employee may elect to turn his/her workers' compensation checks over to the County. Upon receipt of the reimbursement paycheck from Worker's Compensation insurance, the County shall reimburse to the employee two-thirds (66%) of any leave time deducted to cover the employee's salary/wage for absence during the first seven days of incapacity.

After the employee exhausts accrued leave time from its use to supplement the Worker's Compensation insurance payments, the employee shall begin to receive the Worker's Compensation paycheck directly. The County shall, after exhaustion of the employee's accrued leave time begin managing the employee's benefits as it would for an employee on leave without pay. The employee shall become responsible to pay directly to the County all the employee's share of payroll benefits (i.e., health insurance, disability insurance, and other cafeteria plan benefits). If the employee continues to be absent due to a job-related injury after accrued leave time is exhausted, the employee shall not continue to accrue P.T.O., Sick Leave, or VRS retirement service credit pursuant to the provisions of the Personnel Policy Manual.

### Termination of Employment

In accordance with state law, the County shall not terminate employment on the basis of excessive absenteeism if such employee's absence is due to a job-related injury compensable under the Virginia Worker's Compensation Act; unless such extended absence causes the County undue hardship (as defined by the Americans With Disabilities Act). The County Administrator or his/her Designee shall have discretion in the event of undue hardship where appropriate, to terminate employment of such employee based on excessive absenteeism.



## **SECTION 07-16**

**Effective Date: August 3, 2020**

### **ADA/ADAA DISABILITIES POLICY**

#### **PURPOSE**

1. The American with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees as well as state and local governments, regardless of the number of employees, not to discriminate against job applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to job applicants and employees who are qualified for a job, so that they may complete the process to apply for employment and perform the essential job duties of the position, respectively.
2. It is the policy of Russell County to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is County policy not to discriminate against qualified individuals based on their disability regarding all employment practices, including job application procedures, hiring, advancement, discharge, compensation, training and other terms, conditions and privileges of employment. The County also prohibits discrimination against persons because they have a known association or relationship with an individual with a disability.
3. This Disabilities Policy provides guidance and the procedure through which individuals may request reasonable accommodation and the manner in which departments should consider and review those requests. It is intended to assist applicants for employment, current employees, and department directors in requesting and processing reasonable accommodation requests.

#### **POLICY**

4. The County will provide reasonable accommodation to enable a qualified job applicant with a disability to complete the job application process, and to enable a qualified employee with a disability to perform the essential functions of a job currently held.
5. Persons who pose a direct threat to the health or safety of themselves or other individuals in the workplace, for whom a reasonable accommodation cannot be made to eliminate such threat, will not be hired if such person is a job applicant, or, if such person is an employee, will be placed on administrative leave until an organizational decision is made in regard to the immediate employment situation.
6. Individuals who are currently using illegal drugs are not protected by the ADA and ADAAA and, therefore, are excluded from coverage under the County's Disabilities Policy. Tests for illegal use of drugs are not medical examinations under the ADA, are not subject to restrictions of such examinations, and shall be conducted by the County in accordance with its policy for such testing.

7. The County strictly prohibits harassment or discriminatory conduct related to an applicant or employee request for reasonable accommodation. In the event of such conduct, the applicant or employee is referred to the County Personnel Policy and Procedures Manual Workplace Harassment and Discrimination Policy.

## **PROCEDURE**

1. It is the responsibility of the applicant or employee to advise the County Administration of their request for accommodation.
2. The County Administration is available to provide information and assistance in the preparation, explanation, and processing of a request for reasonable accommodation.
3. All requests for accommodation must indicate the following:
  - a. Name, address, and telephone number of the person making the accommodation.
  - b. The specific limitation, the type of accommodation requested, and an explanation of how the accommodation will allow the performance of the essential functions of the position of employment.
4. Verification of the disability by the requester's physician, medical provider or vocational/rehabilitation counselor may be required. If medical verification is required, the requester must sign a release form. However, such verification will not be required of a job applicant unless a bona fide job offer has been made, contingent solely upon outcome of reasonable accommodation request consideration.
5. The County will make every reasonable effort to maintain confidentiality of all communications regarding reasonable accommodation interactive process and any associated medical information.
6. The following factors will be taken into consideration in review of a request for accommodation:
  - a. Analyze the job or activity to determine the essential functions.
  - b. Determine with the employee or applicant how the disability limits their performance of the essential functions.
  - c. Identify accommodation options that overcome limitations and determine the effectiveness and feasibility of the proposed accommodations.
  - d. In consideration of both the requester's preferences and the needs of the County, the County will select the accommodation most appropriate for both the requester and the County.
7. If the request is approved, the County Administrator will notify the requester and coordinate with the applicable department to make the necessary implementation arrangements.
8. If the request is denied, the requester may appeal to the County Administrator for additional consideration within 15 calendar days of written notice of denial.



9. Review and determination by the County Administrator will be completed within 21 calendar days from the County Administrator's receipt of the request for appeal. The County Administrator will provide a written record of the decision on the appeal, which shall be delivered to the Requester personally or to the address provided in the accommodation request form.
10. The deadlines stated, above, may be extended by mutual agreement of the requester and the County Administrator.

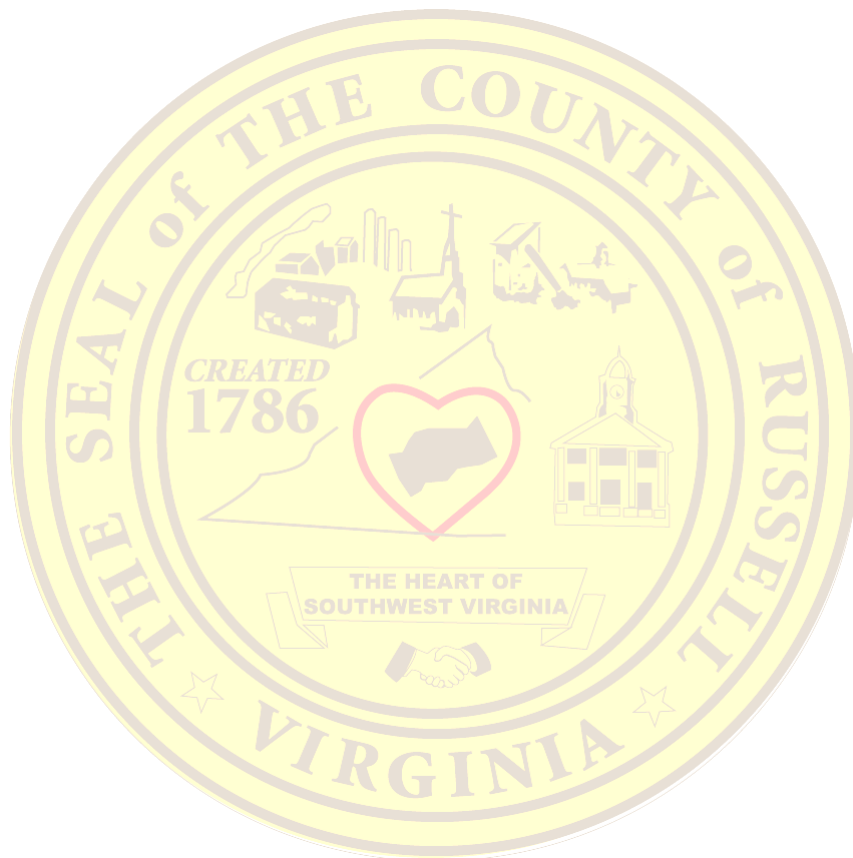
### **TERMS USED IN THIS POLICY**

As used in this policy, the following terms have the indicated meaning:

1. **Direct Threat:** A significant risk to the health or safety of the individual with a disability or others when this risk cannot be eliminated by reasonable accommodation.
2. **Disability:** A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment. The County will interpret "disability" in accordance with federal and state law requirements.
3. **Essential Functions of the Job:** Those job activities that are determined by the County to be essential or core to performing the job; these functions cannot be modified.
4. **Major Life Activities:** Term includes caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communication and working.
5. **Qualified Individual:** An individual who meets the skill, experience, education, or other requirements of an employment position that he/she holds or desires.
6. **Reasonable Accommodation:** Includes changes to the work environment that do not cause undue hardship to the County and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.
7. **Undue Hardship:** An action requiring significant difficulty or expense by the County. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include, but are not limited to:
  - The nature and cost of the accommodation;
  - The overall financial resources of the employer involved in the provision of the reasonable accommodation, the number of persons employed at such facility, the effect on expenses and resources, or the impact of such accommodation on the operation of the facility.
  - The overall financial resources of the employer; the size, number, type and location of facilities; and

- The type of operations of the employer, including the composition, structure and functions of the workforce; administrative or fiscal relationship of the facility involved in making the accommodation to the employer.

**The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments or reasonable accommodations covered by ADA/ADAAA policy.**

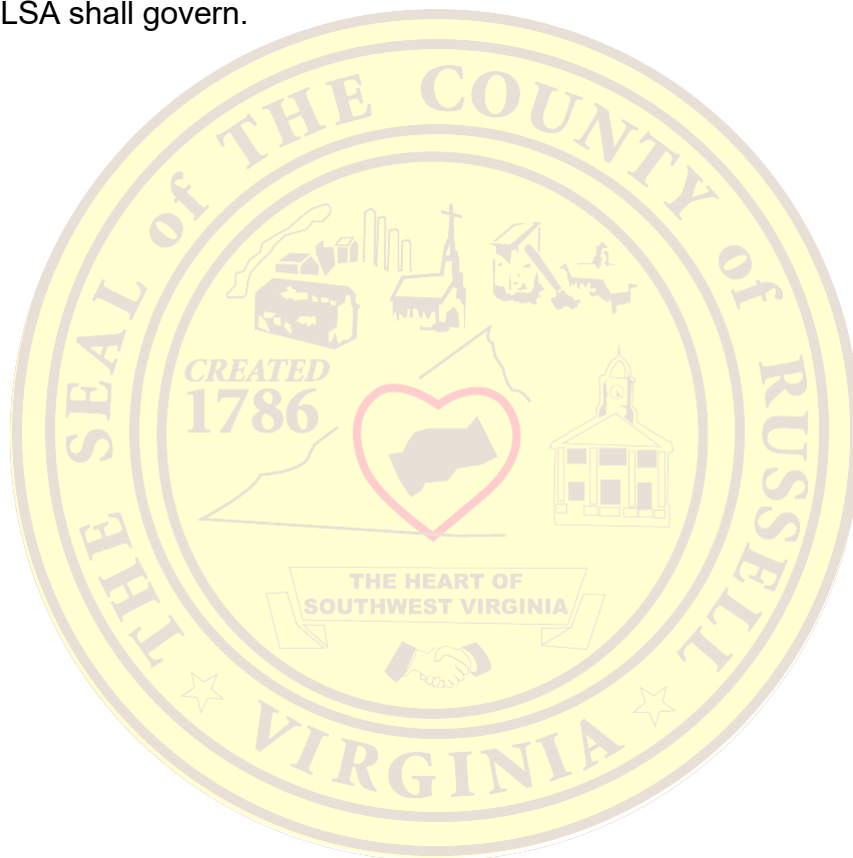


**SECTION 08-01**

**Effective Date: August 3, 2020**

**GENERAL**

It is the County's policy to comply with the provisions of Title 29, Chapter 8 of the United States Code, commonly referred to as the *Fair Labor Standards Act of 1938*, as amended, hereinafter referred to as the "FLSA". Accordingly, any employee who is not exempt as provided for herein and who actually works more than forty (40) hours in any seven (7) consecutive day work week shall be compensated for those hours worked in excess of those above specified in accordance with Section 207 of the FLSA. The FLSA and this Manual Section shall govern the compensatory time and overtime policies of the County government. Where there is a conflict between the provision of this Manual Section and the FLSA, the FLSA shall govern.

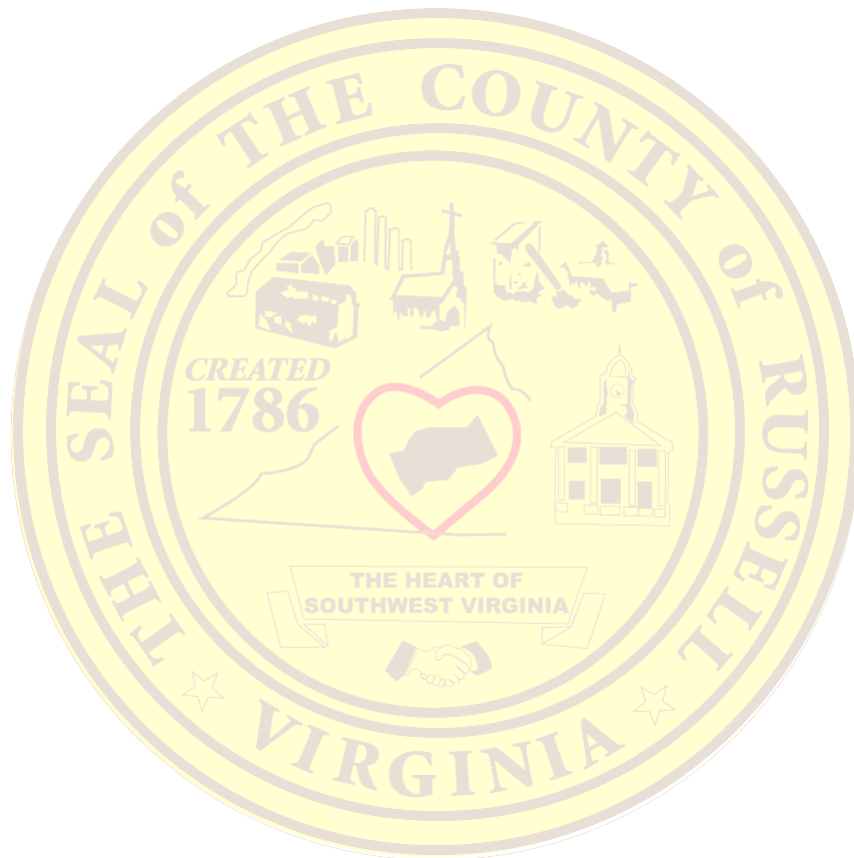


**SECTION 08-02**

**Effective Date: August 3, 2020**

**EXEMPT POSITIONS**

The County Administrator shall determine which positions are "exempt" pursuant to FLSA provisions. This determination shall be noted on the Position Descriptions for the affected positions. Employees holding these positions shall not be eligible to earn compensatory time or overtime pay.



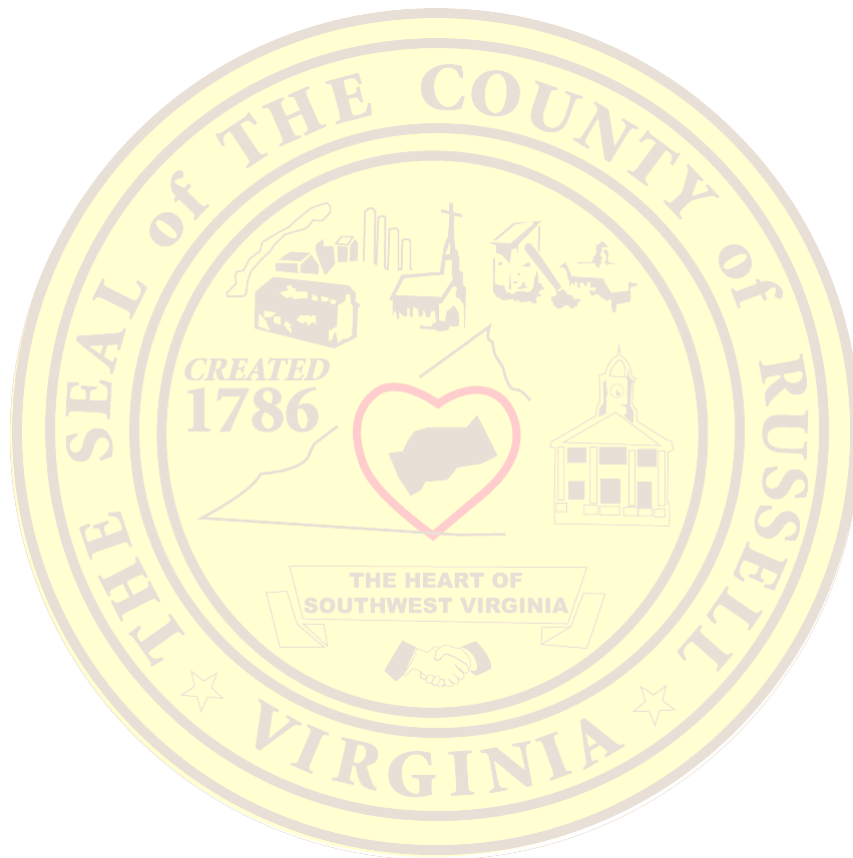
**SECTION 08-03**

**Effective Date: August 3, 2020**

**NON-EXEMPT POSITIONS**

The County Administrator shall determine which positions are "non-exempt" pursuant to FLSA provisions. This determination shall be noted on the Position Descriptions for the affected positions. Employees holding these positions shall be eligible to earn compensatory time or overtime pay.

All *Aide* positions are non-exempt positions and eligible to receive overtime pay in the event any such position is authorized to work more than forty (40) hours in any seven (7) day work week



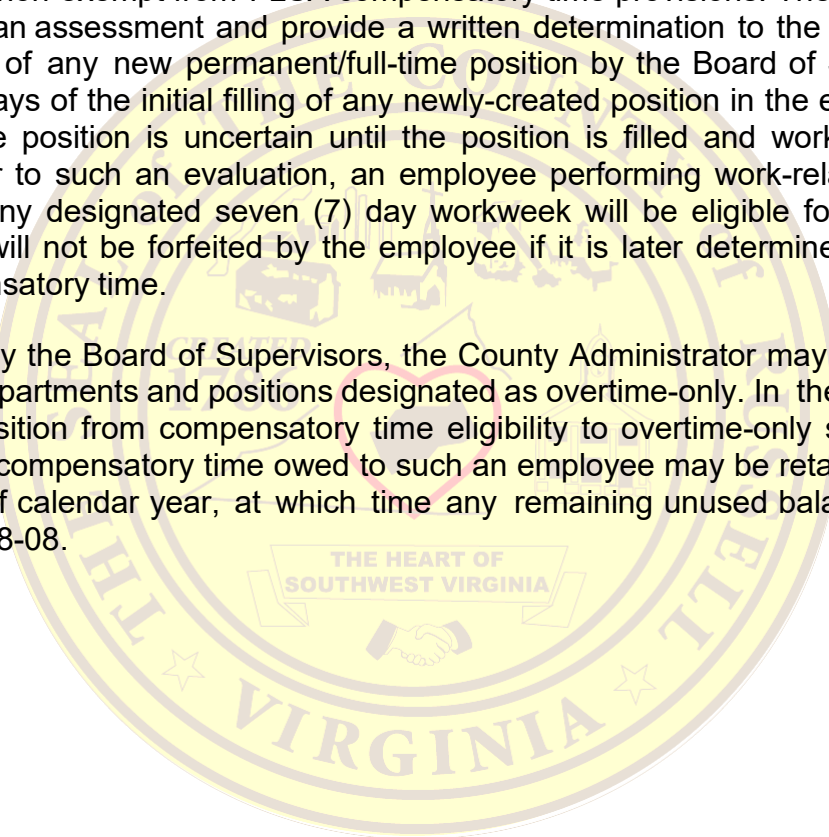
## **SECTION 08-04**

**Effective Date: August 3, 2020**

### **ELIGIBILITY FOR COMPENSATORY TIME**

An employee's eligibility to earn compensatory time depends upon the position the employee holds within the County, and whether that position is determined to be "exempt" or "non-exempt" from the provisions of the FLSA as applied to local government employers. Those Administrative Division positions that the County Administrator determines to be "non-exempt" shall be eligible for compensatory time. Those positions determined to be "exempt" shall not be eligible for compensatory time. The County Administrator, in consultation with the County Attorney is responsible for assessing the nature of the work performed by each permanent/full-time employee and determining whether the position is exempt or non-exempt from FLSA compensatory time provisions. The County Administrator shall undertake such an assessment and provide a written determination to the Board of Supervisors prior to the creation of any new permanent/full-time position by the Board of Supervisors, or within thirty (30) calendar days of the initial filling of any newly-created position in the event the exempt/non-exempt status of the position is uncertain until the position is filled and work is being performed. During the time prior to such an evaluation, an employee performing work-related duties in excess of 40 hours during any designated seven (7) day workweek will be eligible for compensatory time. This time if earned will not be forfeited by the employee if it is later determined that the position is exempt from compensatory time.

Subject to approval by the Board of Supervisors, the County Administrator may recommend changes or additions to the departments and positions designated as overtime-only. In the event of a transition of an employee's position from compensatory time eligibility to overtime-only status, the balance of accrued and unused compensatory time owed to such an employee may be retained and used by the employee until end of calendar year, at which time any remaining unused balance shall be remitted pursuant to Section 08-08.

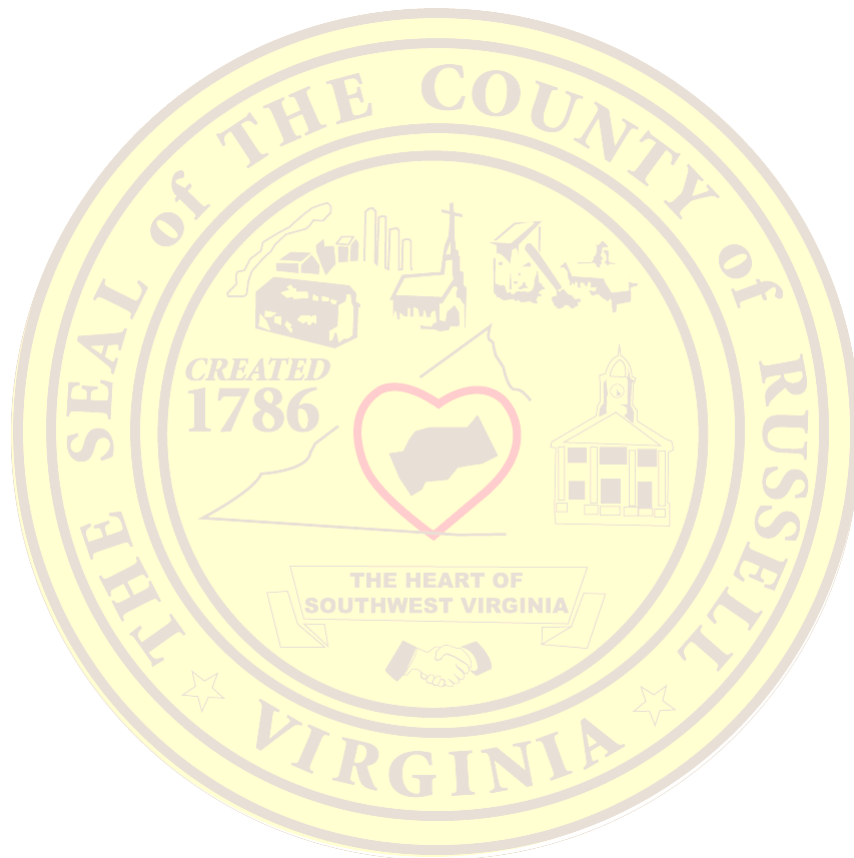


## **SECTION 08-05**

**Effective Date: August 3, 2020**

### **DEFINITION OF COMPENSATORY TIME**

The County defines "compensatory time" as the amount of time an employee is permitted to take off for personal use during his/her regular work schedule for time in the performance of work-related duties in excess of forty (40) hours during any designated seven (7) consecutive day workweek. All hours worked over 40 during any seven-day work week are multiplied by a factor of 1.5 (one and one-half times) and the product becomes the amount of time the employee accrues as compensatory time and is recorded as such on the employee's Monthly Time Sheet. Compensatory time when taken off is paid to the employee at the employee's regular rate of compensation.



## **SECTION 08-06**

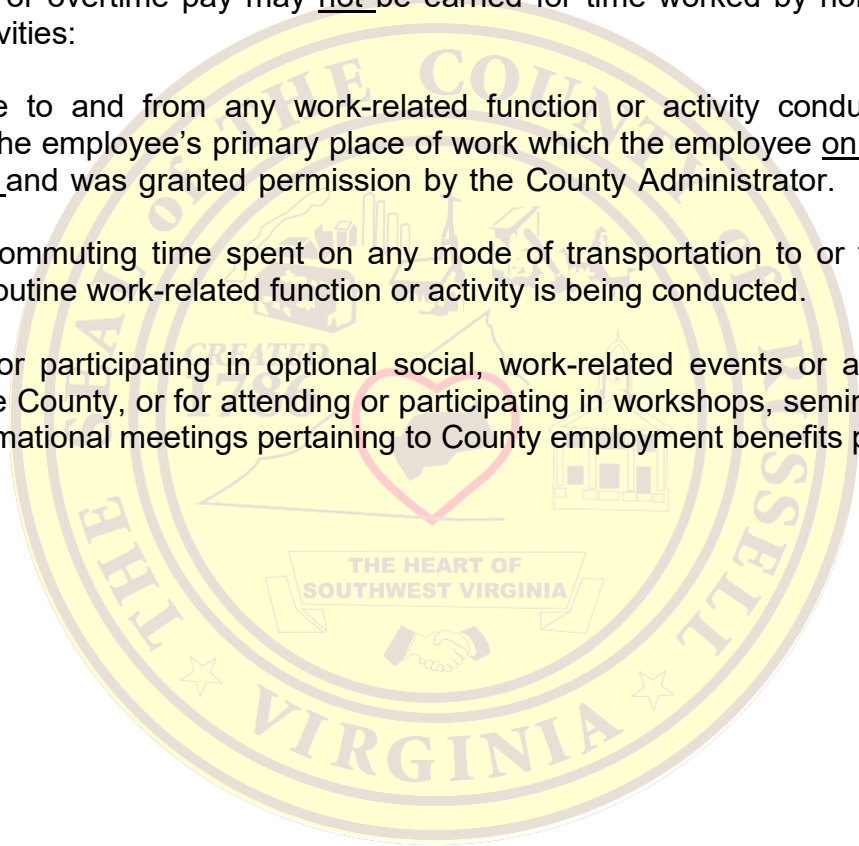
**Effective Date: August 3, 2020**

### **SPECIAL CIRCUMSTANCES INVOLVING COMPENSATORY TIME**

Compensatory time or overtime pay may also be earned for hours worked in excess of forty (40) in any seven-day workweek by non-exempt employees for travel time to and from work-related functions or activities. These functions or activities must be conducted at some other location other than the employee's primary place of work and involve education, training, technical assistance, workshops, seminars, symposiums, conferences, or other types of instructional or informational meeting events to which the employee was directed to attend by the County Administrator.

