



County of King William, Virginia

**BOARD OF SUPERVISORS
WORK SESSION MEETING OF FEBRUARY 10, 2020 – 7:00 P.M.
KING WILLIAM COUNTY ADMINISTRATION BUILDING
KING WILLIAM, VIRGINIA**

AMENDED AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Review and Adoption of Meeting Agenda**
- 4. Work Session Matters:**
 - a. FY2021 Budget Request – *Three Rivers Health District, Crystal Reagan, Business Manager*
 - b. FY2021 Budget Request – *Bay Aging, Tinsley Goad, Chief Financial Officer*
 - c. FY2021 Budget Request – *Rappahannock Community College, Dr. Shannon Kennedy, President*
 - d. Resolution 20-04 to Approve Additional Fire and Emergency Medical Services Personnel in FY2020 – *Bobbie Tassinari, County Administrator*
 - e. Appropriating FY2020 Restricted General Funds to KWPCS Capital Fund and Reimburse the FY2020 County Budget for KWPCS Expenditures – *Bobbie Tassinari, County Administrator and Dr. David O. White, Superintendent, King William County Public Schools (KWPCS)*
 - f. Amending the FY2020 Budget to Incorporate Prior Year Appropriated Capital Funds – *Natasha Langston, Director of Financial Services*
 - g. Presentation of FY2021 Capital Requests – *Natasha Langston, Director of Financial Services*
 - h. Presentation of the Classification and Compensation Review – *Bobbie Tassinari, County Administrator, Natasha Langston, Director of Financial Services, and Nita McInteer, Human Resources Manager*
 - i. Presentation of Updates to the King William County Personnel Policies and Procedure Manual – *Nita McInteer, Human Resources Manager*

- j. Presentation of Tax Levies – *Bobbie Tassinari, County Administrator*
- k. Discussion on Sweet Sue Solar Facility – *Stephen Greenwood, Chairman of the Board, Bobbie Tassinari, County Administrator and Ron Etter, Director of Planning and Zoning*

5. Board of Supervisor's Requests

6. Closed Session

- a. Discuss the County Administrator's Performance

7. Adjourn or Recess

NOTES REGARDING AGENDA:

This agenda is tentative only and subject to change by the Board of Supervisors.

Agenda Items denoted by asterisk (*) are provided supporting material in the Board Agenda Packet

AGENDA ITEM 4.a.
No Materials Provided

AGENDA ITEM 4.b.

King William County Impact Report 2018—2019



Better Together! Making Improvements In People's Lives!

2019 Program Highlight

- A partnership between Bay Aging and the Healthy Harvest Food Bank ensured seniors would add more nutritional foods to their diet.
- Bay Aging contracted with Feed More to deliver more nutritional meals to area seniors.
- Since June 2019 over 6,712 pounds of fresh produce was delivered to Meals on Wheels recipients throughout Bay Aging's service area.

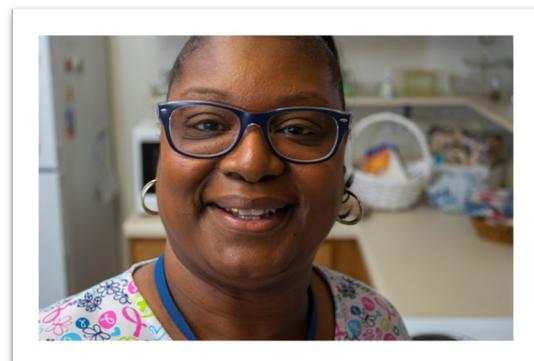


What Customers Are Saying

- *Thank you so much for your patience, kindness and for all the time you spent on the phone with me yesterday.*
- *Your assistance was such a blessing to us. We wish we had known about your services earlier.*
- *I have cared for my mother and father for nine years and I've interfaced with a lot of services. When we moved from PA to VA, the difference in terms of level of care and services is extraordinary. You are a cut above. It's comforting and nice to know there are folks out there dedicated to what they are doing*

Service Impacts

- 102 seniors received 8,953 nutritious meals in addition to friendly visits by volunteers ensuring better health and continued independent living with dignity.
- 6,004 hours of essential health services allowed people to live healthier at home longer.
- 601 people were assisted to make better decisions regarding care services, managing their healthcare needs, insurance counseling, legal assistance and other services.
- 3 seniors living with low incomes received 2,278 hours of employment training to obtain a living wage job to increase their retirement income.
- 9 people volunteered 199 hours to help seniors in their county live healthier and safer lives.
- 8,790 rides helped people of all ages access work, health services, education, businesses and other consumer goods and services.
 - 30% of rides were for people going to work
- 44 people are living in 14 safe and affordable homes through the Housing Choice Voucher Program.
- 14 people are living in 5 homes made safer and energy efficient with weatherization and home repair services.
- 33 seniors live in 27 safe and affordable senior apartments at Winters Point where they also received 104 hours of supportive services designed to help them live independently longer.



Home Care Aides deliver the services people need to live as well as possible with dignity.

Economic Impacts

Health:

Leveraged \$7,800 from King William County and \$2,500 from the Town of West Point to deliver \$152,734 in food and numerous essential health services.

Housing:

Provided \$184,409 in Housing Choice Voucher Program services. King William County and Town of West Point residents living with low incomes accessed decent, safe, and affordable housing.

Other housing services in King William County and the Town of West Point:

Emergency Home Repairs—\$13,100

Weatherization—\$21,301

Transportation:

Leveraged \$20,675 from King William County and \$20,675 from the Town of West Point with \$76,792 in state and federal funds to provide a total of \$118,142 in transportation services.

Other:

Delivered over \$24,000 in options counseling, insurance counseling, education, senior employment, legal aid services and more.

Volunteers:

9 King William County citizens donated 199 hours of service, a \$5,061 savings to the county.

Employees:

8 Bay Aging staff work in King William County and/or live in the county.

Insurance Counseling Savings:

15 residents who requested counseling services saved \$2,990 in health care costs.

Real Estate Taxes:

\$4,916 paid to King William County

\$9,244 paid to the Town of West Point

Total paid—\$14,160

Water and Sewer Fees:

\$9,715 paid to the Town of West Point



The Virginia Insurance Counseling and Assistance Program provides expert counseling services that help people make informed decisions about their healthcare.

Into A New Decade

Aging and Dementia Friendly Communities:

Input from communities across the Middle Peninsula and Northern Neck, will help develop needed services for people living with dementia, care partners and families.

In Home Personal Care and Personal Assistance Programs:

Bay Aging grew and improved services for in home personal care and companionship. We offer more comprehensive services which gives clients the ability to live longer in their homes as well as give relief to care providers.

Bay Transit, Google and Google Transit:

This partnership created interactive maps of the deviated fixed routes to allow the general public to plan trips using Bay Transit route maps and schedules. Bay Transit is one of the first pilot programs in the nation and the first in Virginia for introducing this technology to assist people living in rural areas.

Single Family Housing:

Bay Aging was designated by the Virginia Department of Housing and Community Development as a Community Based Development Organization. Bay Aging is only the second organization in Virginia to receive the designation, allowing greater flexibility to implement opportunities.

Contact Us

- Kathy Vesley, President / CEO
kvesley@bayaging.org
- Services & Information—(800) 493-0238
and www.bayaging.org
- Transportation—(877) 869-6046
- Headquarters—Urbanna
 - 804.758.2386
 - 5306 Old Virginia Street
 - P.O. Box 610, Urbanna VA 23175
- Facebook—BayAgingVA

*Bay Aging, established in June 1978, is a nonprofit 501(c)(3) organization that