Compensatory time or overtime pay may not be earned for time worked by non-exempt employees for the following activities:

- (A). For travel time to and from any work-related function or activity conducted at some other location other than the employee's primary place of work which the employee on his/her own initiative requested to attend and was granted permission by the County Administrator.
- (B). For travel or commuting time spent on any mode of transportation to or from any destination where a regular or routine work-related function or activity is being conducted.
- (C). For attending or participating in optional social, work-related events or activities incidental to employment with the County, or for attending or participating in workshops, seminars or other types of instructional or informational meetings pertaining to County employment benefits programs.



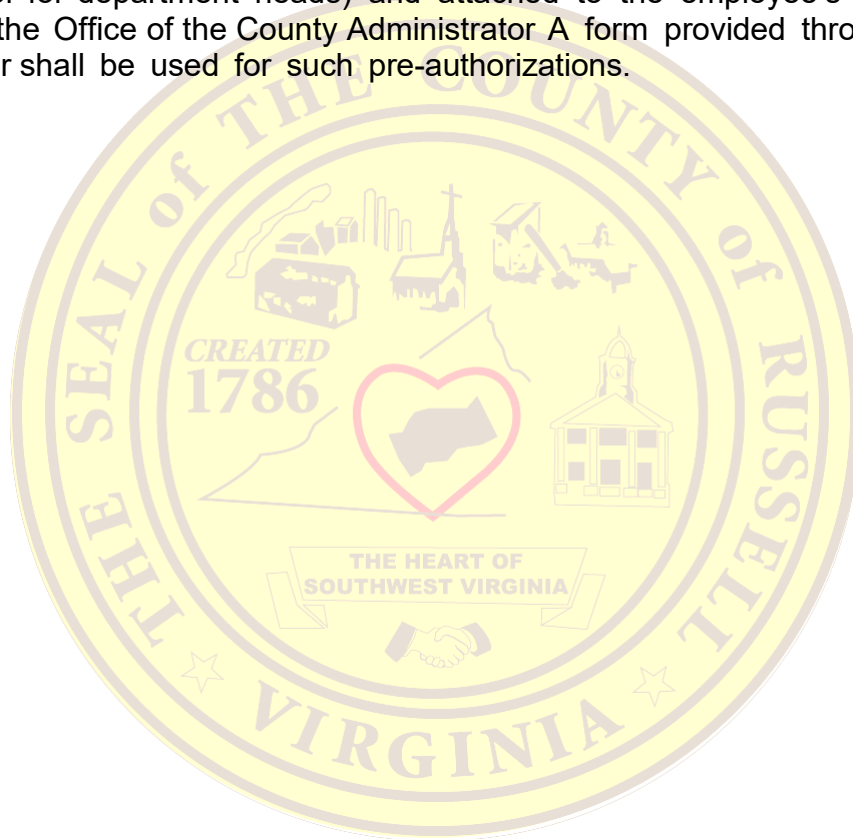


## **SECTION 08-07**

**Effective Date: August 3, 2020**

### **AUTHORIZATION TO EARN COMPENSATORY TIME**

All employees must be pre-authorized in writing by the County Administrator before compensatory time may be earned. This pre-authorization may be in the form of a "blanket" pre-authorization which designates the types of anticipated or routine work-related duties from which compensatory time may accrue, or in the form of a specific pre- authorization where the work-related duties to be performed are generally non-reoccurring. A blanket pre-authorization must be executed by the employee's department head and the County Administrator and filed in the employee's Permanent Personnel Records. A specific pre-authorization may be executed by the employee's department head (or by the County Administrator for department heads) and attached to the employee's Monthly Time Sheet when submitted to the Office of the County Administrator A form provided through the Office of the County Administrator shall be used for such pre-authorizations.



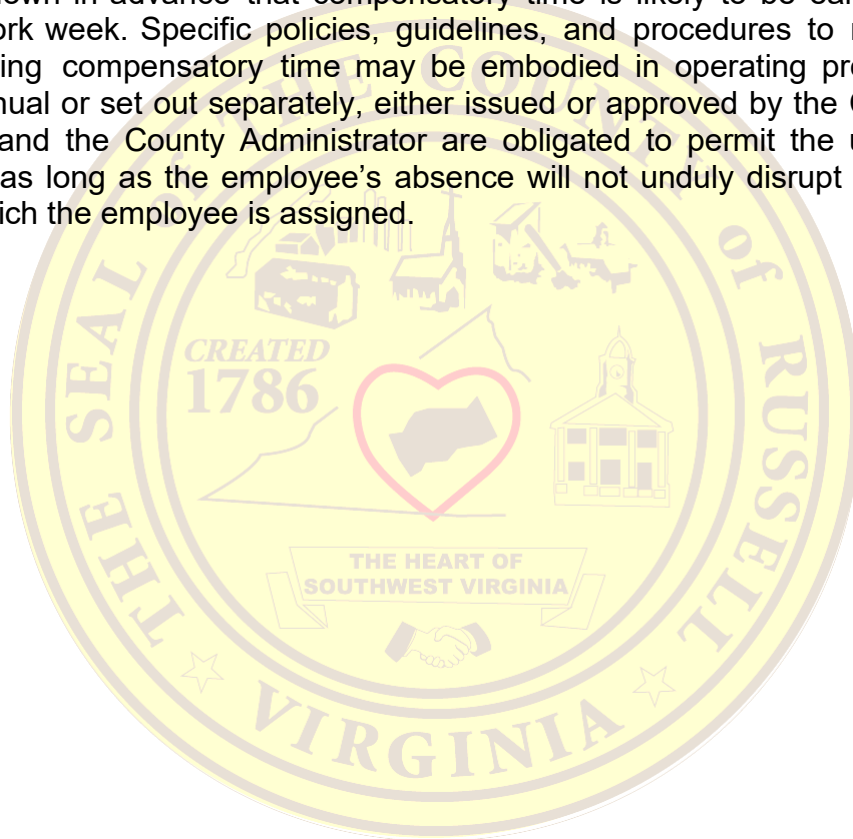
## **SECTION 08-08**

**Effective Date: August 3, 2020**

### **USE OF COMPENSATORY TIME**

When earned, compensatory time must be used (taken off) by the employee by no later than each calendar year for time earned.

Under the FLSA, the County as an employer may not compel any employee to use compensatory time instead of personal leave once earned. Department heads and the County Administrator may take such work scheduling actions as are possible and practical to prevent the earning of compensatory time by employees. Such actions may include reducing an employee's regular working hours where it is known in advance that compensatory time is likely to be earned by an employee during any given work week. Specific policies, guidelines, and procedures to reduce the likelihood of employees earning compensatory time may be embodied in operating procedures established pursuant to this Manual or set out separately, either issued or approved by the County Administrator. Department heads and the County Administrator are obligated to permit the use of compensatory time by employees as long as the employee's absence will not unduly disrupt the operations of the department(s) to which the employee is assigned.

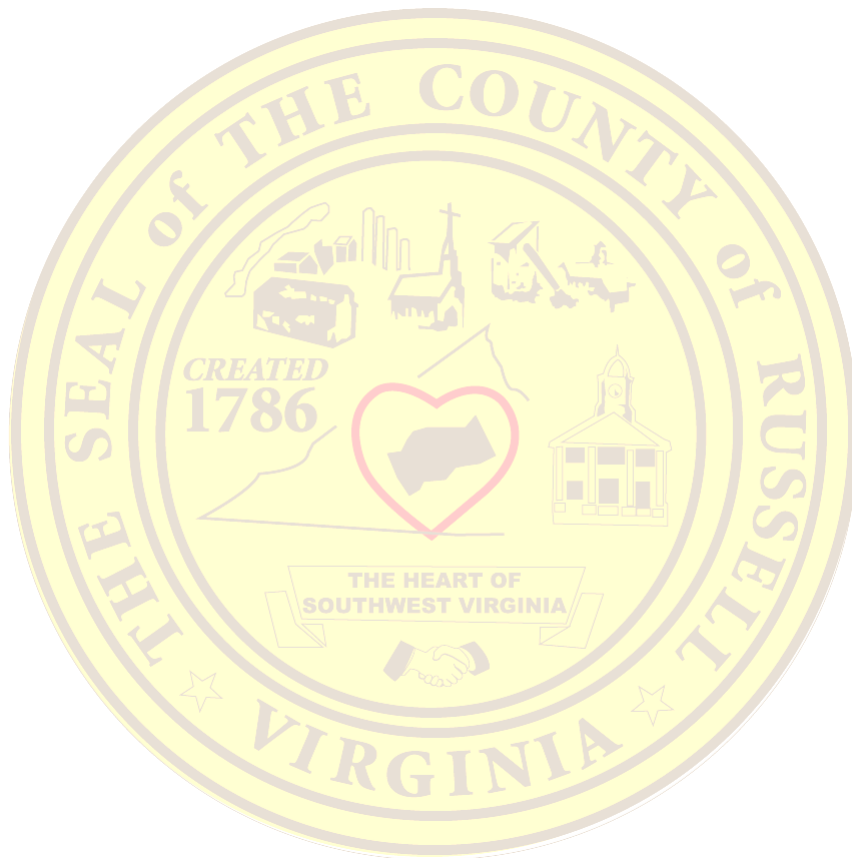


**SECTION 08-09**

**Effective Date: August 3, 2020**

**PAY FOR COMPENSATORY TIME AT TERMINATION**

An employee shall, upon termination of employment with the County, be paid for all unused compensatory time in accordance with the provision of the FLSA. Such compensation shall be at the employee's regular rate of compensation in effect at the time compensation.

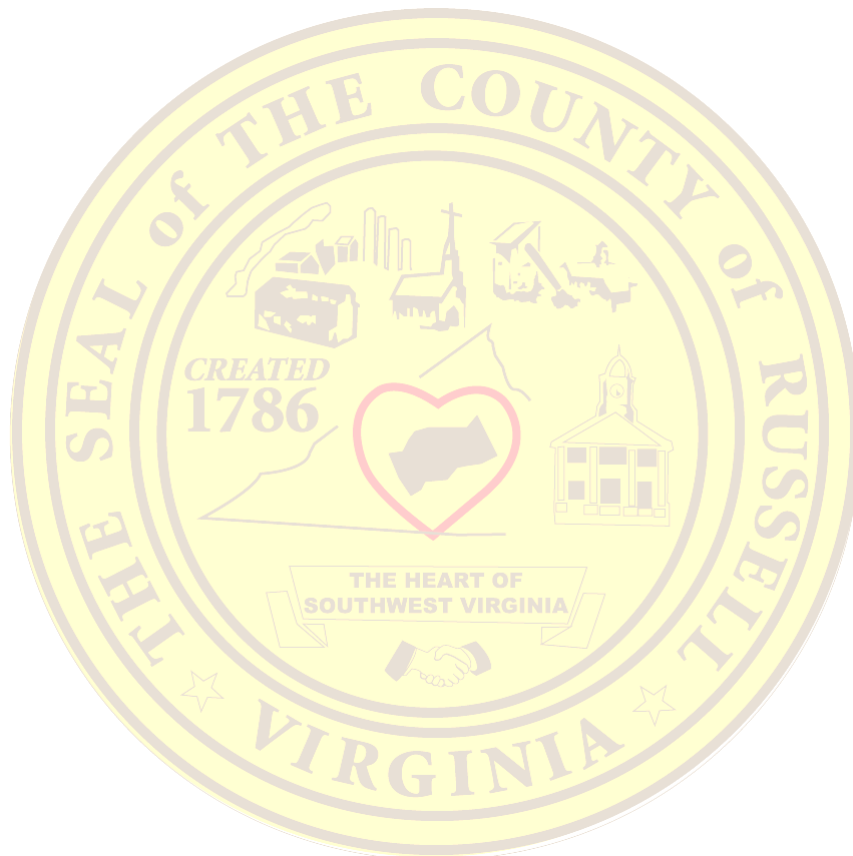


**SECTION 08-10**

**Effective Date: August 3, 2020**

**COMPENSATORY TIME AND OVERTIME PAY FOR PART-TIME AND TEMPORARY EMPLOYEES**

No permanent/part-time, temporary/part-time or temporary/full-time employee will be permitted to work a schedule which would exceed forty (40) hours in any given seven (7) day work week to be eligible for compensatory time or overtime pay unless approved by the County Administrator in advance.

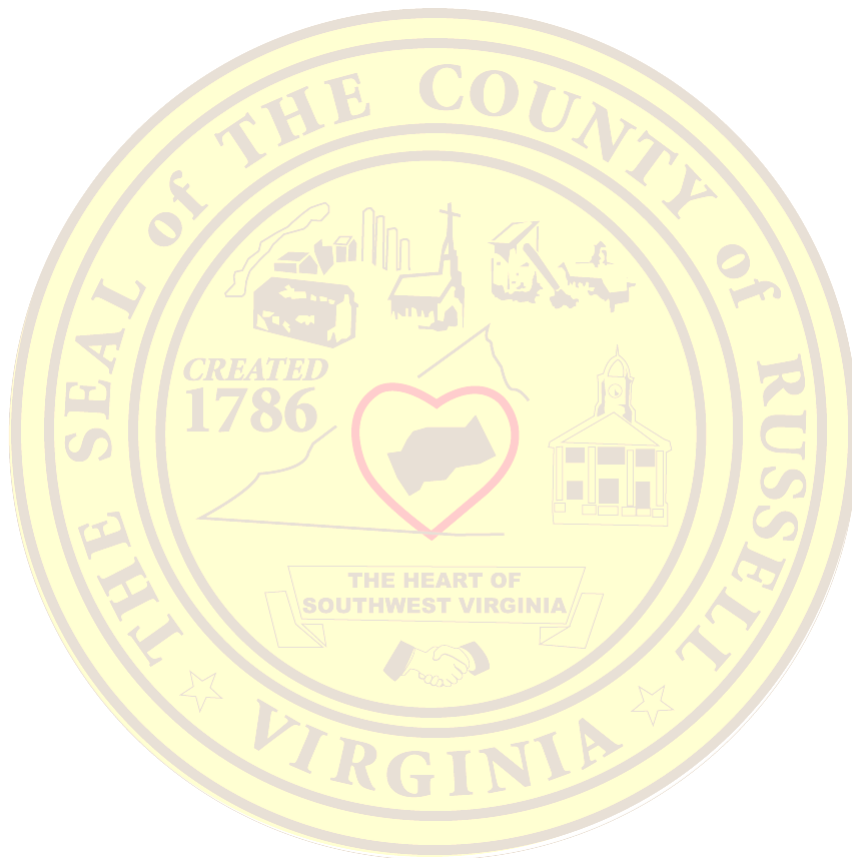


**SECTION 08-11**

**Effective Date: August 3, 2020**

**TRANSITION OF EMPLOYEES FROM NON-EXEMPT/EXEMPT POSITIONS**

In the event an employee transitions from a non-exempt to exempt position (either through promotion, demotion, transfer, change in status determination or retitling and/or consolidation of positions), any unused compensatory time shall be converted to pay and remitted to the affected employee as soon as practical.



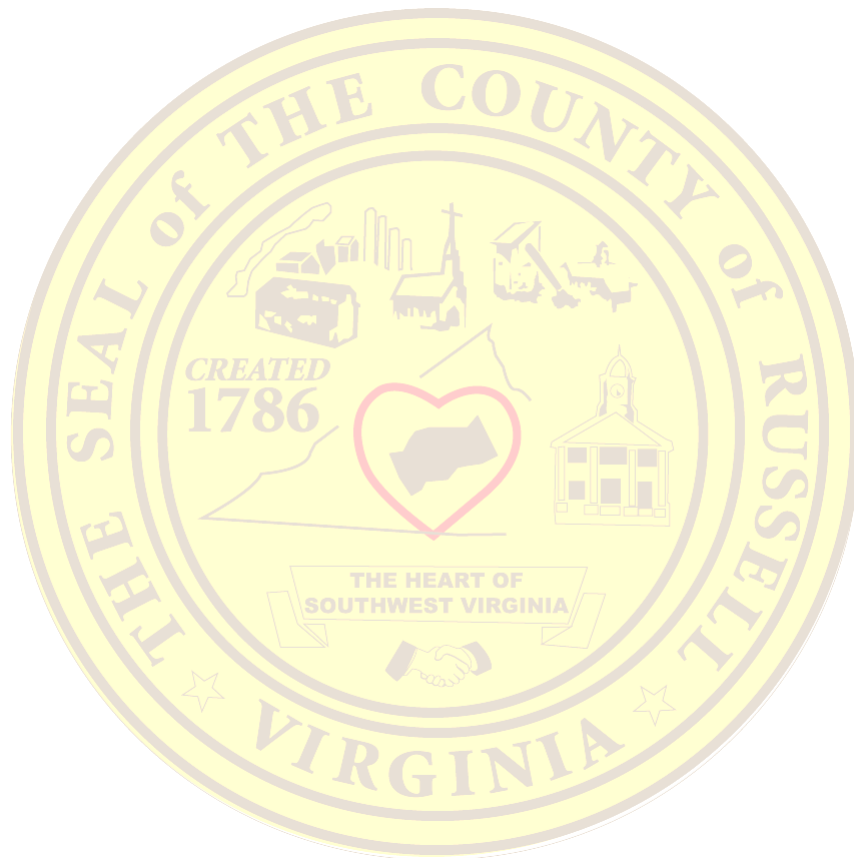
**SECTION 08-12**

**Effective Date: August 3, 2020**

**PART-TIME EMPLOYMENT AND COMPENSATORY TIME/OVERTIME**

No permanent/full-time employee may engage in permanent/part-time or temporary/part-time employment within any other County department. No permanent/part-time employee may engage in temporary/full-time or temporary/part-time employment within any other County department.

If an employee undertakes solely at his/her discretion employment for the County in a position outside of the County Administration, the hours of different employment shall be excluded from the calculations of compensatory time or overtime earned by that employee.

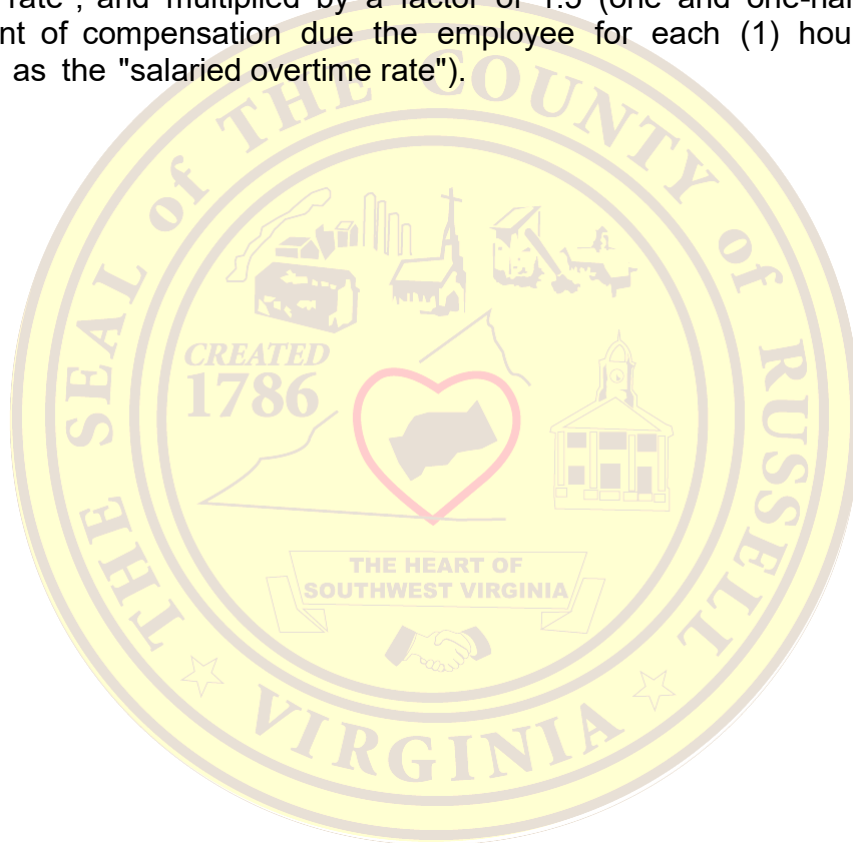


## **SECTION 08-13**

**Effective Date: August 3, 2020**

### **OVERTIME PAY**

The County defines "overtime pay" as the amount of compensation an employee may be paid for the performance of work-related duties in excess of 40 hours during any designated seven (7) consecutive day workweek. Overtime pay may be rendered during the regular monthly pay period. The employee's regular rate of compensation (whether annual salary or hourly wage) in the affected positions is converted to an amount per one (1) hour of employment. The conversion of annual salary to an amount per one (1) hour of employment will be based on the annual salary figure divided by two thousand and eighty (2,080) work hours per County fiscal year. This is referred to as the "salaried hourly rate", and multiplied by a factor of 1.5 (one and one-half times), the product becomes the amount of compensation due the employee for each (1) hour of actual overtime worked (referred to as the "salaried overtime rate").

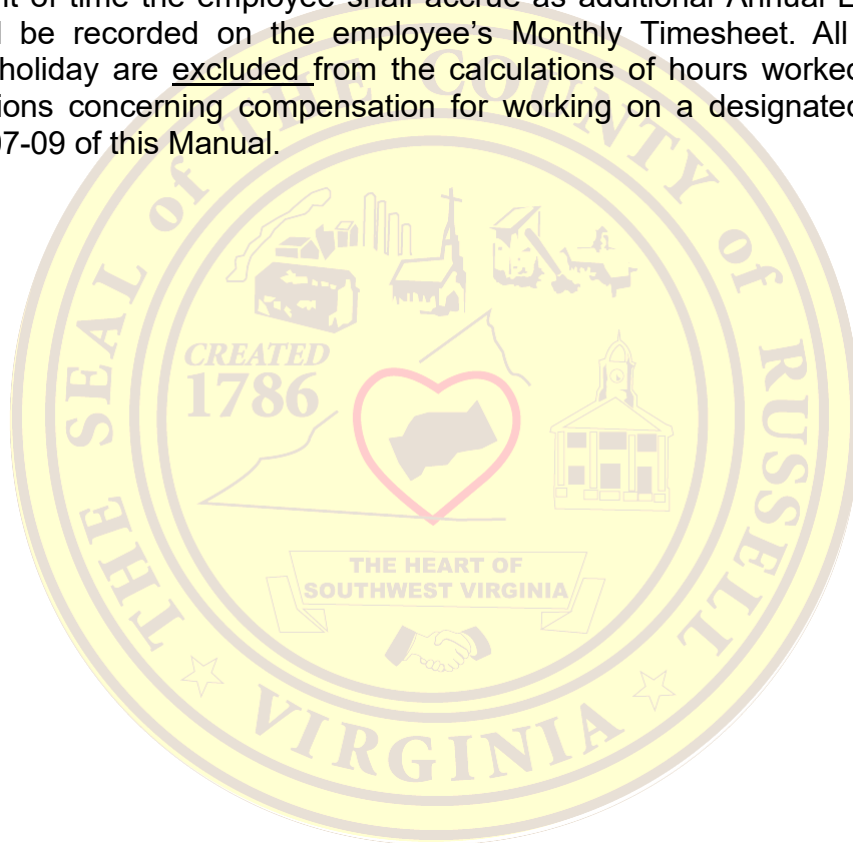


## **SECTION 08-14**

**Effective Date: August 3, 2020**

### **ADDITIONAL ANNUAL LEAVE DURING WEEKS WITH HOLIDAYS**

During work weeks having one (1) or more designated County holidays pursuant to this Manual, additional Annual Leave for all permanent/full-time employees shall be accrued or earned for hours worked in excess of the required work hours designated for that week. The required work hours for weeks with holidays are equal to forty (40) hours reduced by eight (8) hours, or portion thereof, for each designated County holiday during that week. All hours worked over the required work hours but less than or equal to forty (40) during any seven-day work week with designated County holidays shall be multiplied by a factor of 1.0 (hour for hour) and the product becomes the amount of time the employee shall accrue as additional Annual Leave. This additional Annual Leave shall be recorded on the employee's Monthly Timesheet. All hours worked on a designated County holiday are excluded from the calculations of hours worked for the week under this section. Provisions concerning compensation for working on a designated County holiday are covered in Section 07-09 of this Manual.



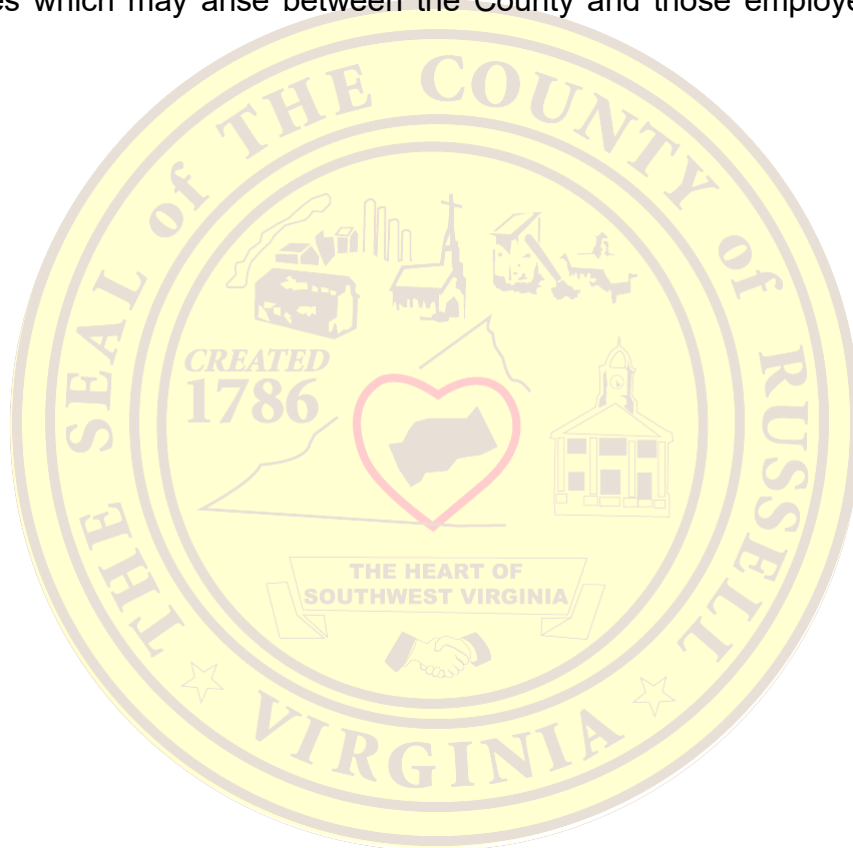


## **SECTION 09-01**

**Effective Date: August 3, 2020**

### **GENERAL**

Pursuant to §15.2-1506 of the Code of Virginia (1950), as amended, there is hereby established a grievance procedure for employees that affords an immediate and fair method for the resolution of disputes which may arise between the County and its employees. It shall be the County's responsibility as an employer to encourage the resolution of employee problems and complaints. To that end, employees must be able to freely, and without retaliation, discuss their concerns with their immediate supervisors and management. To the extent that such concerns cannot be resolved informally, the grievance procedure shall afford an immediate and fair method for the resolution of employment disputes which may arise between the County and those employees who have access to the procedure.

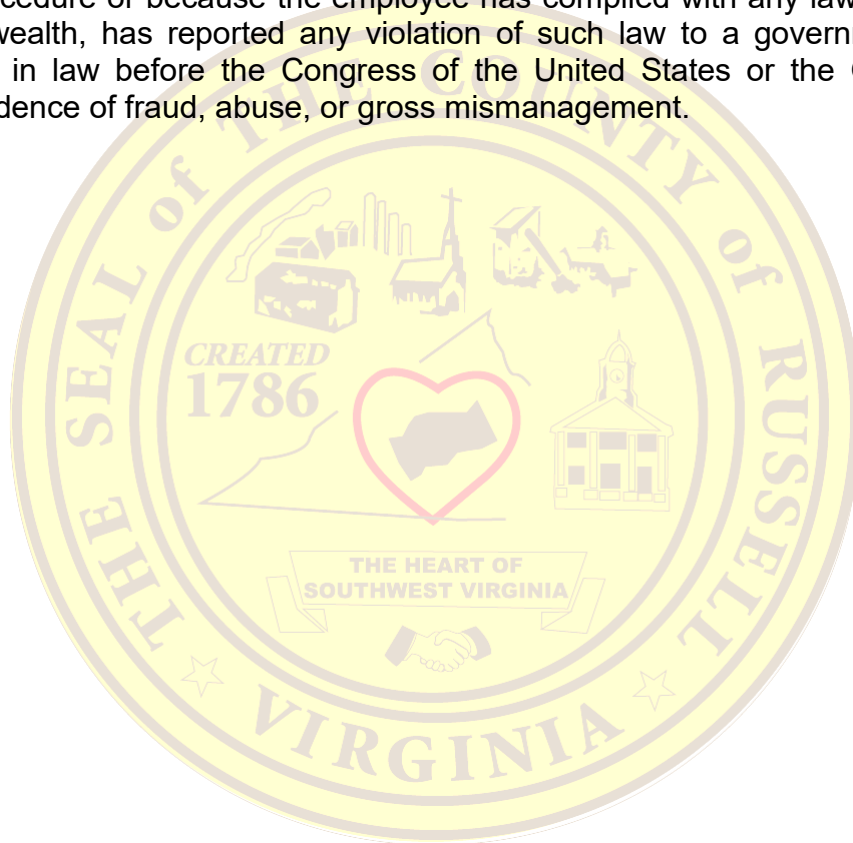


## **SECTION 09-02**

**Effective Date: August 3, 2020**

### **DEFINITION OF GRIEVANCE**

A "grievance" shall be a complaint or dispute by an employee relating to his employment, including but not necessarily limited to, (i). disciplinary actions, including terminations, disciplinary demotions, and suspensions, provided that terminations shall be subject to grievance whenever resulting from formal discipline or unsatisfactory job performance; (ii). the application of personnel policies, procedures, rules and regulations, including the application of policies involving matters referred to in Section 09-03(iii) of this Manual; (iii). discrimination based on race, color, creed, political affiliation, age, disability, national origin or sex; and (iv). acts of retaliation as a result of the use of or participation in the grievance procedure or 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, has sought any change in law before the Congress of the United States or the General Assembly or has reported an incidence of fraud, abuse, or gross mismanagement.

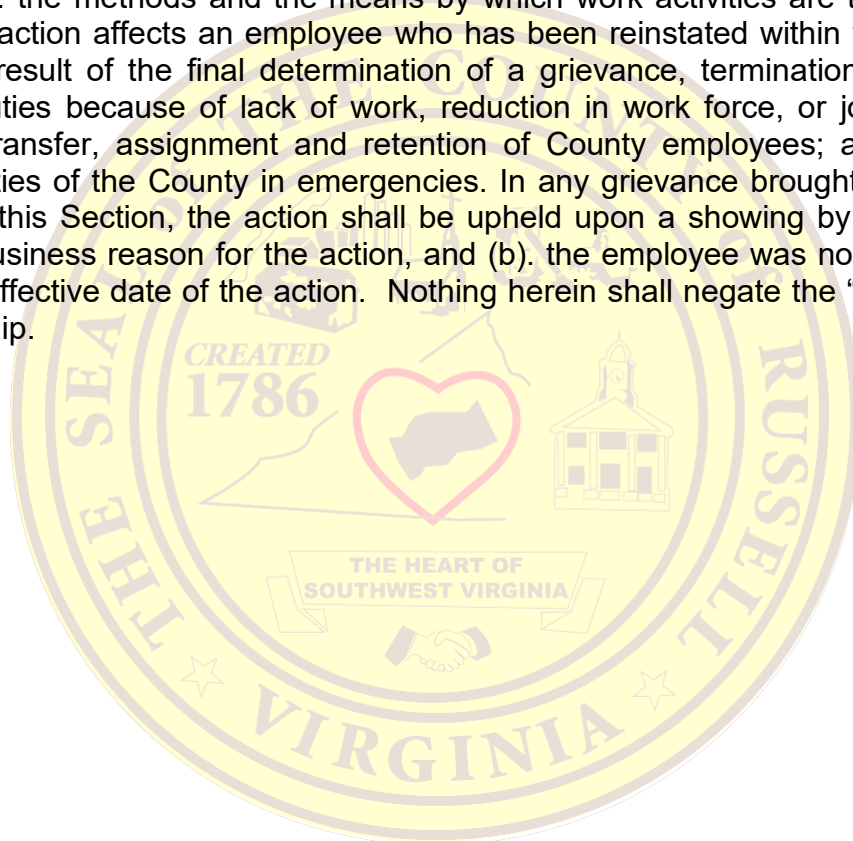


## **SECTION 09-03**

**Effective Date: August 3, 2020**

### **COUNTY RESPONSIBILITIES**

The Board of Supervisors shall retain the exclusive right to manage the affairs and operations of County government. Accordingly, the following complaints are not subject to grievance: (i). establishment and revision of wages or salaries, position classification or employment benefits; (ii). work activity accepted by the employee as a condition of employment or work activity that may reasonably be expected to be a part of the job content; (iii). the contents of ordinances, statutes or established personnel policies, procedures, rules and regulations; (iv). failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly; (v). the methods and the means by which work activities are to be carried on; (vi). except where such action affects 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; (vii). the hiring, promotion, transfer, assignment and retention of County employees; and (viii) the relief of employees from duties of the County in emergencies. In any grievance brought under the exception to provision (vi). of this Section, the action shall be upheld upon a showing by the County that: (a). there was a valid business reason for the action, and (b). the employee was notified of the reason in writing prior to the effective date of the action. Nothing herein shall negate the “at-will” employer and employee relationship.



## **SECTION 09-04**

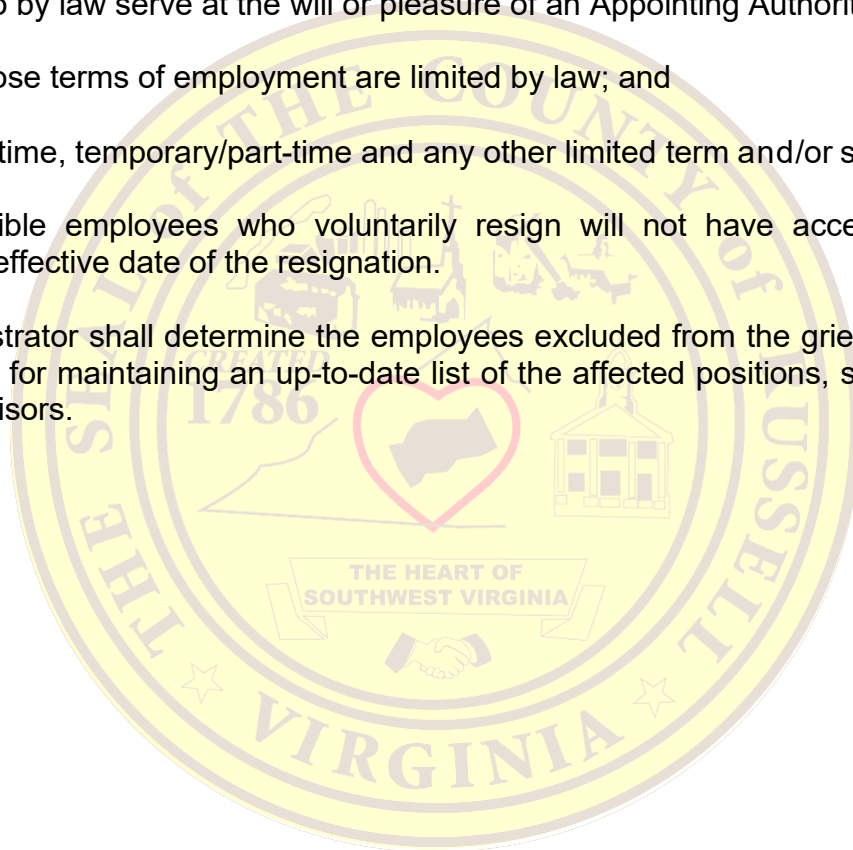
**Effective Date: August 3, 2020**

### **COVERAGE OF PERSONNEL**

Unless otherwise provided by law, all permanent/full-time and permanent/part-time employees having completed their probationary employment period are eligible to file grievances with the following exceptions:

- (A). Employees holding positions of the *Manager* Class pursuant to Section 05-03 of this Manual, including any additions thereto by amendment of this Manual.
- (B). Employees who by law serve at the will or pleasure of an Appointing Authority;
- (C). Employees whose terms of employment are limited by law; and
- (D). Temporary/full-time, temporary/part-time and any other limited term and/or seasonal employees.
- (E). Otherwise eligible employees who voluntarily resign will not have access to the grievance procedure after the effective date of the resignation.

The County Administrator shall determine the employees excluded from the grievance procedure and shall be responsible for maintaining an up-to-date list of the affected positions, subject to approval by the Board of Supervisors.



## **SECTION 09-05**

**Effective Date: August 3, 2020**

### **DETERMINATION OF GRIEVABILITY**

At any time prior to a panel hearing as provided for in this Manual, the County Administrator, at the request of the Board of Supervisors or employee/grievant, shall decide whether or not the employee/grievant's complaint is subject to grievance. The County Administrator shall make such decision in writing within ten (10) calendar days of the request and shall send a copy of the decision to the employee/grievant. The employee/grievant may appeal the decision of the County Administrator to the Circuit Court of Russell County, Virginia for a hearing on the issue of whether the grievance qualifies for a panel hearing by filing a written notice of appeal with the County Administrator within ten (10) days from the date of receipt of the decision and giving a copy thereof to all other parties.

Within ten (10) days after receipt of the written notice of appeal, the County Administrator shall transmit to the Clerk of the Circuit Court of Russell County, Virginia a copy of his/her decision on the matter, a copy of the notice of appeal and any exhibits. The County Administrator shall also furnish to the employee/grievant a list of evidence furnished to the court. The failure of the County Administrator to transmit the record shall not prejudice the rights of the employee/grievant. The court, on motion of the employee grievant, may issue a writ of certiorari requiring the County Administrator to transmit the record on or before a certain date.

Within thirty (30) days of receipt of the record by the Clerk of the Circuit Court of Russell County, 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, in its discretion, may receive such other evidence as the ends of justice require.

Within fifteen (15) days from the date of the conclusion of the hearing, the court shall render a decision affirming, reversing or modifying the decision of the County Administrator. The decision of the court is final and not appealable.

## **SECTION 09-06**

**Effective Date: August 3, 2020**

### **GRIEVANCE PROCEDURE**

#### **(A). Management Steps:**

It is the desire of the County to adjust grievances informally, and department heads, supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be disputes that require a grievance procedure. This procedure for qualifying grievances is provided for in a series of steps as set out below.

#### **(1). First Management Step:**

This step provides for an informal, initial processing of an employee's grievance by the employee's immediate supervisor through a verbal, discussion format. The employee shall first discuss his/her complaint with his/her immediate supervisor within twenty (20) calendar days after the event giving rise to the grievance. The immediate supervisor shall make a careful inquiry into the facts and circumstances of the grievance and respond to the employee within seven (7) calendar days after the employee's initial discussion with him/her. If the employee's immediate supervisor fails to respond within seven (7) calendar days, the grievance automatically proceeds to the next step.

#### **(2). Second Management Step:**

If an employee is dissatisfied with the decision of his immediate supervisor, he/she may, within seven (7) calendar days after the decision, submit a written grievance to his/her department head, or if the employee's immediate supervisor fails to respond as provided for in Section 09-06 (A), he/she may, within fourteen (14) calendar days after the employee's initial discussion with his/her immediate supervisor, submit a written grievance to his/her department head. The employee must file the written grievance on a Russell County Grievance Form obtained from the County Administrator's Office and must specify thereon the relief requested. Upon receipt of a completed grievance form, the department head shall note thereon in the appropriate box the date of receipt and initial the same. The department head shall provide a copy of the dated and initialed grievance form to the employee. Within seven (7) calendar days after receipt of the written grievance, the department head shall conduct a separate investigation and a face-to-face meeting with the employee at which, in addition to the employee and department head, witnesses for each side may be present. However, a witness may be present only when actually testifying. Within seven (7) calendar days after the conclusion of the face-to-face meeting between the employee and department head, the department head shall provide a written decision to the employee and County Administrator.

#### **(3). Final Management Step:**

If an employee is dissatisfied with the decision of the department head, he/she may submit a written request for review by the County Administrator. The employee shall submit the written request to the County Administrator within seven (7) calendar days after receipt of the written decision of the department head. The County Administrator shall note on the Russell County Grievance Form in the appropriate box the date of receipt of the written request for review and initial the same. The County Administrator shall provide a copy of the dated and initialed grievance form to the employee

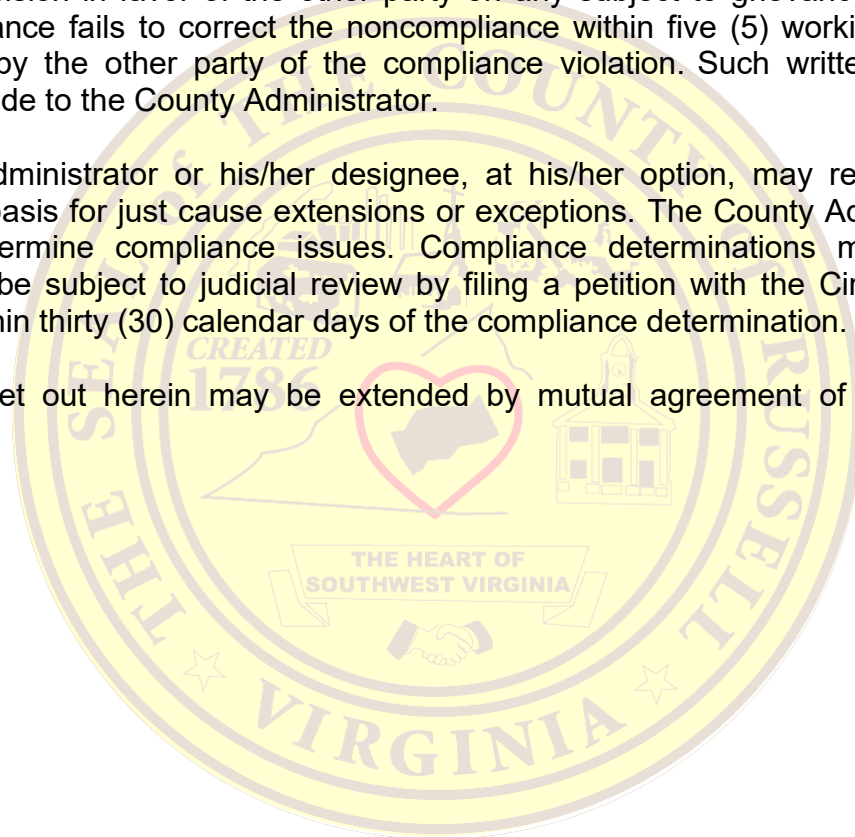
and his/her department head. Within seven (7) calendar days after receipt of the request, the County Administrator shall conduct a separate investigation and a face-to-face meeting with the employee. At this meeting, the employee may have present a representative of his/her choice. If the employee is represented by legal counsel, the County has the option of being represented by legal counsel (the County Attorney and/or other legal counsel of the County's choosing). In addition, witnesses for each side may be present; however, a witness may be present in the meeting room only when actually testifying. Within seven (7) calendar days after the conclusion of this meeting between the employee and County Administrator, the County Administrator shall provide a written decision to the employee.

(B). Compliance:

(1). After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, without just cause shall result in a decision in favor of the other party on any subject to grievance issue, provided the party not in compliance fails to correct the noncompliance within five (5) working days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the County Administrator.

(2). The County Administrator or his/her designee, at his/her option, may require a clear written explanation of the basis for just cause extensions or exceptions. The County Administrator or his/her designee shall determine compliance issues. Compliance determinations made by the County Administrator shall be subject to judicial review by filing a petition with the Circuit Court of Russell County, Virginia within thirty (30) calendar days of the compliance determination.

(3). Time frames set out herein may be extended by mutual agreement of the County and the employee.



## **SECTION 09-07**

**Effective Date: August 3, 2020**

### **GRIEVANCE PROCEDURE - PANEL HEARING**

(A). Notice of Appeal:

If the employee is dissatisfied with the decision of the County Administrator and if the complaint is a qualifying grievance, he/she may submit a written request for a hearing before an impartial panel and state in the request the reasons why the County Administrator's decision is not acceptable and the relief requested. The employee shall submit the written request to the County Administrator within seven (7) calendar days after receipt of the written decision of the County Administrator. The County Administrator shall note on the Russell County Grievance Form in the appropriate box the date of receipt of the written request for review and initial the same. The County Administrator shall provide a copy of the dated and initialed grievance form to the employee.

(B). Selection of Panel Members:

The panel shall consist of three (3) impartial members. Within fourteen (14) calendar days after the employee's written request for a panel hearing is filed, the employee shall appoint a member (1) to the panel, and the County Administrator shall appoint a member (1) to the panel. The two (2) appointed members of the panel shall appoint the third member to the panel. In the event that they shall not be able to agree as the appointment of the final panel member, the chief judge of the Circuit Court of Russell County, Virginia shall select the third panel member. The County Administrator shall be responsible for coordinating panel nominations, hearings and activities.

(C). Qualification of Panel Members:

The panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Officers and managers who are in a direct line of supervision of the employee, persons residing in the same household as the employee and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee or co-employee of the attorney shall serve as a panel member.

(D). Administrative Hearing Officer:

The County shall not be required to have an administrative hearing officer in any case but may elect to do so in an employee termination or retaliation case. When the County elects to use an administrative hearing officer as the third panel member in an employee termination or retaliation case, the Executive Secretary of the Supreme Court of Virginia shall appoint such administrative hearing officer from the list of administrative hearing officers maintained by the Executive Secretary pursuant to § 9-6.14:14.1 of the Code of Virginia (1950), as amended, and such appointment shall be made from the appropriate geographical region on a rotating basis. The County shall bear the expense of the administrative hearing officer's services.



(E). Chairperson of Panel:

The third member of the panel, being either the person chosen by the two other panel members, the person chosen by the chief judge of the Circuit Court of Russell County, Virginia or the administrative hearing officer chosen in termination or retaliation cases, shall be the chairperson of the panel and shall preside at the hearing. Upon appointing the third panel member, the two (2) other panel members, the chief judge of the Circuit Court of Russell County, Virginia or the Executive Secretary of the Supreme Court of Virginia, as the case may be, shall notify the employee and the County Administrator of the appointment.

(F). Panel Hearing Date:

After the appointment of the chairperson, the County Administrator shall consult with the panel members in scheduling a date, time, and place of the hearing and shall immediately notify the employee. Unless the parties agree otherwise, the hearing date shall be held within twenty-eight (28) calendar days but no sooner than fourteen (14) calendar days after the appointment of the third panel member. The panel shall conduct the hearing in Russell County, unless otherwise agreed to by the parties or unless the panel unanimously decides that another location is appropriate.

(G). Rules for Panel Hearing:

- (1). The panel does not have authority to formulate policies or procedures or to alter existing policies or procedures of the County.
- (2). The panel has discretion to determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and, at the request of either party, the hearing shall be private.
- (3). Within seven (7) calendar days after receiving notice of the selection of the third panel member, the County Administrator shall provide the panel with copies of the grievance record by mailing or delivering the same to the chairperson. The County Administrator shall provide the employee with a list of the documents furnished to the panel. The employee and, if represented by counsel, his attorney, between fourteen (14) calendar days and four (4) calendar days prior to the scheduled panel hearing, shall be entitled to access and copies of all relevant files intended to be used in the hearing.
- (4). The panel shall have the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence.
- (5). All evidence shall be presented in the presence of the panel and the parties, except by mutual consent of the parties.
- (6). At least seven (7) calendar days prior to the hearing, the parties shall exchange copies of documents and a list of exhibits to be introduced at the hearing and a list of witnesses to be called to testify. At least four (4) calendar days prior to the hearing, each party shall afford the other party an opportunity to see and inspect their exhibits.

- (7). Each party may call upon appropriate witnesses and be represented by legal counsel or other representatives at the hearing. Such representatives may examine, cross-examine, question and present evidence on behalf of the parties without being in violation of §54.1-3904 of the Code of Virginia (1950), as amended.
- (8). A party may not introduce a document or exhibit or have a witness testify if the document, exhibit or witness was not revealed to the other party in accordance with Section 09-07 (G). (6). herein. The panel chairperson, in his/her discretion, upon a showing of good cause, may permit the introduction of such document, exhibit or testimony.
- (9). Within fourteen (14) calendar days after the conclusion of the hearing, the panel shall render a written decision within the scope of its authority and subject to existing policies, procedures and law. In rendering its decision, the panel shall be guided, but not necessarily bound, by the relief requested by the employee in the employee's written request for a panel hearing. In addition to its decision, the panel shall set forth the reasons for its decision, citing relevant facts, policies, procedures and laws. The decision shall be by the majority of the panel members. The chairperson shall immediately provide copies of the written decision to the employee and the County Administrator.
- (10). Within fourteen (14) calendar days after the date of the decision, either party may submit a written request to the panel chairperson for reconsideration of the panel decision. The panel, by majority vote and for good cause shown, may elect to review its decision and/or reopen the hearing. Within seven (7) calendar days after the chairperson's receipt of the request, the panel shall make such decision.

(H). Effect of Panel Decision:

The decision of the panel shall be final and binding and consistent with provisions of law and written policy. The County Administrator or his/her designee shall determine whether the relief, if any, granted by a panel is consistent with written policy, unless the County Administrator has a direct personal involvement with the event or events giving rise to the grievance, in which case the Commonwealth's Attorney for Russell County, Virginia shall make the decision.

(I). Implementation of Panel Decision:

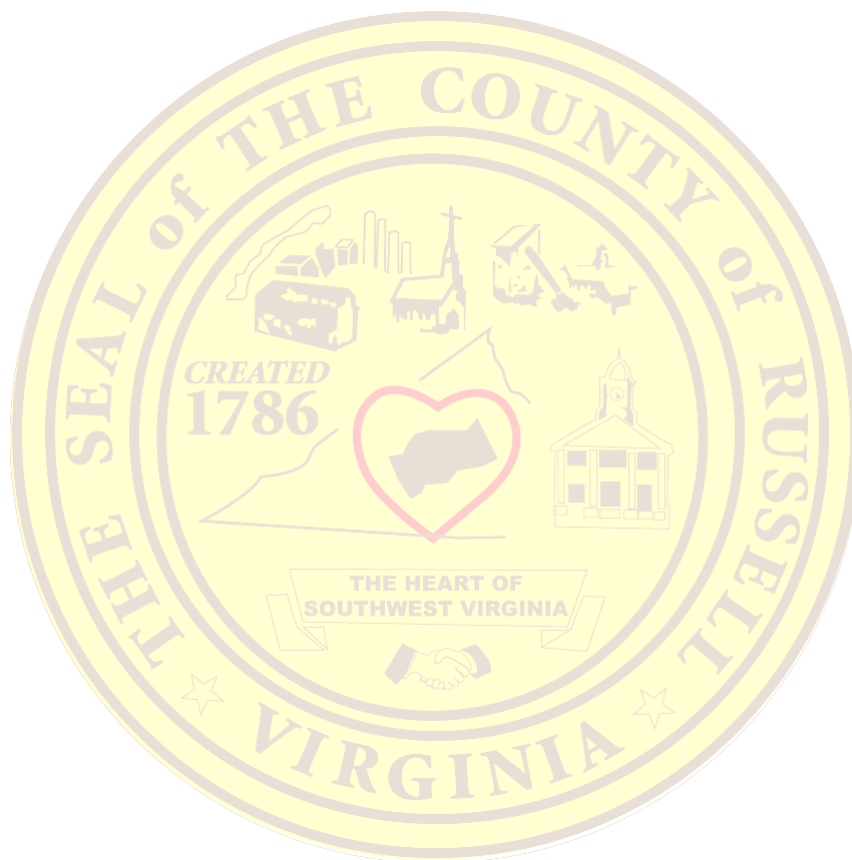
Either party may petition the Circuit Court of Russell County, Virginia for an order requiring implementation of the panel decision.

## **SECTION 10-01**

**Effective Date: August 3, 2020**

### **GENERAL**

The Russell County Board of Supervisors expects all employees to conduct the business of the County government under their charge to the highest ethical standards. The following provisions shall serve as guidelines to such ethical service, but said provisions are not considered inclusive of all standards of ethical conduct expected. The Board of Supervisors expects employees to use common sense and good judgment and to seek the advice of their superiors whenever a particular situation give rise to questions concerning conduct and behavior.

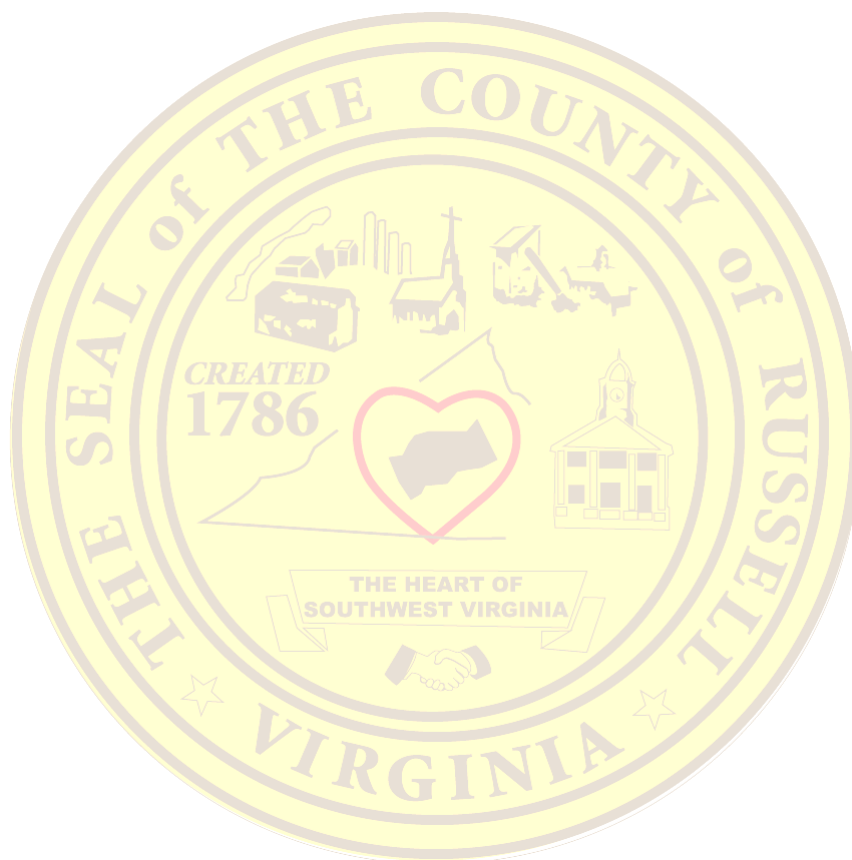


## **SECTION 10-02**

**Effective Date: August 3, 2020**

### **GIFTS AND GRATUITIES**

No employee may accept gifts, gratuities or loans from organizations, businesses, or individuals with whom he/she has official relationships related to the business of the County government. These limitations are not intended to prohibit the acceptance of articles of negligible value that are distributed generally, nor to prohibit employees from obtaining personal loans from public or private lending institutions.

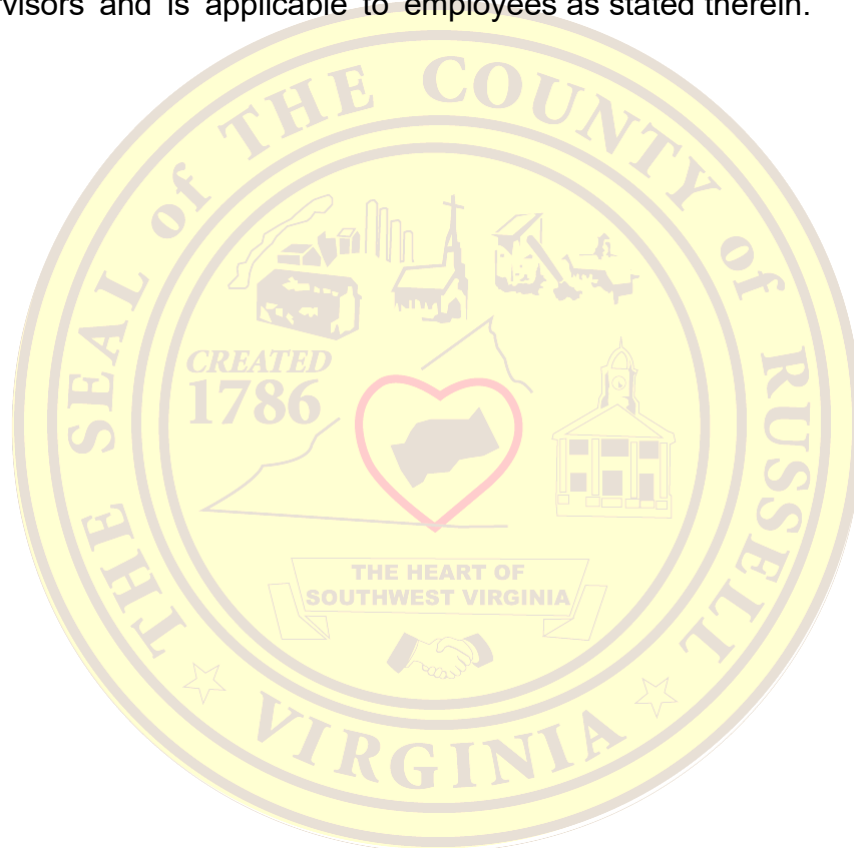


## **SECTION 10-03**

**Effective Date: August 3, 2020**

### **CONFLICT OF INTEREST**

Employees are expected to discharge their duties conscientiously and to conduct themselves in a manner, both on and off the job, which will reflect favorably upon the County government. Each employee shall refrain from any use of his/her official position which is motivated by the desire for private gain for himself/herself or other persons to whom the employee has personal, business or family ties. Each employee shall exercise care in his/her personal financial activities to avoid any appearance of acting based on information obtained in the course of performing his/her County activities. The *Virginia Comprehensive Conflict of Interests Act* is hereby made a part of the personnel policies of the Board of Supervisors and is applicable to employees as stated therein.



## **SECTION 10-04**

**Effective Date: August 3, 2020**

### **WORKPLACE HARASSMENT AND DISCRIMINATION**

#### **I. General Purpose and Application of Policy.**

Russell County strives to create and maintain a work environment in which people are treated with dignity, decency and respect. All matters relating to the conduct of County government should be characterized by mutual trust and absence of intimidation, oppression, and exploitation. The accomplishment of this goal is essential to the success of the County. For that reason, the Board of Supervisors and County Administrator strictly prohibit unlawful discrimination and harassment, in the relations between and among employees, management staff, employees of outside vendors, and in relations with the public.

Russell County, in compliance with all applicable Federal, State and local anti-discrimination and harassment laws and regulations, strictly forbids discrimination and/or harassment on the basis of race, sex, color, national origin, religion, pregnancy, sexual orientation, gender identity, age, marital or veteran status, political affiliation, genetics, physical or mental disability, or other category protected by state or federal law. Any behavior that offends, insults, or threatens a County employee, or which is done by a County employee, should be reported in accordance with this policy.

All employees, regardless of their positions, are covered by and expected to comply with this policy; and to take appropriate measures to ensure that prohibited conduct does not occur.

#### **II. Complaint procedure.**

Complaints of workplace discrimination or harassment should be reported as soon as possible after the incident occurs. Allegations of discrimination or harassment, whether it is personally experienced or if it is witnessed, should be reported directly to the County Administrator or his/her designee. All allegations of harassment will be investigated. To the extent possible, the reporting party's confidentiality and that of any witness and the alleged offender will be protected against unnecessary disclosure.

#### **III. Disciplinary Action.**

Disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, or termination of employment. Notification will be given to non-employees who are determined to have violated this policy and appropriate measures taken to protect the affected employee. Department heads who allow workplace harassment to continue or who fail to notify the County Administrator, or his/her designee, as directed in this policy, upon becoming aware of a harassment complaint, may be considered parties to the offense and consequently potentially subject to disciplinary action or termination.

## **IV. Prohibited Conduct Under This Policy.**

### **Discrimination**

The County shall not tolerate unlawful employment discrimination, which is the provision of employment opportunities, benefits, privileges, or other employment-related decisions on the basis of race, sex, color, national origin, religion, pregnancy, sexual orientation, gender identity, age, marital or veteran status, political affiliation, genetics, physical or mental disability, or other category protected by state or federal law. Employment-related decisions shall be made based on job-related performance standards.

### **Harassment**

Harassment is unwelcome verbal or physical conduct designed to threaten, intimidate or coerce in the relations between and among employees, management staff, employees of outside vendors, and in relations with the public in the context of conducting business on behalf of Russell County. Verbal taunting (including racial and ethnic slurs, jokes, and epithets) that impair the ability of an employee to perform their job is included in the definition of harassment.

- A. Verbal: Verbal harassment includes but is not limited to comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs, and negative stereotyping.

Non-Verbal: Non-verbal harassment includes but is not limited to unwelcome physical contact and the distribution, display or discussion of any written or graphic material that ridicules, degrades, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or other protected status.

### **Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, sexual demands; or other verbal, visual, or physical conduct of a sexual nature will constitute sexual harassment when it is made explicitly or implicitly a term or condition of employment; is used as basis for an employment decision; unreasonably interferes with an employee's work performance; or creates an intimidating, hostile or otherwise offensive environment either for the target of the conduct or for a third-party complainant who is offended by such communications between others.

- A. Verbal: Verbal sexual harassment includes but is not limited to innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats, requests for any type of sexual favor, and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

- B. **Non-Verbal**: Non-verbal sexual harassment includes but is not limited to the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex, suggestive or insulting sounds, leering, staring, whistling, obscene gestures, content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings.
  
- C. **Physical**: Physical sexual harassment includes but is not limited to unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Sexual harassment is not determined based upon whether participation was voluntary, but rather whether the conduct was unwanted. Unwelcome advances, therefore, are sufficient to justify a complaint if the activity or verbal comments interfere with the performance of the employee on the job by creating a hostile, offensive, or intimidating working environment.

Courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

### **Retaliation**

The County prohibits employment-based retaliation against anyone who reports a complaint of discrimination or harassment, who speaks as a witness in the investigation of a complaint, who speaks to a state or local elected official or who serves as an investigator of a complaint.

## **V. Investigation and Confidentiality.**

Information, including documentation and written reports, obtained or created during the course of an investigation of a discrimination or harassment complaint will be kept confidential to the extent possible and according to any existing State or Federal law.

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person will be protected to as great a degree as is legally possible, considering the County's legal obligation to act on the complaint and the right of the charged party to obtain information.

All employees are expected to cooperate fully with investigations of reports of discrimination or harassment. Failure to cooperate fully may lead to discipline, which may include termination of employment. Further, individuals who make false statements during the course of an investigation may be subject to discipline, which may include termination of employment.

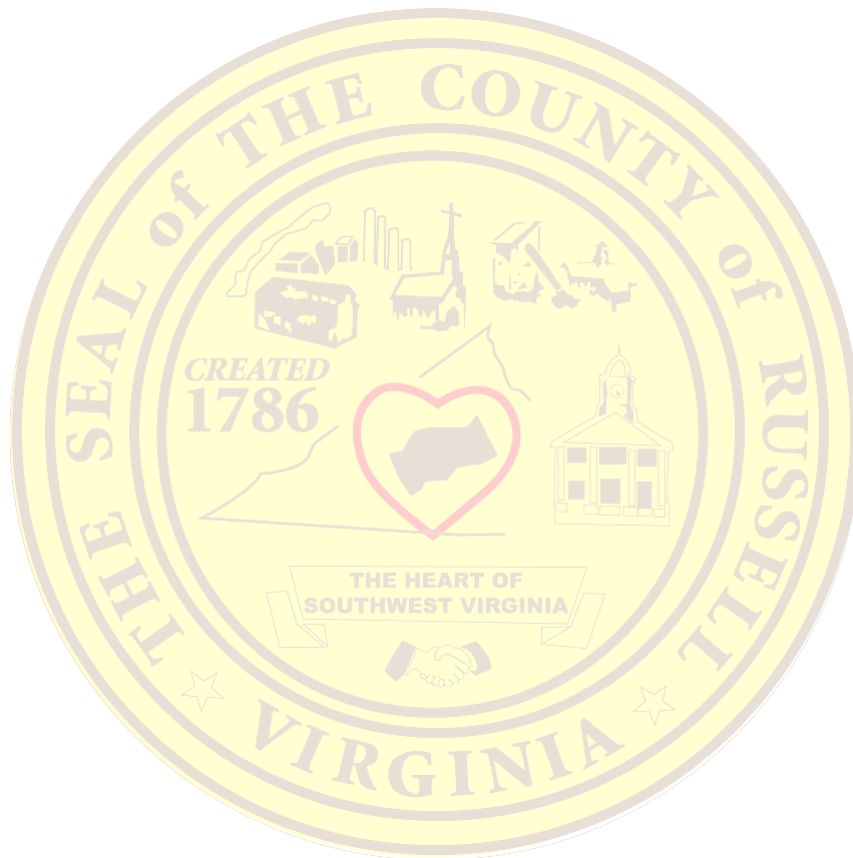


## **SECTION 10-05**

**Effective Date: August 3, 2020**

### **DISCRETION AND CONFIDENTIALITY**

Employees may from time to time have access to information that is or could be damaging or detrimental to the interests of private individuals or County government. Employees shall refrain from disseminating such information either verbally, in writing, through the inappropriate reproduction or use of official documents, or by any other means. Employees shall exercise discretion and confidentiality in their discussion of the business of the County government with others.

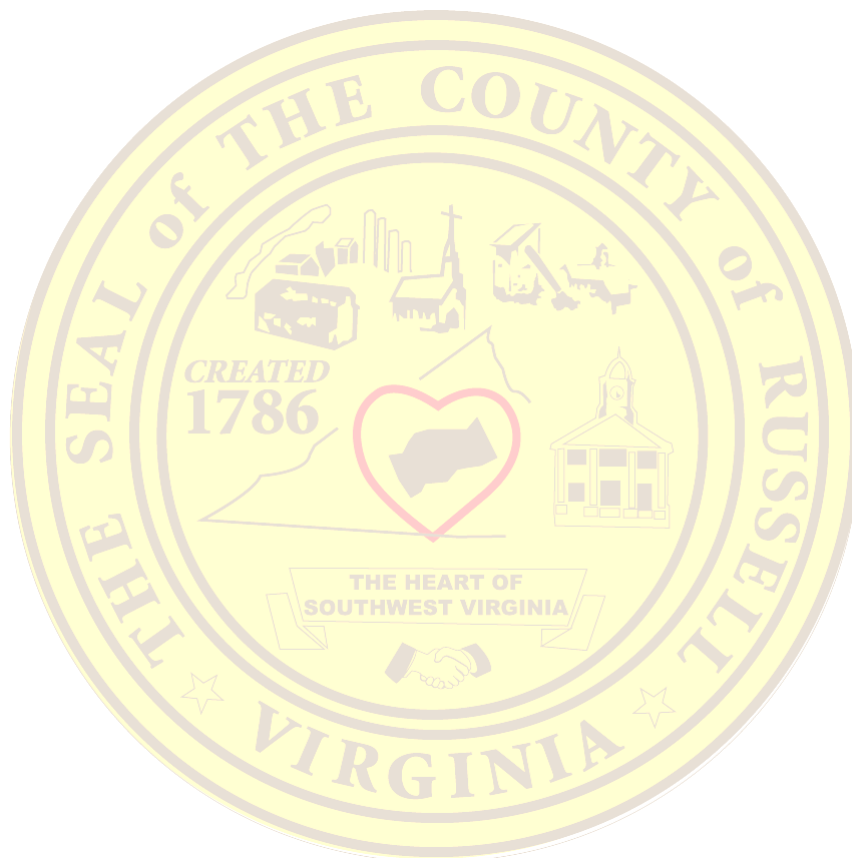


## **SECTION 10-06**

**Effective Date: August 3, 2020**

### **EMPLOYEES AS PUBLIC TRUSTEES**

The Board of Supervisors expects all employees to conduct themselves as "public trustees", both in the sense of the faithful performance of the lawful or other duties assigned to that employee and of County property assets which may be placed in the charge or care of that employee.

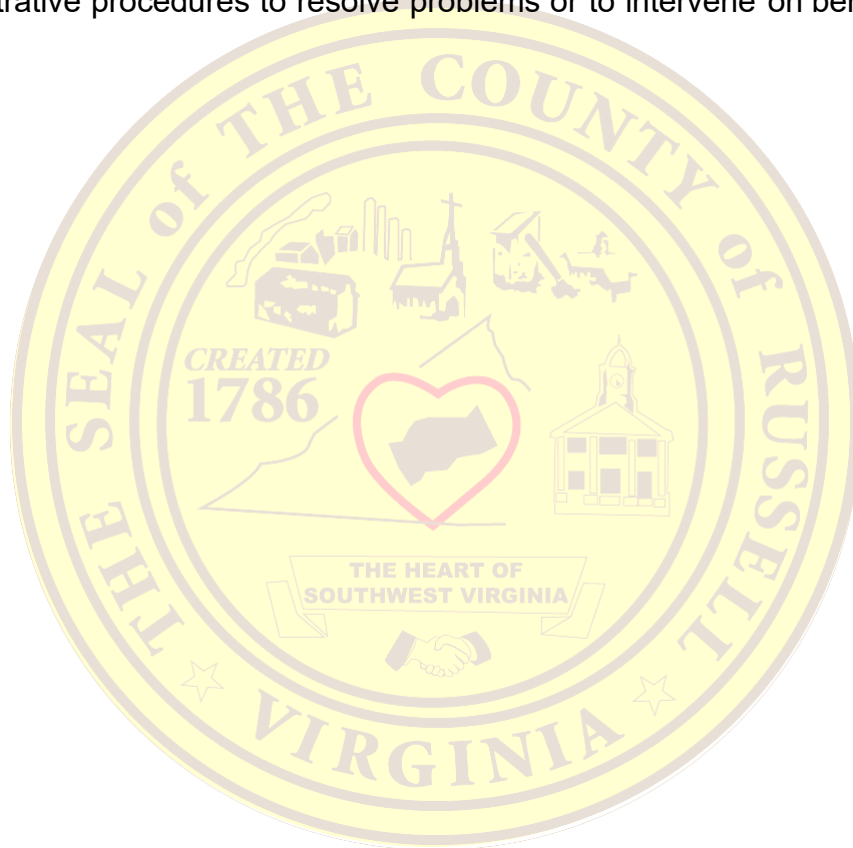


## **SECTION 10-07**

**Effective Date: August 3, 2020**

### **RELATIONSHIP BETWEEN EMPLOYEES AND BOARD OF SUPERVISORS**

It is the policy of the Board of Supervisors that the County Administrator have the primary decision-making authority over the duties, responsibilities, and conduct of employees under their charge. Accordingly, in the event of a personnel dispute, problem, or discontent with a decision, employees under the County Administrator should exhaust every means to resolve said problems administratively before bringing the matter to the attention of individual Board members or the Board of Supervisors as the governing body. Employees are encouraged to relate to members of the Board of Supervisors on a professional basis, but to refrain from using such relationships to circumvent established administrative procedures to resolve problems or to intervene on behalf of the employee.

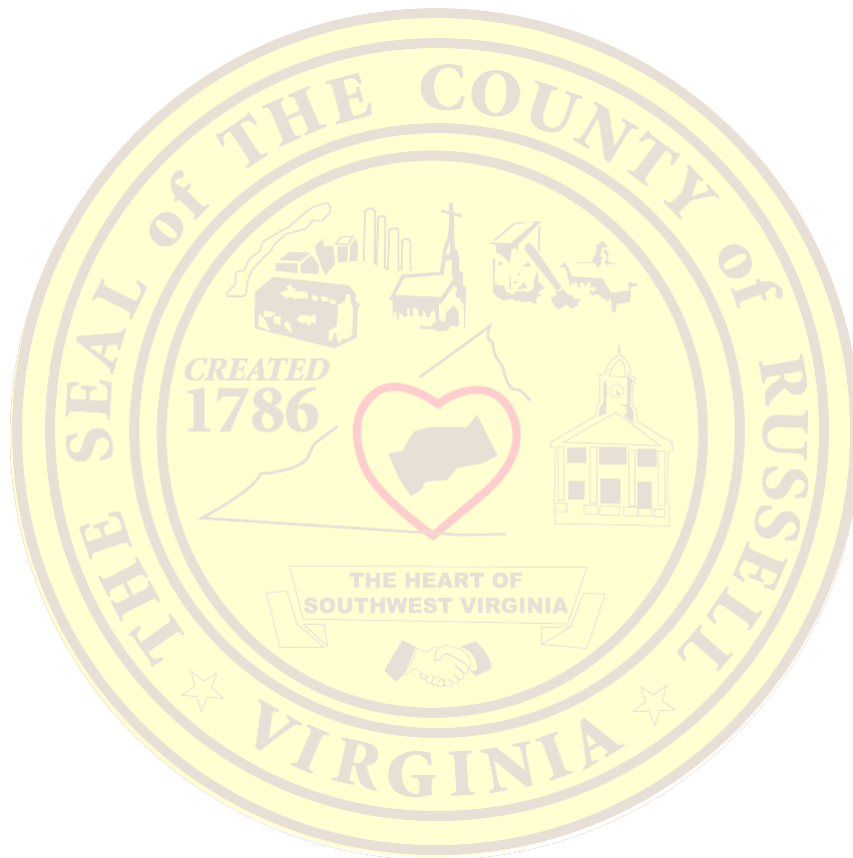


## **SECTION 10-08**

**Effective Date: August 3, 2020**

### **DRESS CODE**

Employees are expected to dress for work as is dictated by the working environment or departmental requirements. Where uniforms are provided, employees shall wear same and maintain them in good condition, normal wear and tear excepted. Uniforms purchased or leased by the County on behalf of employees are considered property of the County. Employees shall not wear clothing generally considered inappropriate for office workers in this locale. Department heads or the County Administrator may establish formal or informal standards appropriate to the work environment for employee dress.

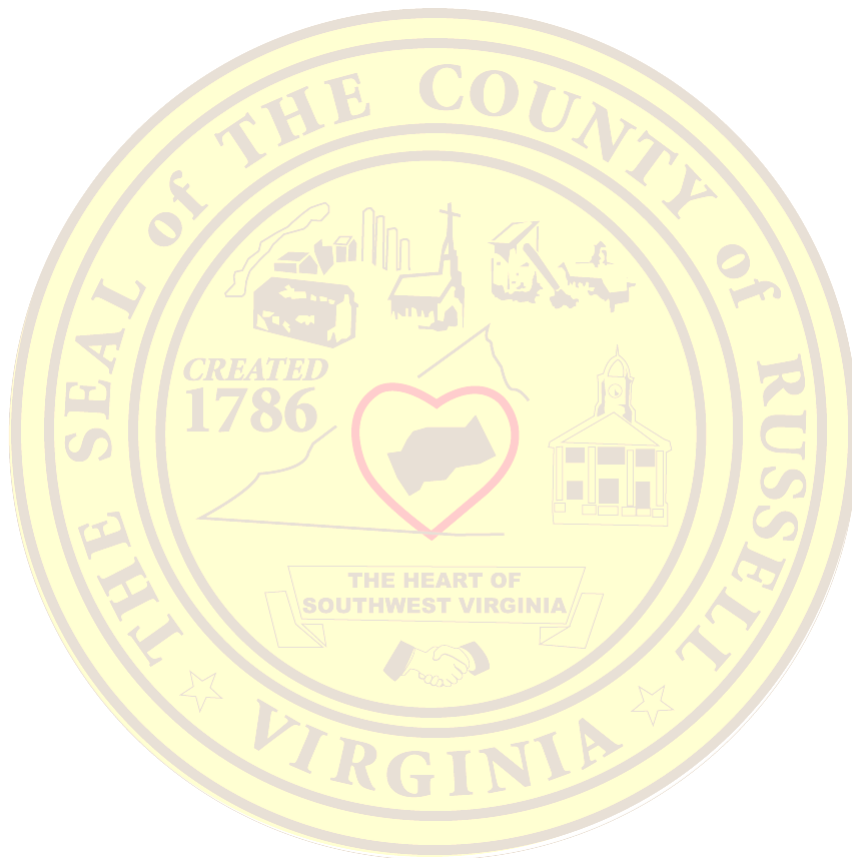


**SECTION 10-09**

**Effective Date: August 3, 2020**

**CHANGE OF ADDRESS OR TELEPHONE NUMBER**

All employees shall supply their home telephone number to their department head or County Administrator if they have home telephones. All employees are required to notify their department head or County Administration of any change of home address or home telephone number within three (3) working days of such change. This information shall not be supplied to the public or others without prior approval of the employee.

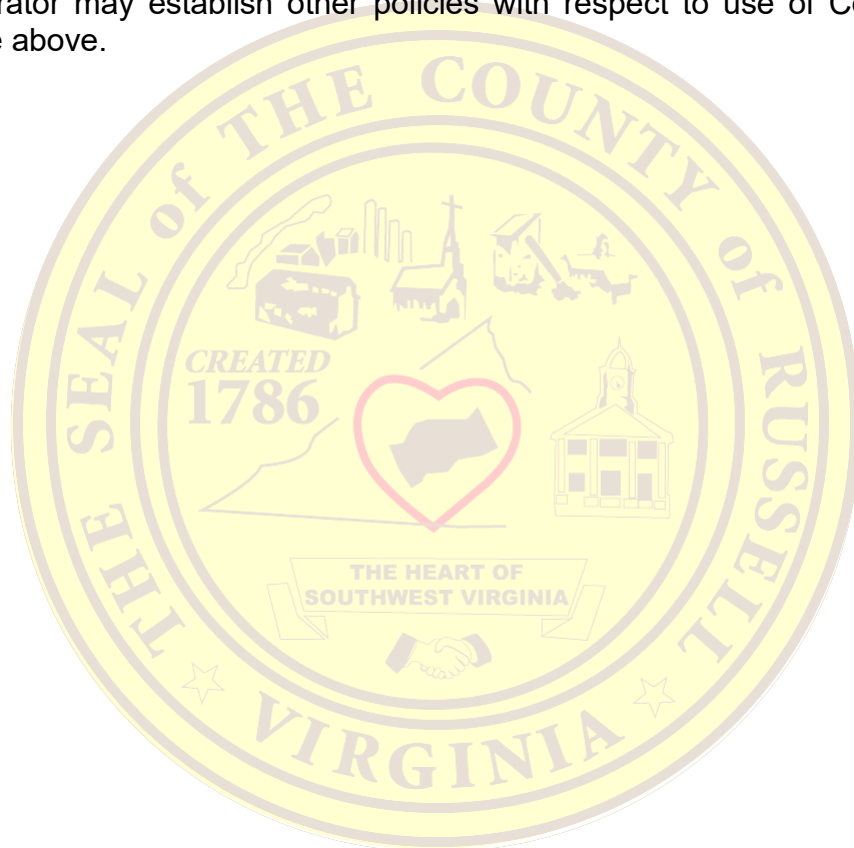


## **SECTION 10-10**

**Effective Date: August 3, 2020**

### **PERSONAL CALLS ON COUNTY TELEPHONES**

While situations may arise necessitating personal telephone calls, it should be remembered that the telephones are for transaction of County business and personal calls should be kept to a minimum. No employee may place a long-distance personal phone call on County telephones except in extreme emergencies with prior permission of the employee's department head or County Administrator. The employee shall reimburse all such calls to the County at the time of billing. Employees having access to a County cellular telephone shall limit their personal use of same as much as possible. No employee may accept a collect personal phone call on County telephones. The Board of Supervisors or County Administrator may establish other policies with respect to use of County telephones not inconsistent with the above.

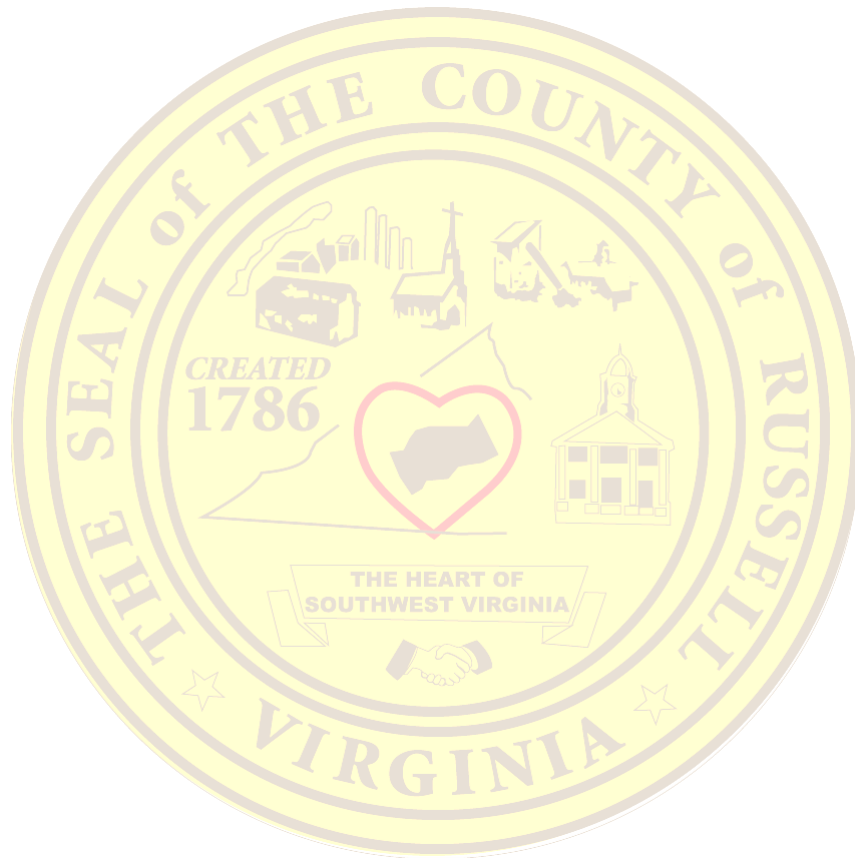


**SECTION 10-11**

**Effective Date: August 3, 2020**

**PERSONAL USE OF COUNTY PROPERTY**

Personal use of County-owned real property, facilities, materials, tools, equipment and motor vehicles is prohibited. The Board of Supervisors or County Administrator may establish other policies with respect to use of County property not inconsistent with the above. Use of County computers and other electronic equipment by employees shall be governed by policies set forth and approved by the County Administrator.

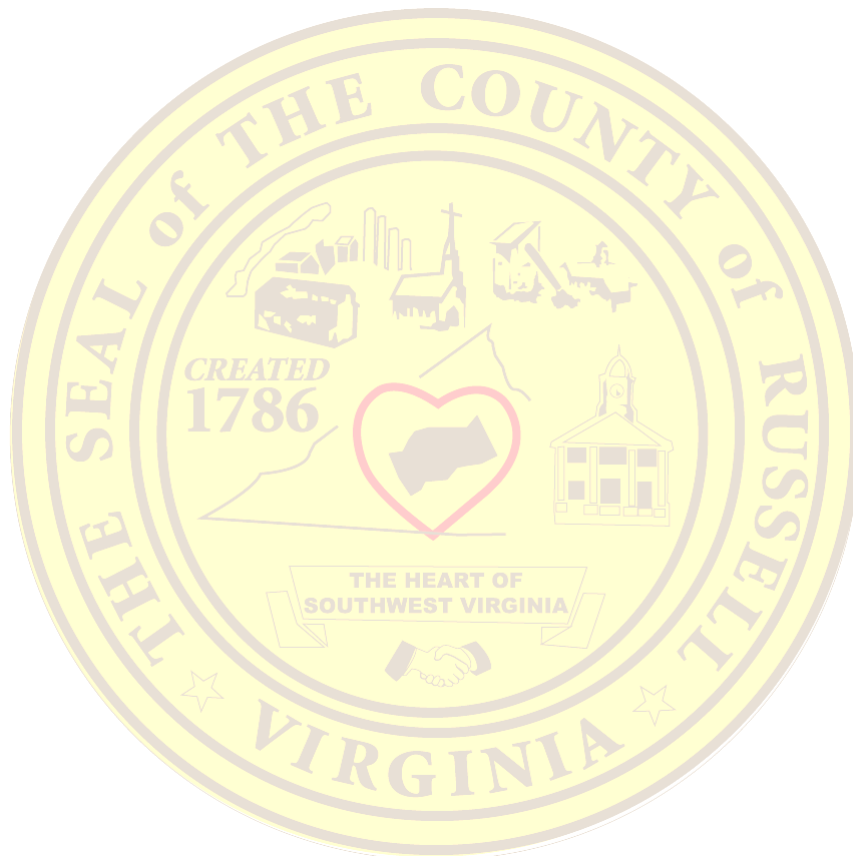


## **SECTION 10-12**

**Effective Date: August 3, 2020**

### **ADHERENCE TO SAFETY RULES**

Employees are required to adhere to all departmental safety rules, procedures and practices, and to use personal protective equipment provided by the County or required for personal purchase for use on the job. Department heads must make familiar all such rules, procedures and practices to new employees as part of the new employee's initial orientation. All employees in turn are obligated to report and/or, if possible, correct all unsafe working conditions known to them.





## SECTION 10-13

Effective Date: August 3, 2020

### **DRUG AND ALCOHOL-FREE WORKPLACE**

#### **1. PURPOSE**

Russell County has an obligation to the public and to its employees to conduct its operations safely and efficiently. Therefore, the County shall maintain a drug and alcohol-free workplace. All County employees have a responsibility to ensure that their duties are not impaired by the use of drugs or alcohol.

#### **2. POLICY**

The possession, use, or sale of unauthorized or illegal drugs; misuse of legal drugs; consumption of alcohol; or testing positive for use of unauthorized; or unprescribed; or illegal drugs or alcohol during an employees' working hours while on County property or while on County business is strictly prohibited. In furtherance of this policy, the County will conduct random, mandatory drug and alcohol testing of County employees. Evidence of employee activity in violation of this policy shall result in disciplinary action and may constitute grounds for termination of employment. Drug and alcohol testing also shall be performed in consideration of potential new hires. Positive test results will be considered in employment decisions and may result in a determination that the applicant is unsuitable for County employment. Further, employees who operate a county-owned Commercial Motor Vehicle (CMV) and are required to hold a Commercial Driver's License (CDL) are subject to a higher degree of regulation than other employees. Employees testing positive will be removed immediately from driving duties. Employees with a need are encouraged to request assistance through the County's Health Insurance Program, or through community agencies.

#### **3. APPLICABILITY**

This policy is applicable to all employees of the County, whether classified or non-classified, full-time or part-time, permanent or temporary, salaried or hourly.

#### **4. DEFINITIONS**

***Alcohol:***

Any product as defined as "alcohol" and/or "alcoholic beverages" in "The Alcoholic Beverage Control Act," section 4.1-100 of the Code of Virginia, as amended.

***Adulterated Specimen:***

A specimen that contains a substance that is not expected to be present in human urine or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

**Commercial Driver's License (CDL):** *Any of three types of commercial driver's licenses:*

**Class A:** Any combination of vehicles with a gross vehicle weight rating (GVWR) of 26,001 or more pounds provided the GVWR of the vehicle(s) being towed is in excess of 10,000 pounds.

**Class B:** Any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. **Class C:** Any single vehicle or combination of vehicles that does not meet the definition of Class A or Class B, but is either designed to transport 16 or more passengers, including the driver, or is placarded for hazardous materials.

**CDL Employee:**

Any County Employee required to have a Commercial Driver's License as a condition of employment with the County.

**Commercial Motor Vehicle:**

A motor vehicle having a gross vehicle weight rating or gross combination weight rating of 26,001 or more pounds.

**Illegal Drug:**

Any controlled substance as such is defined in the "Drug Control Act," Title 54.1, Chapter 34 of the Code of Virginia, as such may be amended from time to time, except a controlled substance included in Schedules II through V and used by the employee whose conduct is in question pursuant to a valid prescription for medical purposes filled in the United States.

**Safety Sensitive Position:**

A position of employment with the County in which the employee has responsibility for his or her own safety or other people's safety, including without limitation, jobs that require a CDL as a condition of employment; jobs that involve operation of a motor vehicle, or any other equipment, machinery or power tools; jobs that include repairing, maintaining, or monitoring the performance or operation of any equipment, tool, or machinery, the malfunction of which could result in injury to person or property damages. Employees that hold Safety Sensitive Positions shall be held to all standards set forth herein for such positions.

**Substance Abuse Professional (SAP):**

A person with professional certification to evaluate employees who have violated drug and alcohol regulation by employers and make recommendations to the employer concerning education, treatment, follow-up testing, and aftercare.

## 5. SELF-REPORTING

**Prescriptions and Over-the-Counter Drugs:** Employees taking prescription drugs issued by a licensed physician or over-the-counter drugs are responsible to be aware of the effects such drugs may have on the performance of their duties and to report to the County Administrator or his/her designee that they are taking such substances that may affect their performance. Employees shall promptly report to the County Administrator or his/her designee any use of prescribed or over-the-counter drugs that may affect the employee's judgment, performance, or behavior. Where a CDL employee does not comply with this requirement, a physician's

prescription will not be an acceptable excuse for violation, and the employee will be subject to disciplinary action or termination.

## 6. TESTING CONDITIONS

County employees will be designated for alcohol and drug testing under the following conditions.

- Pre-Employment: At the time an offer for employment is made, as a condition of continued consideration for employment, applicants will be advised of the requirement to be tested for drug and alcohol use using the County's procedures for such testing. No prospective employee will be asked to submit to testing unless an offer of employment has been made. A positive test result may result in rescission of the offer of employment.
- Return to duty after 90-day leave: Any employee who has been removed from the random testing pool and out of work for 90 or more days shall have pre-employment testing upon return to duty.
- Transfer from non-safety sensitive position to a safety sensitive position: As a consideration for transfer from a non-safety sensitive position to a safety sensitive position, an employee will be required to be tested for drug and alcohol use.
- Reasonable Suspicion: Employees will be tested whenever the individual's behavior or appearance causes the employee's supervisor to question the employee's ability to perform his/her duties safely.
- Random: Employees will be tested whenever the random selection process designates the employee for testing.
- Post-Accident: Employees involved in workplace accidents, including without limitation, accidents involving use of motor vehicles in the course of employment, may be required to undergo testing. Employees shall be tested any time they are involved in an on-the-job vehicle accident resulting in a citation for moving violations arising from an accident that: (1) requires a vehicle to be towed, (2) results in an injury requiring immediate medical attention away from the scene, or (3) results in a fatality. Employees are prohibited from using alcohol or controlled substances following an accident that necessitates testing, as described above, until after they have been tested. Failure to report a workplace accident shall result in disciplinary measures, up to and including possible termination of employment. If the accident results in the death of the employee, blood/urine samples may be tested for the presence of drugs/alcohol.
- Other Testing: Employees will be tested after return to duty after completion of a drug and alcohol rehabilitation program. After returning to work, these covered employees will be tested randomly at least six times during the next 12 months. Further, employees in this re-testing group also will continue to be part of the random testing pool.

- **Testing facility:** Any drug and/or alcohol testing by the County will be conducted by a laboratory licensed by the Commonwealth, the name and location of which will be made available to the employee by the County Administration. The County will notify the employee of results of a test after receipt of such results from the laboratory. If the results confirm positive, the employee will be given the opportunity to explain the positive result. In addition, the employee may have the same sample retested at a laboratory of the employee's choice at the employee's expense, limited to laboratories licensed by the Commonwealth.
- **Expenses:** The County will pay the cost of any testing that it requires or requests, including retesting of confirmed positive results if such retesting is performed at the election of the County. Any additional tests that the employee requests will be paid for by the employee.

## **7. PRIVACY RIGHTS**

The County reserves the right to search an employee's person, locker, work area, and desk at any time, with or without cause.

The County will make every effort to keep the results of drug and alcohol tests confidential. Employees should be advised, however, that test results may be used in arbitration, or administrative hearings, and any court cases arising as a result of the employee's drug test. Also, results will be sent to federal agencies as required by federal law. If the employee is referred to a treatment facility for evaluation, the test results will be made available to the employee's counselor.

## **8. DISCIPLINE AND CORRECTIVE ACTION**

A refusal to take the tests, the discovery of an adulterated specimen, a discovery of tampering with the sample, or a positive test result in the absence of prior self-reporting and physician prescription, when applicable, shall result in termination of employment. In the event of a positive test result, a statement of medical justification provided in writing by a licensed physician will be considered for purposes of County evaluation but will not necessarily override the County decision to rescind an offer of employment or to terminate employment.

If there is reason to suspect that an employee is working under the influence of an illegal drug or alcohol, the employee may be suspended until the results of a drug and/or alcohol test are made available by the testing laboratory. Employees who report to work under the influence of drugs or alcohol will not be allowed to drive themselves home or elsewhere. Refusal to comply with this rule may result in immediate termination.

Where a CDL employee does not comply with self-reporting requirements as stated in this policy, a physician's prescription will not be an acceptable excuse, and the employee will be subject to disciplinary action or termination.

## **9. CDL EMPLOYEES**

CDL Employees are subject to the County mandatory drug and alcohol testing program in accordance with the Omnibus Transportation Employee Testing Act of 1991 and U.S. Department of Transportation (DOT) Rule 49 CFR Part 40 and The Federal Motor Carrier Safety

Administration's (FMCSA) rule, 49 CFR 382. All County employees who are required to have any category of Commercial Driver's License as a condition of employment are subject to the County's policy for Drug and Alcohol-Free Workplace.

CDL employees who test positive for drugs or above the .04 blood alcohol level shall be immediately terminated from employment if such results occur while employee is on duty; if such results occur when employee is off-duty, the employee shall be removed from driving duties while a disciplinary action determination is considered. Return to duty after a positive test, that was received while off-duty, shall be at the sole discretion of the County Administrator; however, no one who has tested positive while off duty shall perform safety-sensitive functions again until after successful completion of a return-to-duty program administered by a Substance Abuse Professional.

Prior to hiring a CDL Employee, the County will review the applicant's DOT drug and alcohol testing history with any and all DOT-regulated company(ies) that employed the applicant during the three-year period prior to the County's potential hire date. Applicants for CDL positions will be asked to provide written consent to seek the information from prior employers in accordance with County policy and DOT requirements. If the applicant does not provide such written consent, the County shall not offer employment for a CDL Employee position.

## **11. EXCLUSIONS**

Moderate use of alcohol during social functions outside of the usual workplace and outside of regular business hours but in which County employees participate as a consequence of position in the County are excluded as long as such employee does not operate a County-owned vehicle at a time proximate to such use.

Members of the Board of Supervisors are excluded from testing requirements. Board-appointed members of County authorities, commissions, boards, and committees are excluded from testing requirements, unless such appointees are County employees, in which case testing requirements and this policy shall apply.

## **12. INTERPRETATION**

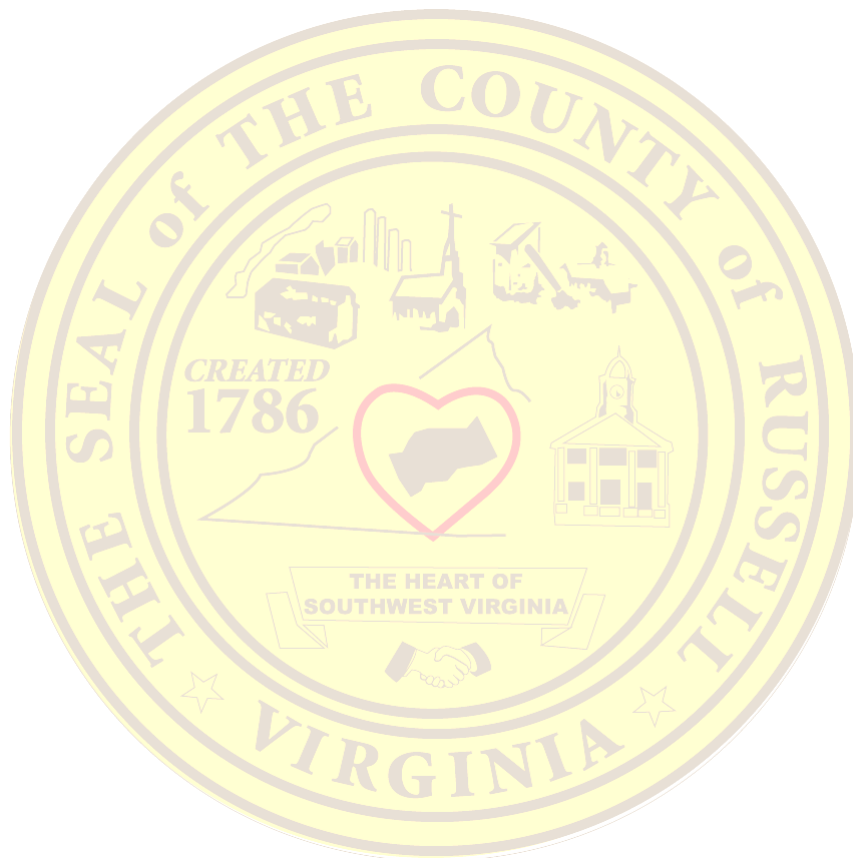
The authority to interpret this policy rests with the County Administrator.

## **SECTION 10-14**

**Effective Date: August 3, 2020**

### **EMPLOYEE RELATIONS WITH PUBLIC**

The Board of Supervisors expects employees to conduct their relations with the public with the utmost professionalism, courtesy and respect. Employees should remind themselves continuously that they are "public servants" and should conduct themselves accordingly.

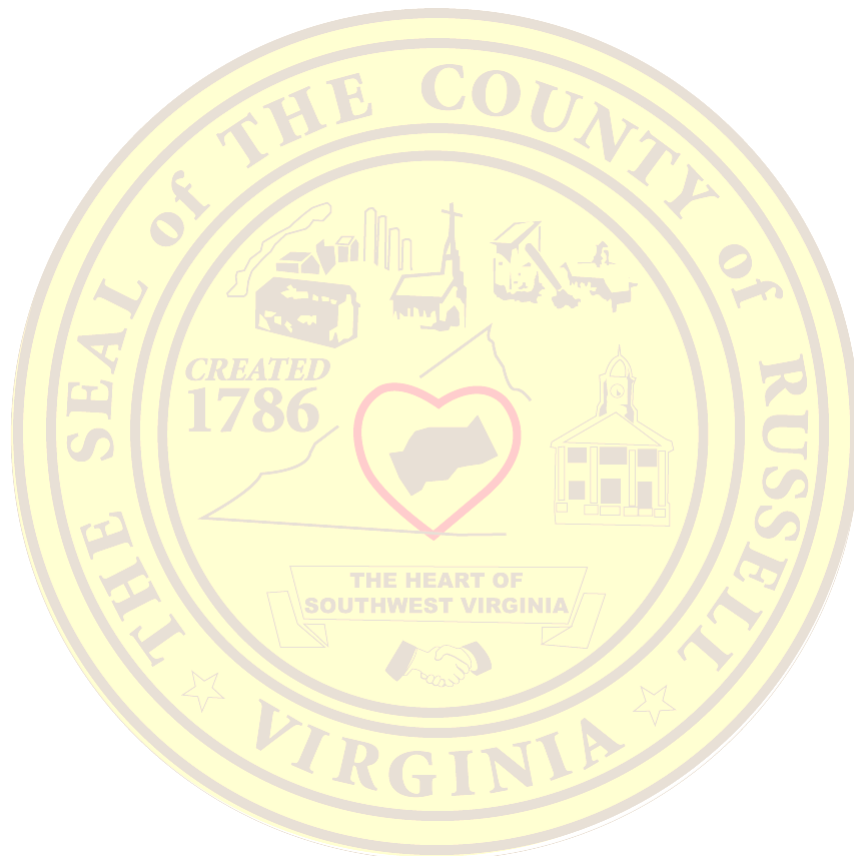


## **SECTION 11-01**

**Effective Date: August 3, 2020**

### **GENERAL**

The Russell County Board of Supervisors sets forth the following policies and procedures regarding employee discipline so that such matters may be handled in a fair, objective, and consistent manner. It is the policy of the Board of Supervisors that employee disciplinary actions be handled as set forth herein in an administrative fashion. The County Administrator and County Attorney may and should request consultation and advice from the Board of Supervisors where an anticipated disciplinary action may result in possible legal action being taken against the County.



## **SECTION 11-02**

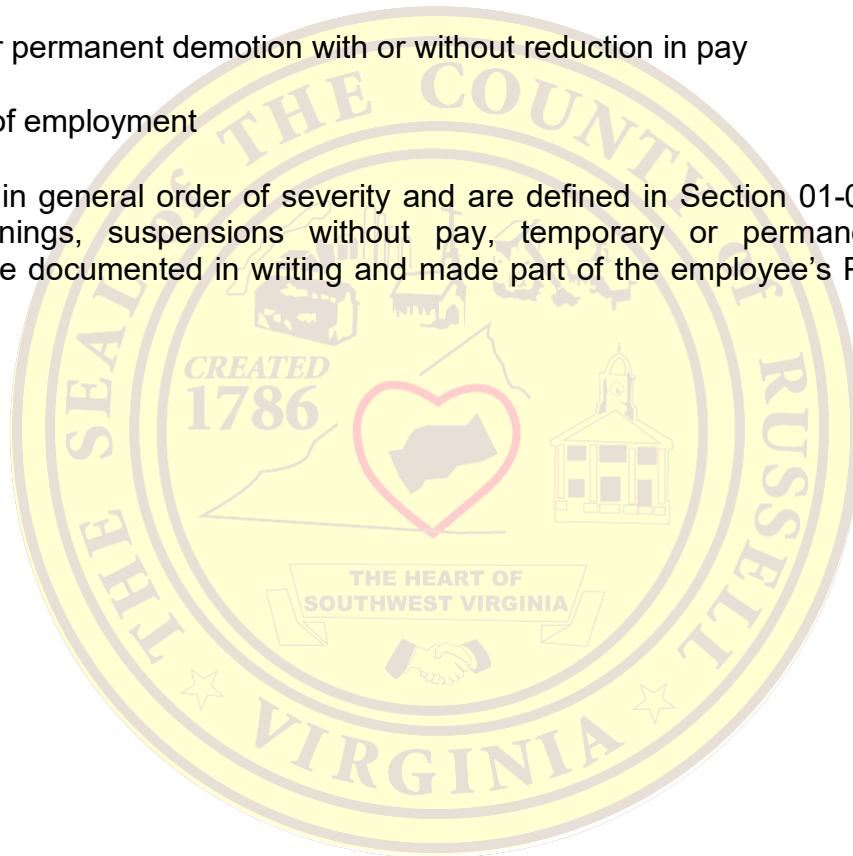
**Effective Date: August 3, 2020**

### **FORMS OF DISCIPLINARY ACTIONS**

The following forms of disciplinary actions are approved for use against employees:

- (A). Verbal warning
- (B). Written warnings
- (C). Suspension without pay
- (D). Temporary or permanent demotion with or without reduction in pay
- (E). Termination of employment

The above is listed in general order of severity and are defined in Section 01-06 of this Manual. All formal written warnings, suspensions without pay, temporary or permanent demotions, and terminations must be documented in writing and made part of the employee's Permanent Personnel Record.





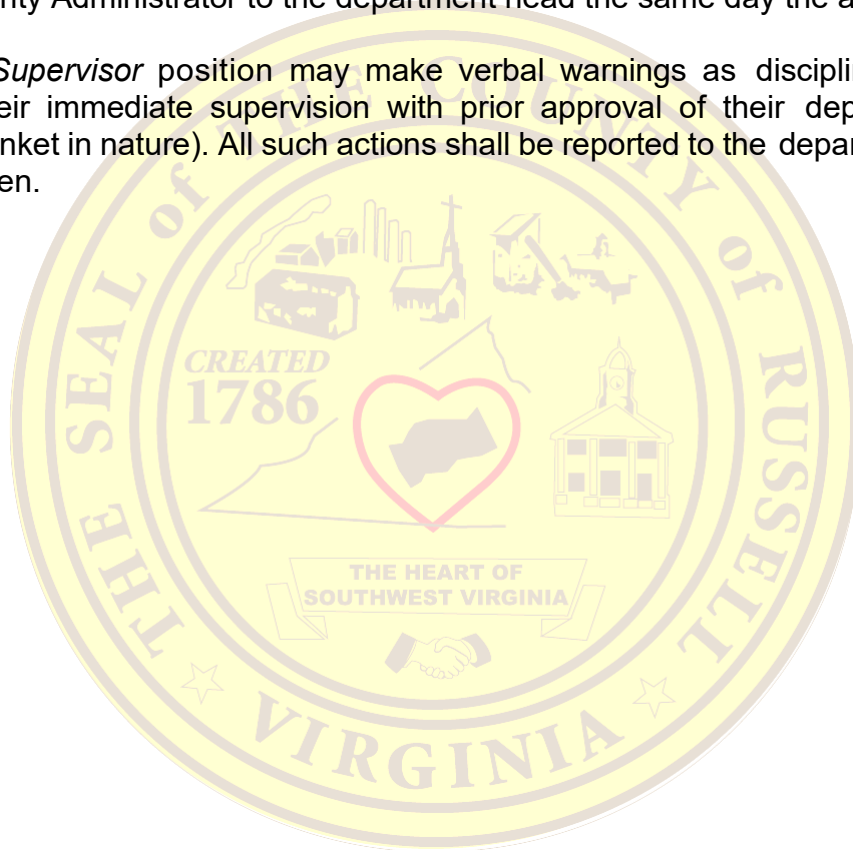
## **SECTION 11-03**

**Effective Date: August 3, 2020**

### **AUTHORIZATION TO TAKE DISCIPLINARY ACTION**

Employees of the *Manager* position may take disciplinary action against employees under their direct supervision up to and including verbal warnings without prior approval of the County Administrator. Disciplinary actions involving written warnings, suspension without pay, temporary or permanent demotions and termination of employment must be authorized by the County Administrator. The County Administrator may take or direct a department head to take disciplinary actions against an employee, including granting that department head authority to issue a formal written warning, and/or to suspend, demote or terminate an employee. Any such grant of authority must be documented in writing from the County Administrator to the department head the same day the action is taken.

Employees of the *Supervisor* position may make verbal warnings as disciplinary actions against employee under their immediate supervision with prior approval of their department heads (such approval may be blanket in nature). All such actions shall be reported to the department head the same day the action is taken.



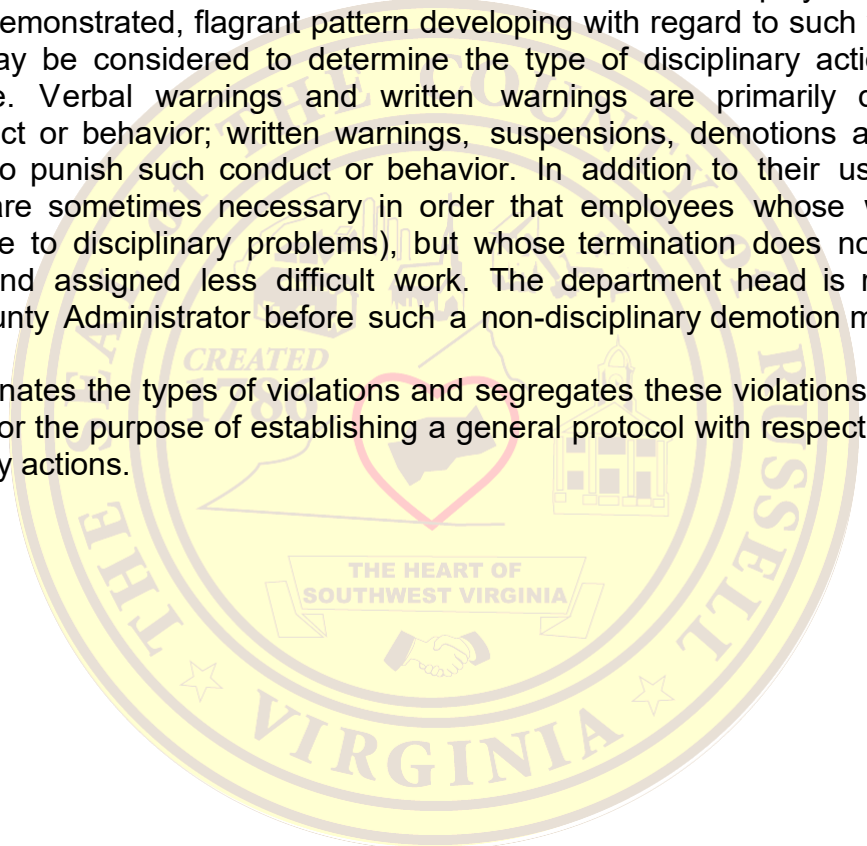
## **SECTION 11-04**

**Effective Date: August 3, 2020**

### **GRADUATION OF DISCIPLINARY ACTIONS**

The types of approved disciplinary actions set forth in Section 11-02 are part of a graduated system of employee discipline designed to provide an opportunity for employees to learn acceptable conduct and behavior on the job without immediate recourse to termination. The type of disciplinary action taken on the first or successive violations of personnel or departmental policies, procedures, rules, practices or guidelines will depend primarily on the severity of the violation, the experience level of the employee, the conditions of the work environment where the employee is assigned, and/or whether there is a demonstrated, flagrant pattern developing with regard to such violations. Any or all these conditions may be considered to determine the type of disciplinary action taken against an individual employee. Verbal warnings and written warnings are primarily designed to correct inappropriate conduct or behavior; written warnings, suspensions, demotions and terminations are primarily designed to punish such conduct or behavior. In addition to their use as a disciplinary action, demotions are sometimes necessary in order that employees whose work has not been satisfactory (not due to disciplinary problems), but whose termination does not appear warranted may be retained and assigned less difficult work. The department head is required to gain the approval of the County Administrator before such a non-disciplinary demotion may occur.

Section 11-05 designates the types of violations and segregates these violations into general groups in order of severity for the purpose of establishing a general protocol with respect to the application of approved disciplinary actions.



## **SECTION 11-05**

**Effective Date: August 3, 2020**

### **CAUSES FOR DISCIPLINARY ACTION**

An employee may be subject to disciplinary action if he/she:

(A). Group 1 Violations:

- (1). is convicted of a felony crime of the state or federal government; or is convicted for illegal conduct occurring either on or off the job which is clearly related to job performance or is of such a nature that continued employment in his/her position could constitute negligence with regard to the County's duties to the public and other employees;
- (2). is proven or reasonably demonstrated through administrative investigation to be guilty of theft or flagrant misuse of County property, or of willful malfeasance in the conduct of the position to which the employee is assigned, whether or not formal criminal or civil charges are brought against the employee by the County government;
- (3). willfully gives false statements to County officials or to the public; falsifying, stealing, willfully damaging, defacing or improperly destroying County records, including time records, leave records, County employment applications, insurance claims, or pay or reimbursement vouchers;
- (4). takes for personal use from any person any fee, gift, or other valuable thing in the course of work or in connection with it when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons; or accepts any bribe, gift, token, monies, or other things of value intended as an inducement to perform or refrain from performing any official acts, or engages in any action of extortion or other means of obtaining money or other things of value through his/her position in the County;
- (5). violates the Board of Supervisor's sexual harassment policy set out in this Manual, or violate the alcohol and drug misuse policy set out in this Manual;
- (6). is incompetent, unsatisfactory or inefficient in the performance of the stated duties of the position to which he/she is assigned; or demonstrates personal characteristics which make the employee incompatible with co-workers in the position to which the employee is assigned;
- (7). flagrantly violates any safety policy, rule, regulation or procedure to injure or endanger him/herself, other employee or the public;
- (8). possesses or brings onto County property an unauthorized firearm, dangerous weapon, explosive or any illegal drug;
- (9). violates any lawful or official policy, rule, regulation or order or willingly as an employee of the County fails to obey any proper direction made and given by a *Manager* Class employee, or the employee's immediate department head or supervisor to constitute gross insubordination;

(10). induces, or attempts to induce, an *Manager* Class employee or other employee in the service of the County to commit an unlawful act or to act in violation of any lawful or official policy, rule, regulation or order;

(11). has used, threatened to use, or attempted to use personal or political influence in securing more favorable treatment from a *Manager* Class employee or other employee in any manner related to his/her position;

(12). is a member of a subversive organization demonstrating hostility to the laws, institutions or officials of the United States, the Commonwealth of Virginia, or any city, town, or county of the Commonwealth;

(13). hinders, attempts to hinder, disrupt or in any way interferes with the lawful performance of duties and responsibilities of any *Manager* Class employee or other employee of the Board of Supervisors established pursuant to the laws, ordinances, policies, rules, regulations and procedures of the United States, the Commonwealth of Virginia, or the County of Russell.

(B). Group 2 Violations:

(1). fails to report for work or absence without prior notice to his/her department head or supervisor;

(2). is absent from duty without proper authorization or a satisfactory reason for more than three successive working days;

(3). illegally gambles or engages in fighting on County property;

(4). is sleeping during working hours;

(5). is excessively absent or tardy, causing undue burden on co-workers or reduces the efficiency or effectiveness of the department to which the employee is assigned;

(6). speaks disrespectfully of, publicly criticizes, or maliciously ridicules any official or employee of any department, agency, or organization of the County government;

(7). is careless or negligent with the monies or other property or resources of the County government;

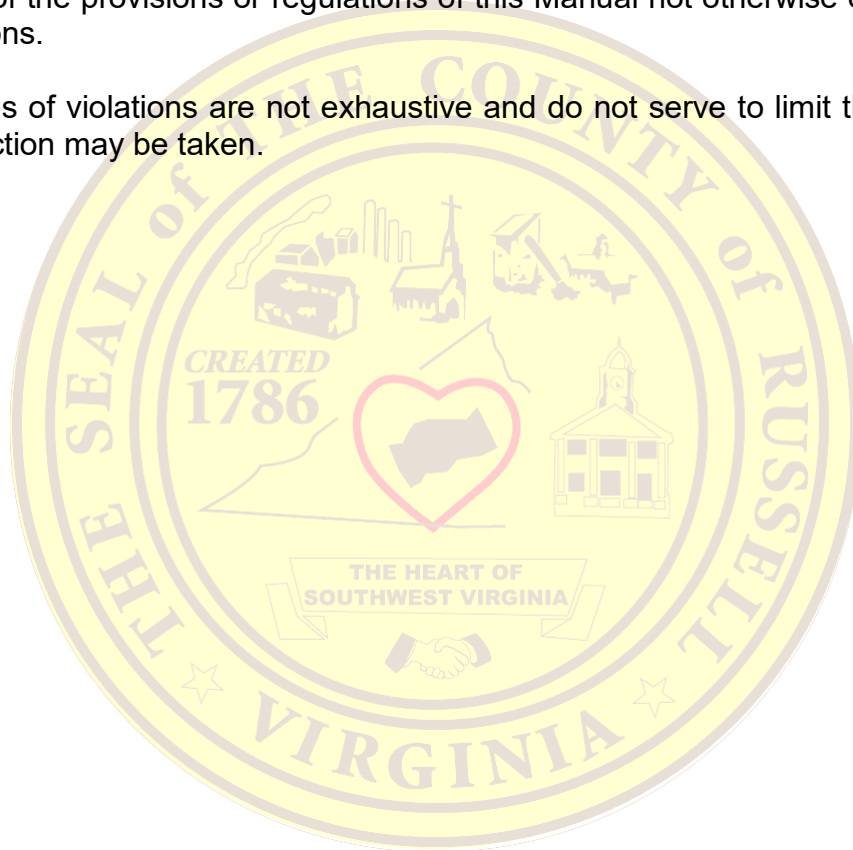
(8). divulges or discusses any confidential County business matters not having previously been made public, or discloses confidential information to any person unless directed to do so by his/her department head, or grants interviews or in any way knowingly makes public information not previously made public;

(9). engages in conduct unbecoming an employee of the County government while on duty or while representing the County in an official capacity not otherwise categorized as a Group 1 or Group 3 violation.

(C). Group 3 Violations:

- (1). fails to pay or make judgment provisions for future payment of his/her debts leading to a legal garnishment of pay, or to provide for proper family support and to pay his/her just financial obligations;
- (2). is offensive or rude in his/her conduct or language directed toward other employees, the public, or County officials, while either on or off duty, or engages in heated verbal argument while on duty;
- (3). engages in behavior disruptive of the orderly transaction of County business or which disrupts other County employees in the performance of their duties not otherwise categorized as a Group 1 or Group 2 violation;
- (4). violates any of the provisions or regulations of this Manual not otherwise categorized as Group 1 or Group 2 violations.

The above groupings of violations are not exhaustive and do not serve to limit the types of violations which disciplinary action may be taken.



## **SECTION 11-06**

**Effective Date: August 3, 2020**

### **DISCIPLINARY ACTION PROTOCOL**

The following is a general protocol with respect to disciplinary actions:

(A). For violations described in or which may be characterized as similar to Group 1, for the first offense a written warning and/or suspension and/ or termination may be made depending on the severity of and circumstances surrounding the offense. For a second offense identical or similar to the first, termination of employment may be made.

(B). For violations described in or which may be characterized as similar to Group 2, for the first offense a verbal warning, written warning, and/or suspension may be made depending on the severity of and circumstances surrounding the offense. For a second offense identical or similar to the first, suspension or demotion may occur, or termination of employment may be affected. In extreme or aggravated cases, termination may occur with the first offense.

(C). For violations described in or which may be characterized as similar to Group 3, for the first offense a verbal warning, written warning may be made depending on the severity of and circumstances surrounding the offense. For a second offense identical or similar to the first, suspension or demotion may occur. For the third or any subsequent offense, termination may occur.

The purpose of the protocol is to serve as a guideline rather than a strictly applied regulation with respect to disciplinary actions. In all cases, severity of the offense and mitigating or aggravating circumstances should govern the disciplinary action taken. Mitigating circumstances include conditions that would compel a reduction in the disciplinary action to promote the interests of fairness and objectivity, including but not limited to the employee's time in service and overall service record or otherwise satisfactory work performance. Extreme or aggravating circumstances include conditions that demonstrate willful or blatant disregard for established or acceptable conduct or behavior or demonstrate very poor judgment to make the employee appear susceptible to committing the same or similar offense in the future.

## **SECTION 11-07**

**Effective Date: August 3, 2020**

### **DISCIPLINARY PROCEDURE**

(A). Lodging of Complaint:

Alleged complaints against employees of the *Supervisor/Specialist, Assistant/Operator/Technician* and *Aide* Classes of employees within the Administrative Division shall be first referred to the department head to which the employee is assigned. Alleged complaints against employees of the *Manager* Class shall be referred to the County Administrator. The County Administrator should be advised by the department head of any complaint lodged against an employee as soon as practical. All verbal or written complaints require at least initial inquiry.

(B). Initial Inquiry:

Upon evidence of or receiving a report of an alleged complaint from a County official, another employee or from the public, whether verbally or in writing, the department head to which the employee is assigned (or County Administrator in the event the employee is a department head) will conduct an initial inquiry. The inquiry will be made for the purpose of ascertaining the true facts relative to the circumstances surrounding the alleged complaint to determine whether an administrative investigation is warranted.

On the basis of the initial inquiry, if there is reasonable evidence to suggest a violation or offense has occurred, the department head to which the employee is assigned (or County Administrator in the event the employee is a department head) will initiate an administrative investigation. At this time, the County Administrator should be fully informed of the initial inquiry and process envisioned for the investigation. If there is no basis for such an investigation as a result of the initial inquiry, the matter will be dropped.

(C). Administrative Investigation:

The course of the administrative investigation must be dictated by the nature of the alleged violation or offense but may include informal or formal questioning of persons thought to have knowledge of the situation and by close questioning of the employee. Written records may be requested from any Administrative Division department to support the investigation. Access to otherwise confidential information may be obtained with the permission of the County Administrator. During the investigation of a written complaint against an employee, a copy of the complaint may be provided to the employee if doing so would not interfere with the proper investigation of the matter (written complaints may be signed or unsigned, but will only be considered a verifiable written complaint if the identity of the complainant is positively known). If the complaint is verbal in origin, the department head may divulge the nature of the complaint to the employee but may withhold the complainant's identity from the employee, if doing so would likewise not interfere with the investigation of the matter. If during the administrative investigation evidence is gathered suggesting a criminal offense, the County Administrator or County Attorney may contact the proper law enforcement agencies to continue the investigation. If the evidence suggests that a felony has been committed, involvement of law enforcement agencies in the investigation is mandatory.

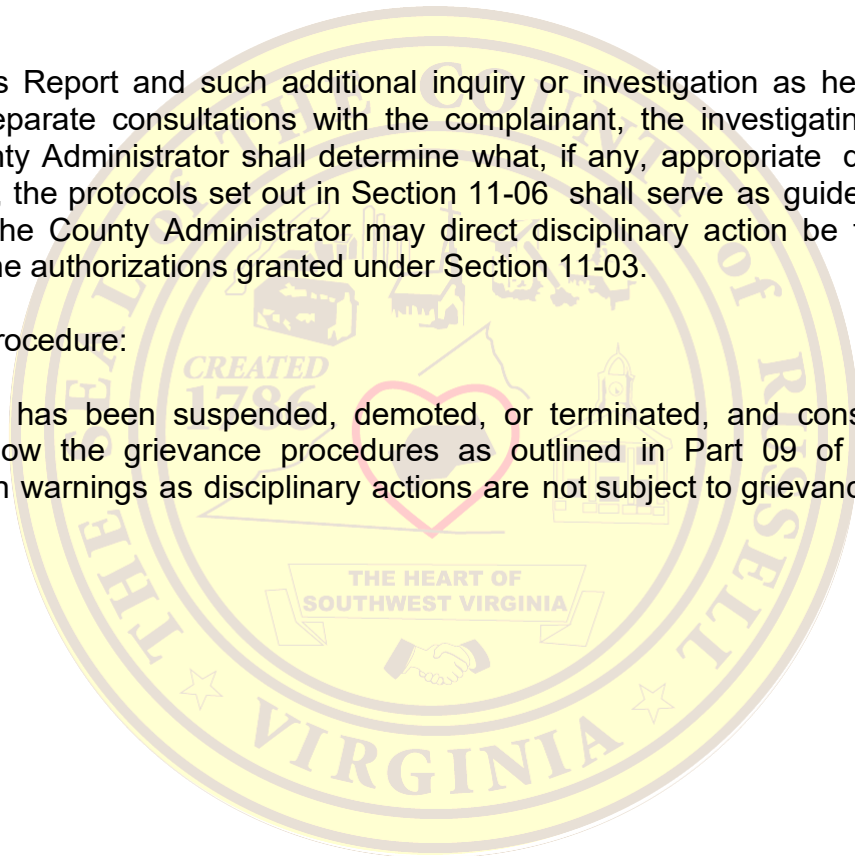
(D). Report and Disciplinary Action:

If upon the conclusion of the administrative investigation there exists sufficient and reasonable evidence to conclude that the complaint was justified and that a violation or offense has occurred, the investigating party (department head or County Administrator) will prepare a written Report on the matter. The report should be sufficiently detailed to document the nature of the complaint investigated, the manner of the administrative investigation conducted, the evidence collected, and the formal determination of guilt by the employee who was the subject of the investigation. If the complaint involved criminal activity where a formal criminal investigation was initiated, the written documentation comprising the criminal investigation file may serve as this Report. The Report shall be signed by the investigating party, a copy of which shall be provided to the employee and the original to the County Administrator (when the criminal investigation file is used as the Report, distribution of copies of these records shall be as permitted by the investigating law enforcement agency).

On the basis of this Report and such additional inquiry or investigation as he/she may determine, including joint or separate consultations with the complainant, the investigating party and/or the employee, the County Administrator shall determine what, if any, appropriate disciplinary action to take. In this regard, the protocols set out in Section 11-06 shall serve as guidelines with respect to the action taken. The County Administrator may direct disciplinary action be taken by department heads pursuant to the authorizations granted under Section 11-03.

(E). Grievance Procedure:

Any employee who has been suspended, demoted, or terminated, and considers himself/herself aggrieved, may follow the grievance procedures as outlined in Part 09 of this Manual. Verbal warnings and written warnings as disciplinary actions are not subject to grievance.





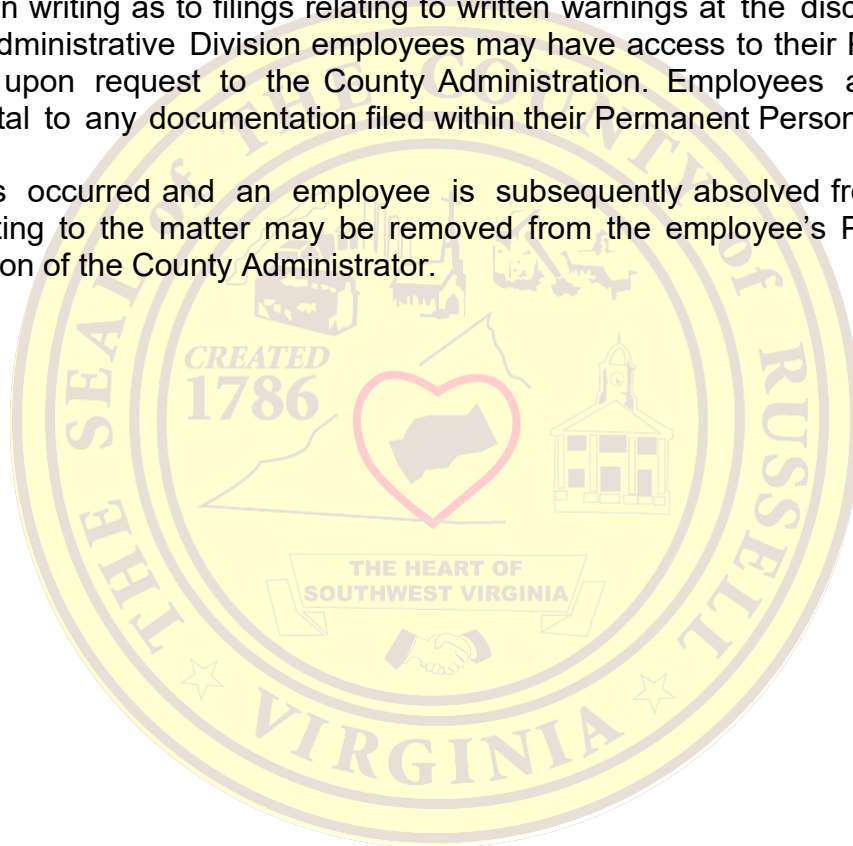
## **SECTION 11-08**

**Effective Date: August 3, 2020**

### **FILINGS WITHIN PERMANENT PERSONNEL RECORD**

Any complaint resulting in formal disciplinary action shall have all pertinent or supporting documentation generated as a result of the complaint's investigation and action taken filed within an employee's Permanent Personnel Record. Complaints where no action was taken or where written warnings were issued may also be documented and filed at the discretion of the County Administrator. Such filings may also include notation of verbal warning depending on the severity and/or reoccurring nature of the matter to which such admonishments relate. In cases resulting in formal disciplinary action, the employee shall be advised in writing that the documentation relating to same is being filed within the employee's Permanent Personnel Record. The employee may be advised verbally or in writing as to filings relating to written warnings at the discretion of the County Administrator. All Administrative Division employees may have access to their Permanent Personnel Record for review upon request to the County Administration. Employees are permitted to file statements in rebuttal to any documentation filed within their Permanent Personnel Records.

Where a filing has occurred and an employee is subsequently absolved from guilt or fault, all documentation relating to the matter may be removed from the employee's Permanent Personnel Record at the direction of the County Administrator.



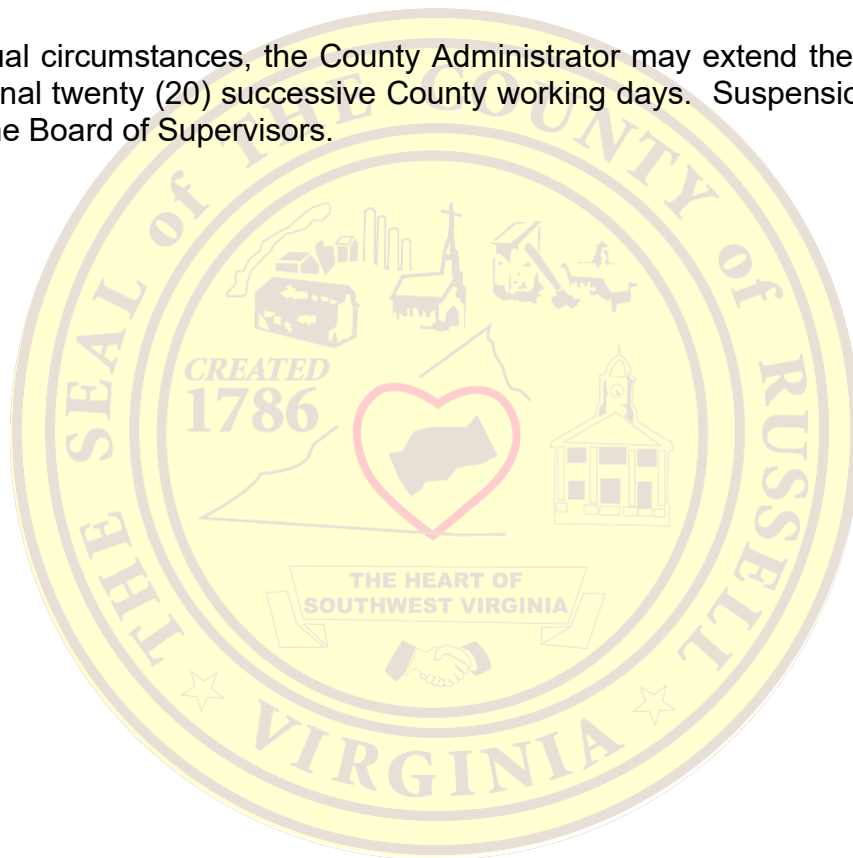
## **SECTION 11-09**

**Effective Date: August 3, 2020**

### **SUSPENSION WITH PAY DURING ADMINISTRATIVE INVESTIGATION**

If during the course of an administrative investigation of an alleged complaint, it is determined that the continued presence of the employee who is the subject of the investigation on the job is or may be harmful or detrimental to the investigation, the County Administrator may place the employee on suspension with pay for a period not to exceed twenty (20) successive County working days. Suspension with pay is not considered a disciplinary action, nor does it imply or should be interpreted to imply guilt, since the alleged complaint is still under investigation. Suspension with pay is an action designed to contribute toward the expedient resolution of the investigation of the complaint in certain situations.

In extreme or unusual circumstances, the County Administrator may extend the suspension with pay period for an additional twenty (20) successive County working days. Suspension exceeding 25 days must approved by the Board of Supervisors.

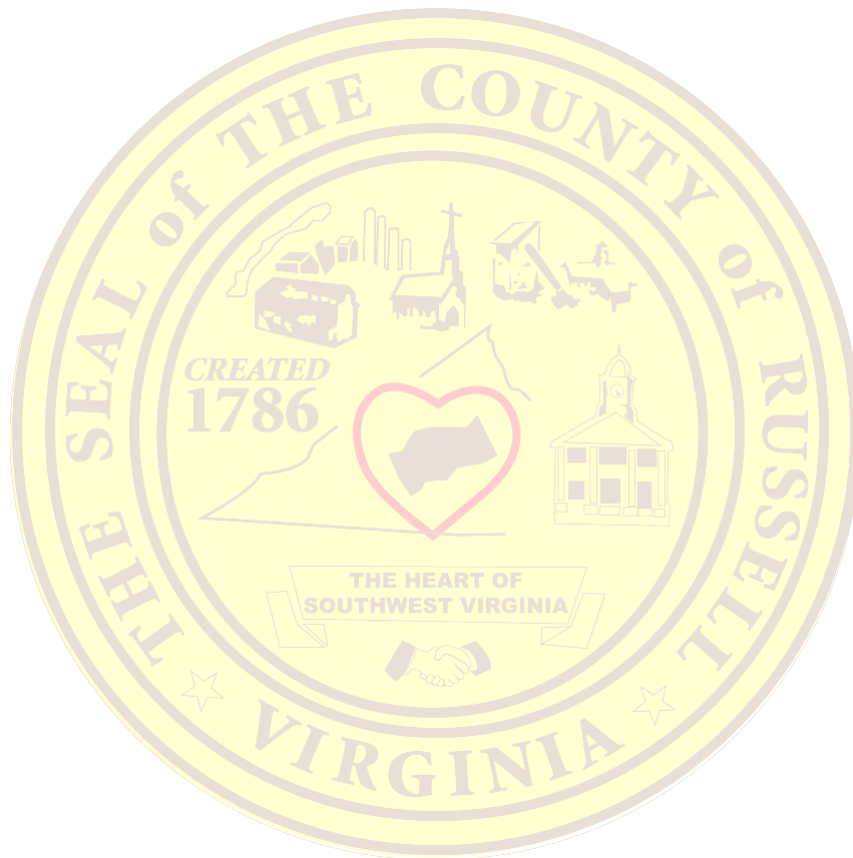


## **SECTION 11-10**

**Effective Date: August 3, 2020**

### **DISCIPLINARY ACTION AND PERFORMANCE EVALUATIONS**

Any formal disciplinary action, including written warnings may be considered during an employee's performance evaluation and may negatively affect the findings of that evaluation. These may also negatively affect an employee's application for promotion to another position may be cited as material evidence of an employee's job performance with respect to requested references from other potential employers (both within the County government and outside).

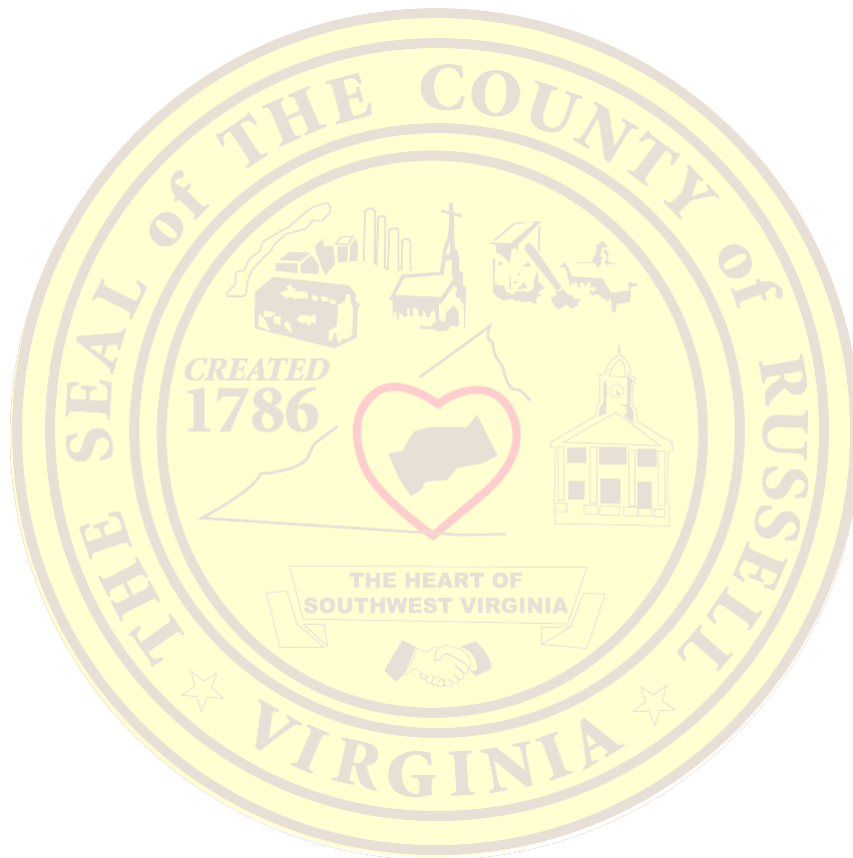


## **SECTION 11-11**

**Effective Date: August 3, 2020**

### **DEMOTIONS**

Demotion refers to the change of an employee from a position in one class to a position in another class, possibly having lower pay and possibly requiring the performance of less responsible duties. This may also include transfer from a permanent/full-time position to a permanent/part-time position as a disciplinary action. In the event of such a transfer, the employee will be entitled to continued participation in County employment benefits programs under the terms and conditions established for other permanent/part-time employees in this Manual.



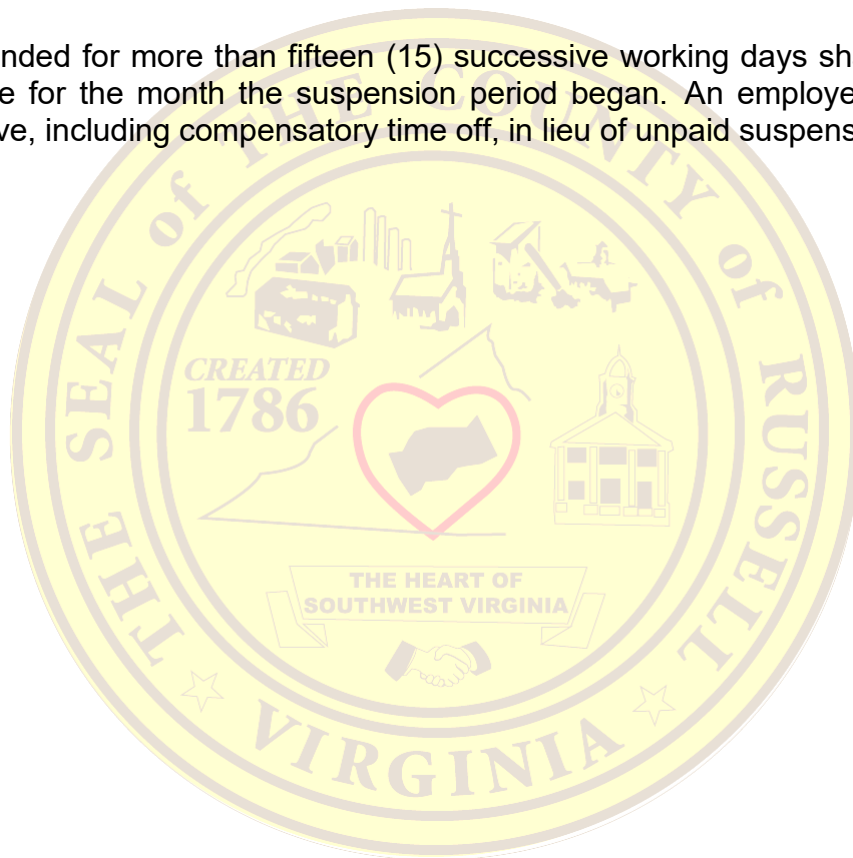
## **SECTION 11-12**

**Effective Date: August 3, 2020**

### **SUSPENSION AND EMPLOYMENT BENEFITS PROGRAMS AND LEAVE**

An employee under suspension without pay as a disciplinary action shall be allowed to continue participation in all County employment benefits programs for the period of the suspension. A suspended employee shall reimburse the County in full for any monthly payroll deduction required for such programs in the event the employee's remaining compensation for that month is insufficient to cover the deduction. The employee shall be notified in writing of this situation by the County Administration, and reimbursement must be made within fifteen (15) working days of this notice. Failure to do so may result in permanent loss of participation in such programs at the discretion of the County Administrator.

An employee suspended for more than fifteen (15) successive working days shall not accrue Annual Leave or Sick Leave for the month the suspension period began. An employee may not substitute any form of paid leave, including compensatory time off, in lieu of unpaid suspension time.

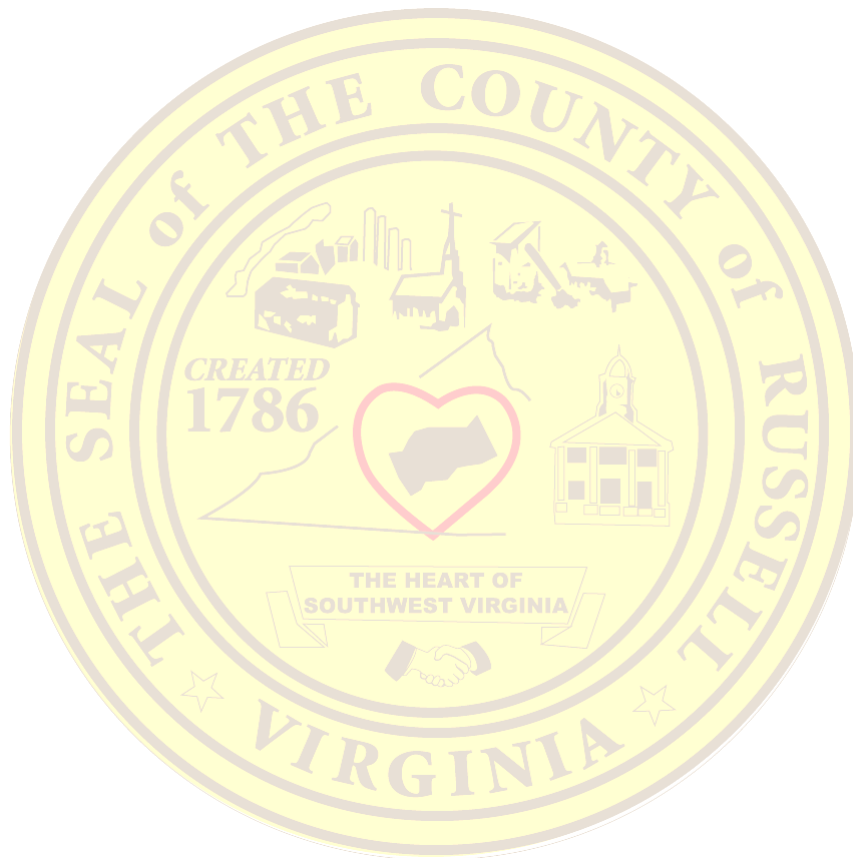


## **SECTION 11-13**

**Effective Date: August 3, 2020**

### **TERMINATION FOR DISCIPLINARY REASONS**

The authority to terminate an employee for disciplinary reasons is vested solely with the County Administrator, who may delegate or direct that the department head of the employee being terminated effect the termination action. The County Administrator at his/her discretion may provide the employee the opportunity to involuntarily resign from employment rather than be terminated. All involuntary resignations for disciplinary reasons shall be submitted in writing and signed by the employee either to the department head or County Administrator. A written acceptance of the involuntary resignation will be provided by the department head or County Administrator. All such documentation shall be maintained in the affected employee's Permanent Personnel Record.



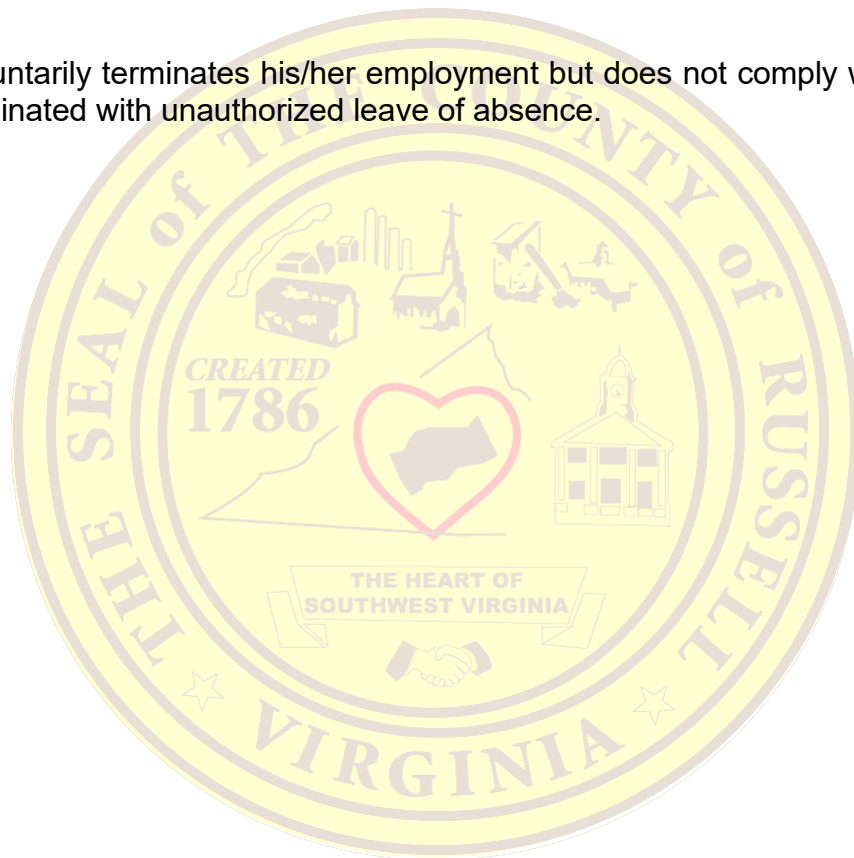
## **SECTION 11-14**

**Effective Date: August 3, 2020**

### **RESIGNATION**

An employee may terminate employment with the County voluntarily by resignation by stating his/her reasons in writing to the department head or the County Administrator. An employee who has submitted a voluntary resignation may be continued in the position upon request to withdraw the resignation prior to its formal written acceptance by the department head or County Administrator. Once written acceptance has been issued, the department head or County Administrator is not compelled to reinstate the resigning employee. Employees are encouraged to provide at least two (2) weeks' notice in their voluntary resignations. All such documentation shall be maintained in the affected employee's Permanent Personnel Record.

If a person who voluntarily terminates his/her employment but does not comply with the written notice will be deemed terminated with unauthorized leave of absence.



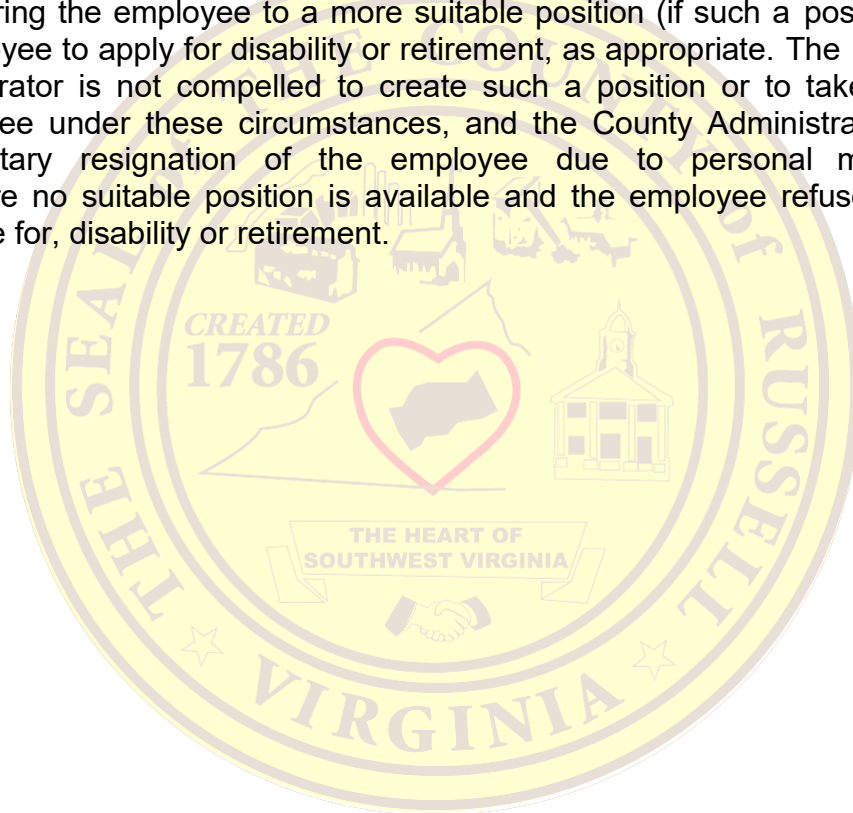
## **SECTION 11-15**

**Effective Date: August 3, 2020**

### **RETIREMENT**

When an employee subject to the provisions of the Virginia Retirement System (VRS) reaches retirement age in accordance with the provisions of VRS and desires to retire from County employment, the employee shall so advise the County Administration in writing within six (6) calendar months of the desired date of retirement. The County Administration will so notify VRS at that time in order to allow sufficient time to process all required paperwork to commence retirement payments at the time requested by the employee.

When an employee subject to VRS provisions becomes physically or mentally incapable of performing the duties of his/her position in a satisfactory manner, it shall be the duty of the County Administrator to consider transferring the employee to a more suitable position (if such a position be available), or to require the employee to apply for disability or retirement, as appropriate. The Board of Supervisors or County Administrator is not compelled to create such a position or to take inordinate steps to facilitate an employee under these circumstances, and the County Administrator is empowered to cause the involuntary resignation of the employee due to personal medical conditions in circumstances where no suitable position is available and the employee refuses to apply for, or is determined ineligible for, disability or retirement.





## **SECTION 11-16**

**Effective Date: August 3, 2020**

### **EMPLOYMENT BENEFITS PROGRAMS UPON TERMINATION, RESIGNATION OR RETIREMENT**

The County is subject to the provisions of Title 10, Section 10003(a) of the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (referred to as 'COBRA'). It is the policy of the County to provide health insurance benefits to former employees in strict accordance with COBRA. The County Attorney is responsible for interpreting the application of COBRA provisions to specific situations regarding terminated employees. In general terms, COBRA may permit terminating employees to continue to be covered by the County's health insurance benefits program under certain specific terms and conditions. Where an employee knows in advance of his/her pending termination, the employee should arrange to meet with the County Administration as soon as possible to discuss COBRA provisions if the employee is interested in maintaining County health insurance coverage. If termination is unanticipated, terminated employees must notify the County Administration no later than ten (10) calendar days after their termination date if they are interested in continuing their health insurance coverage through the County to determine eligibility under COBRA. Former employees are personally responsible for remitting their health insurance premium payments to the County Administrator, or his/her designee, no later than the eighteenth (18th) day of each month in order to continue coverage through the last calendar day of the next month (the form and manner of remittance shall be established by the County Administration). Non-payment of the monthly premium (or payment being rendered later than thirty (30) calendar days from the 18th day of any month) will result in cancellation of coverage. If coverage is canceled due to non- or late payment, the County's obligations under COBRA may cease.

Upon termination of employment for any reason, the County will cease its contributions to the employee's Virginia Retirement System (VRS) retirement fund. If the employee is terminated mid-way through any month, the final contribution will be prorated according to the number of days the employee worked in that month. Terminated employees must meet with the County Administrator, or his/her designee, to discuss how they wish to handle their retirement fund according to VRS provisions. Group life insurance will also cease when the employee is terminated for reasons other than retirement. Employees may purchase an individual policy at non-group rates at their own expense.

Termination of an employee for any reason will result in the employee ceasing to accrue any further leave time benefits as provided in this Manual as of the date of termination. Employees should refer to this Manual regarding compensation of leave at termination of employment.

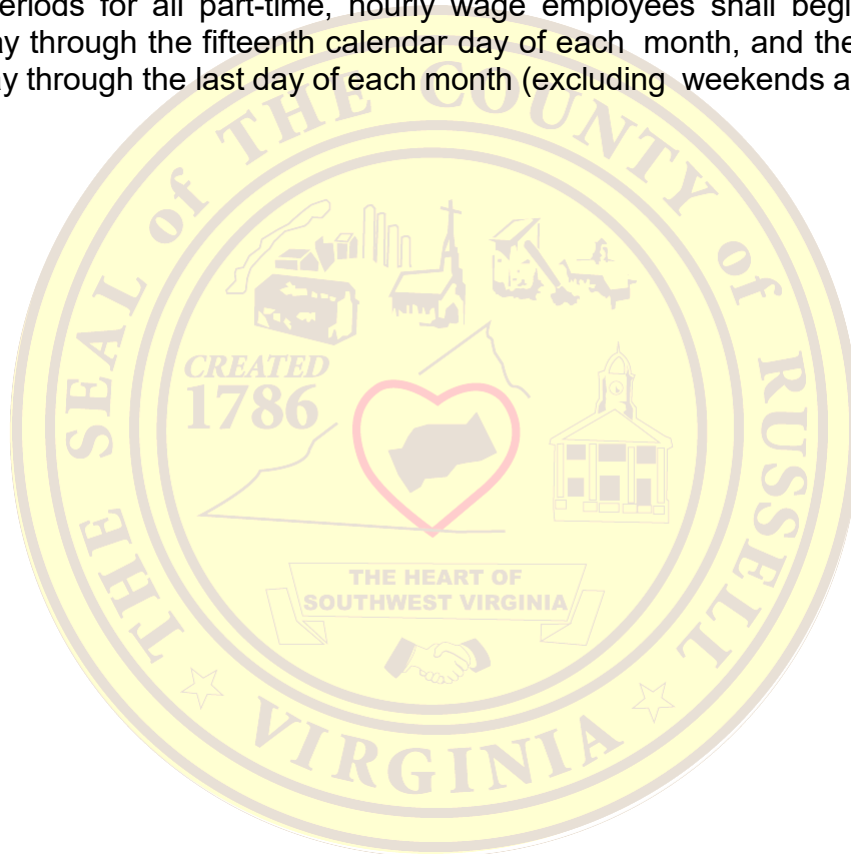
## **SECTION 12-01**

**Effective Date: August 3, 2020**

### **PAY PERIODS**

Pay Periods for all full-time, salaried employees shall begin the first calendar day through the fifteenth calendar day of each month, and the sixteenth calendar day through the last day of each month (excluding weekends and County holidays). For salaried employees, compensation for the immediately preceding Pay Period will generally be rendered on the sixteenth calendar day (excluding weekends and County holidays) and last regular County working day of the current month.

The Pay Periods for all part-time, hourly wage employees shall begin the first calendar day through the fifteenth calendar day of each month, and the sixteenth calendar day through the last day of each month (excluding weekends and County holidays).

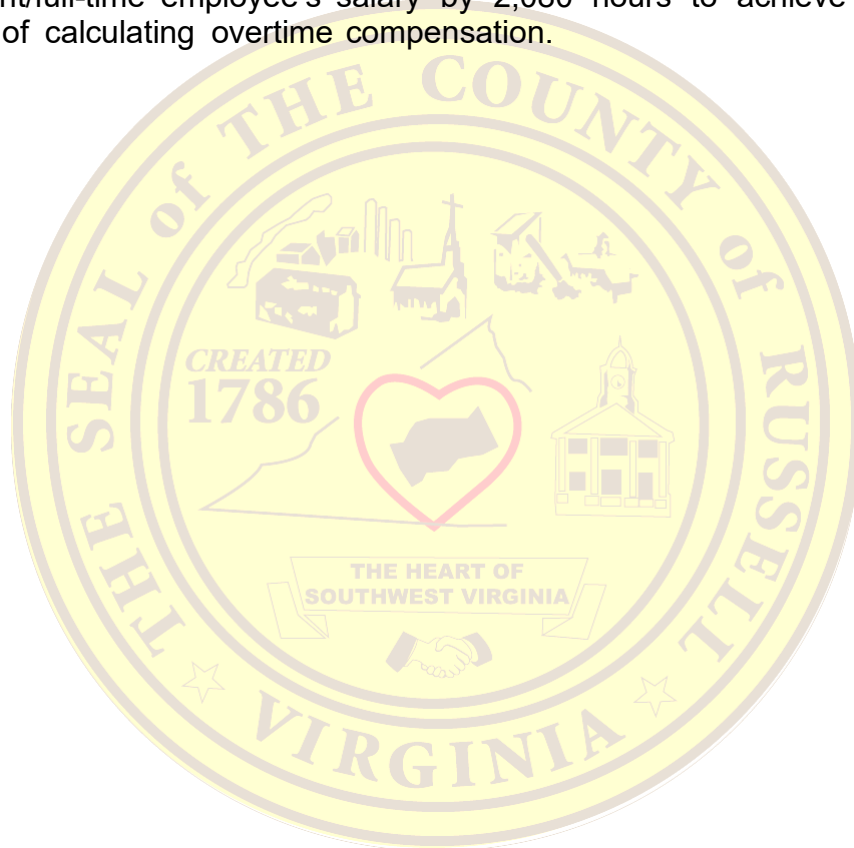


## **SECTION 12-02**

**Effective Date: August 3, 2020**

### **BASIS FOR ANNUAL SALARIES AND SALARIED OVERTIME COMPENSATION**

Under normal conditions, the annual salaries for all permanent/full-time employees are for a period of two thousand and eighty (2,080) hours of employment for the annual period beginning July 1 and ending June 30 corresponding to the County Fiscal Year. Permanent/full-time salaried employees are considered to have been paid for 2,080 hours of employment each County fiscal year provided the employee has worked from the period beginning July 1 and ending June 30. Accordingly, all calculations for salaried overtime compensation pursuant to this Manual shall be made based on dividing a permanent/full-time employee's salary by 2,080 hours to achieve the "salaried hourly rate" for purposes of calculating overtime compensation.

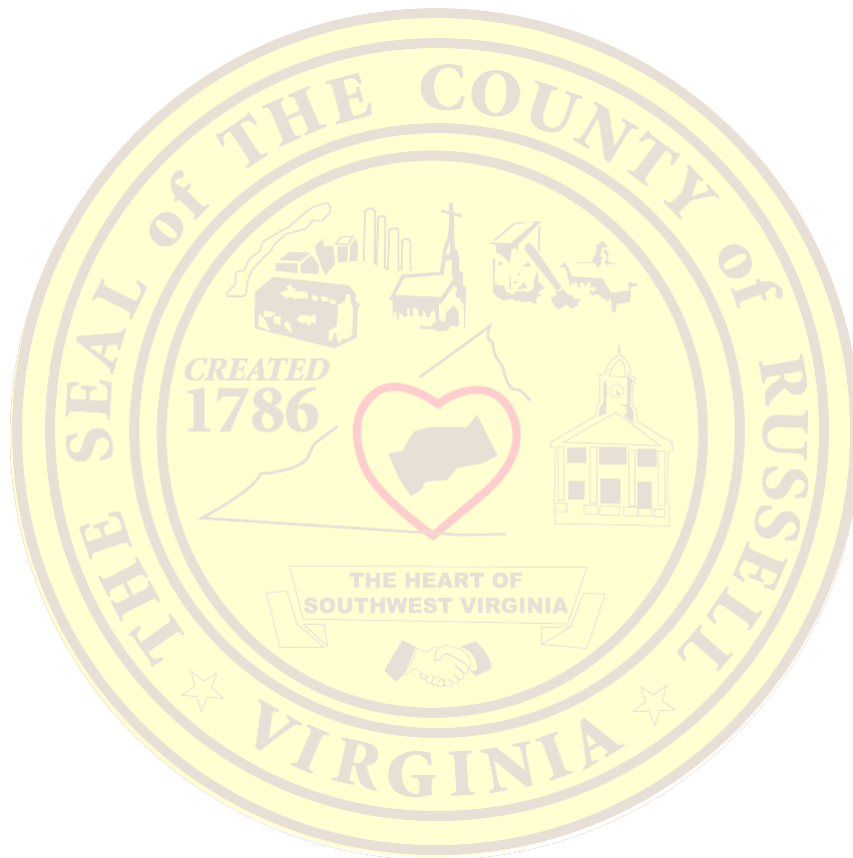


## **SECTION 12-03**

**Effective Date: August 3, 2020**

### **AUTHORIZED PAYROLL DEDUCTIONS**

The County of Russell as an employer is authorized to make appropriate deductions from an employee's gross pay to cover Federal and State income taxes, contributions for retirement systems, employee group life insurance, health insurance and other employment benefits plans. With the authorization of the employee, the County may also make payroll deductions as may be approved by Board of Supervisors for the benefit or convenience of the employees. Individual deductions for other than the above shall be made only with the approval of the County Administrator and Board of Supervisors.

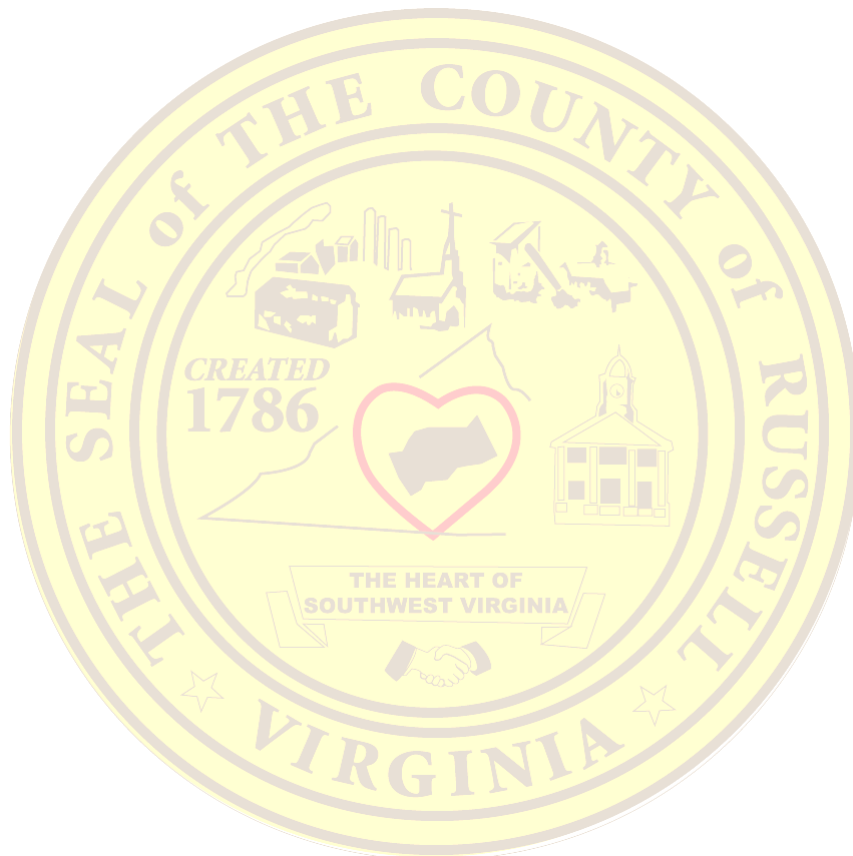


## **SECTION 12-04**

**Effective Date: August 3, 2020**

### **DEDUCTIONS ON TERMINATION**

On termination of employment, the County shall deduct and withhold from the final paycheck of an employee any amount owed the County in payment for unearned leave, employment benefit programs, unreturned County-owned equipment and property, or any other indebtedness to the County. The final paycheck shall not be issued until the extent of any indebtedness to the County has been determined and cleared.



## **SECTION 12-05**

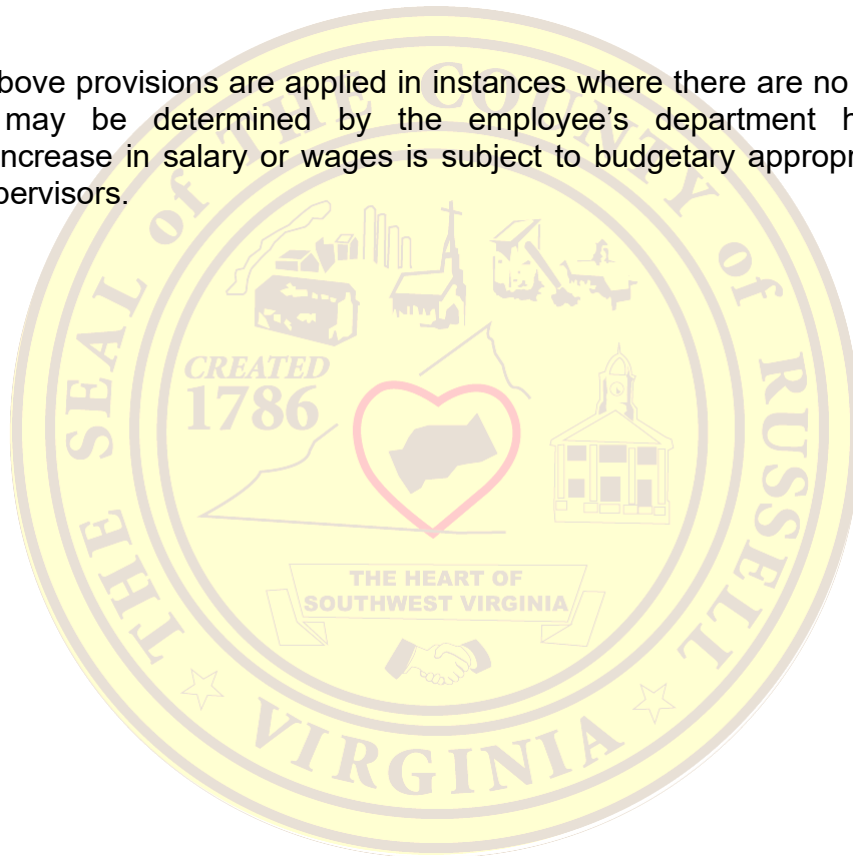
**Effective Date: August 3, 2020**

### **PROBATIONARY EMPLOYMENT AND ANNUAL INCREASES**

The following provisions are guidelines for determining the eligibility of employees for annual salary or wage increases during the first year of their employment. These guidelines are generally applicable to all Positions of this Manual:

The employee's probationary employment period must be completed before the employee shall be eligible to receive his/her first general salary or wage increase beginning the following County fiscal year. This increase would be made effective as of the date of any general increase given to other employees.

As guidelines, the above provisions are applied in instances where there are no unusual or mitigating circumstances as may be determined by the employee's department head and/or County Administrator. Any increase in salary or wages is subject to budgetary appropriation by the Russell County Board of Supervisors.



## **SECTION 13-01**

**Effective Date: August 3, 2020**

### **EMPLOYEE TRAVEL AND RELATED EXPENSES**

The Russell County Board of Supervisors recognizes the need for employees to occasionally use their personal motor vehicles for work-related travel. The policies set forth in this Section are intended to govern employees' use of personal vehicles and the County's reimbursement for same and for work-related travel expenses.

(A). Use of County Motor Vehicles and Personal Vehicles:

(1). County motor vehicles shall be used rather than personal vehicles for work-related travel where possible. This Policy is administered by the County Administrator.

(2). Employees may use their personal vehicles for travel to and from work-related functions when necessary. As a guideline, "shared" County motor vehicles may be used for both local (i.e. within Russell County and non-local outside Russell County travel). Priority use of shared County motor vehicles is given to non-local travel. Employees may use their personal vehicles for non-local travel and be reimbursed subject to the provisions of this Section and approval of the County Administrator.

As a guideline, employees with access to a "priority" or "dedicated" motor vehicle should use those vehicles rather than "shared" vehicles in both non-local and especially local travel where practical.

(3). County motor vehicle insurance coverage is not extended to employees using personal vehicles for work-related travel.

(B). Travel and Related Expenses Eligible for Reimbursement.

The following may be reimbursed or charged to a County credit card:

(1). Use of an employee's personal vehicle to commute to and from work-related functions outside of Russell County upon approval of the County Administrator. This includes travel to and from work-related functions held after regular working hours, on nights, weekends, and County holidays.

(2). Where pre-authorized by the County Administrator, use of long-distance common-carrier transportation such as airlines, buses, or trains to travel or commute to and from work-related functions not within Russell County.

(3). Use of taxis, cabs, buses, or other local common-carrier transportation to travel or commute to and from work-related functions not within Russell County.

(4). Cost of lodging, meals (including tips or gratuities not to exceed fifteen (15%) percent of the total bill), tolls, parking fees and related fares or charges incurred as a direct result of work-related travel.

(C). Travel and Related Expenses Not Eligible for Reimbursement.

The following may not be reimbursed or charged to a County credit card:

(1). Use of an employee's personal vehicle to commute from the employee's residence or other location to and from the employee's primary place of work on a day-to-day basis.

(2). Commutes using an employee's personal vehicle to and from work-related functions within Russell County, including functions held after regular working hours, on nights, weekends, and County holidays.

(3). Commutes using an employee's personal vehicle from an employee's residence or other location to and from the employee's primary place of work or other location within Russell County for the purpose of accessing a County motor vehicle for subsequent travel to a work-related function.

(4). Repairs or emergency road assistance to an employee's personal vehicle while in use for work-related travel.

(5). Expenses incurred for an employee's emergency medical or health-related services while traveling on work-related functions, unless said services are determined to qualify for Worker's Compensation benefits.

(6). Personal expenses while traveling on work-related functions, such purchases of goods and services for personal use or convenience.

(D). Rate of Mileage Reimbursement for Travel Using Personal Vehicles:

(1). The County will reimburse employees at the rate equal the rate per mile of travel established for employees by the Board of Supervisors when using personal vehicles for non-local, work-related travel in instances where no County motor vehicle was available at the time of departure. Mileage may begin at the point of departure for the trip and end when the point of return for the employee. Employees must certify as to the unavailability of a County motor vehicle in this event, and the situation may be verified by the County Administrator. The County Administrator may disallow full mileage reimbursement where a County motor vehicle was available.



(2). Fuel purchases for employees using their personal vehicles for any work-related travel must be paid by the employee. A County credit card may not be used for such purchases.

(3). Employees must apply for reimbursement on forms provided by the County within thirty (30) calendar days of the first date on which expenses were incurred. In the event of a change in the rate of reimbursement, the rate paid will be that in effect at the time the expense was incurred. The cost of reimbursement shall be charged to an appropriate budget line-item and will only be made provided budget authority exists for such reimbursement.

(4). The County Administrator may reduce or adjust the amount of mileage reimbursement if the mileage recorded appears excessive in relation to the extent of travel involved.

(E). Per-Diem and Reimbursements for Travel-Related Expenses:

(1). Lodging reservations for employee travel should be made in advance of the trip and billed directly to the County where possible. Receipts for all lodging must be kept when the County credit card is used or if the employee wishes to seek reimbursement for lodging costs. No reimbursement will be made without appropriate receipts. Where the function's sponsor recommends or provides lodging associated with the function, the County will pay for or reimburse in full the cost of such lodging. As a guideline, the cost of lodging should not exceed one hundred twenty-five (\$125.00) dollars per employee per night. If lodging costs exceed this amount (including sponsor-provided lodging), employees should seek alternative accommodations. The County Administrator may make exceptions to this guideline in special or unusual situations.

(2). As a guideline, the County will not pay for or reimburse overnight lodging expenses where the location of a work-related function is fifty (50) miles or less from the Town of Lebanon, Virginia. Exceptions may be made by the County Administrator with respect to work-related functions to be conducted over more than two (2) successive days at such a location, or where the work-related function will be beginning earlier than 8:00 AM or end past 7:00 PM on any day.

(3). The County will pay for or reimburse in full the actual cost of employee meals while traveling on work-related functions not to exceed sixty (\$60.00) dollars per employee in any twenty-four (24) hour period (per-diem) while traveling alone or with other County employees. Exceptions to this per-diem rate may be made by the County Administrator with respect to work-related travel with non-employee guests or with County elected or appointed officials, or when the travel distance or destination appears to warrant additional per-diem. Receipts for all meals purchased must be presented if the employee wishes to seek reimbursement for meals. No reimbursement will be made without appropriate receipts.

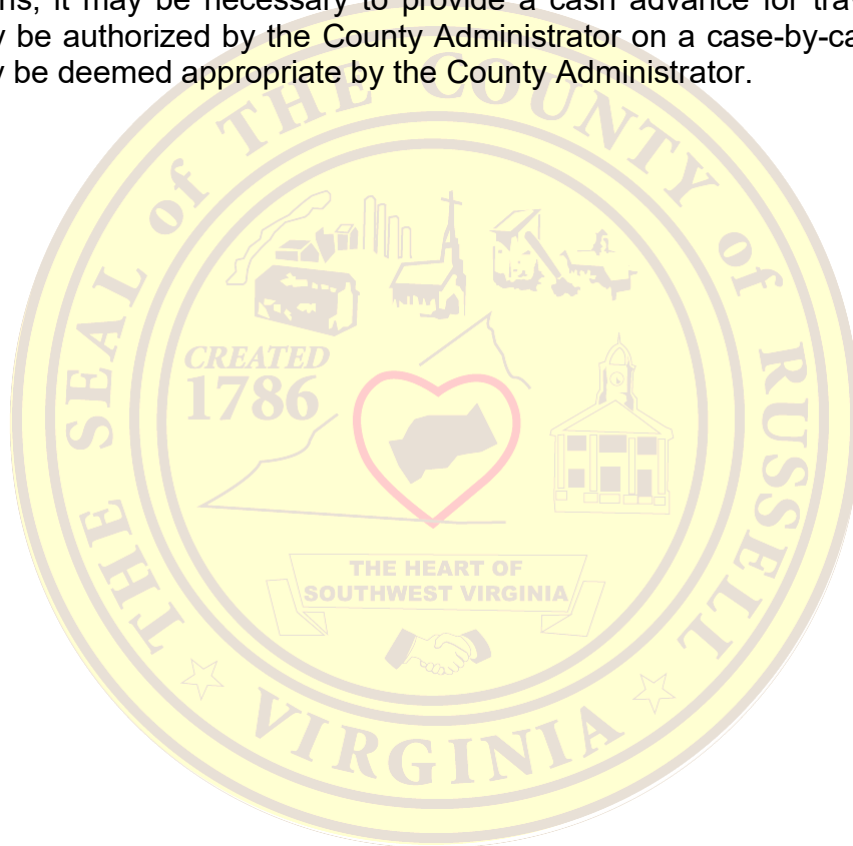
(4). Fuel purchases for County motor vehicles while in use for any work-related travel may be paid by a County fuel card or reimbursed to the employee, repairs, or maintenance to County vehicles.

(5). Employees must apply for reimbursement on forms provided by the County Administrator's Office. Reimbursement must be applied for within thirty (30) calendar days of the first date on which expenses were incurred. In the event of a change in the rate of reimbursement, the rate paid will be that in effect at the time the expense was incurred. The cost of reimbursement shall be charged to an appropriate budget line-item and will only be made provided budget authority exists for such reimbursement.

(6). The County Administrator may reduce or adjust the amount of travel-related expense reimbursement if the amount exceeds the provisions of this section without prior approval or sufficient justification.

(F). Cash Advances for Travel-Related Expenses:

In particular situations, it may be necessary to provide a cash advance for travel-related expenses. Such advances may be authorized by the County Administrator on a case-by-case basis and subject to conditions as may be deemed appropriate by the County Administrator.

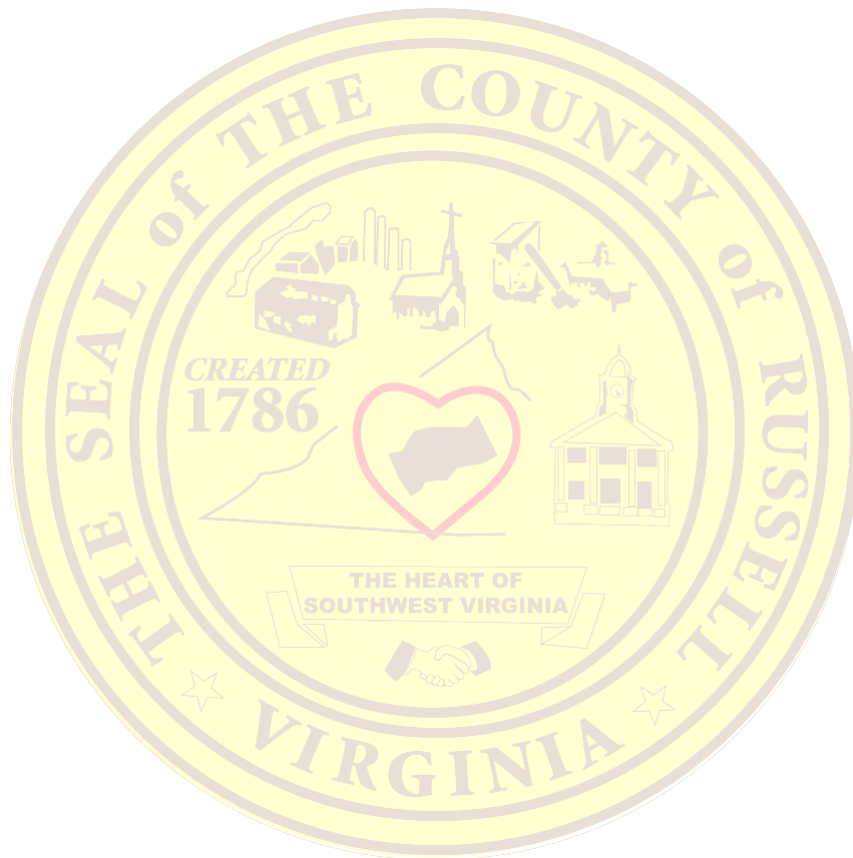


**SECTION 13-02**

**Effective Date: August 3, 2020**

**REIMBURSEMENT OF EMPLOYEE PURCHASES**

Upon County Administrator approval, reimbursement shall be remitted to the employee on a case by case basis. The cost of reimbursement shall be charged to an appropriate budget line-item and will only be remitted provided budget authority exists for such reimbursement.



**SECTION 13-03**

**Effective Date: August 3, 2020**

**EMPLOYEE USE OF COUNTY INTERNET ACCESS**

Certain employees may be permitted access to the Internet via desktop computers with the approval of the County Administrator for County business only. Personal use of the Internet is limited only to employees' break-period. Any other internet use will be handled through employee counseling or disciplinary action.

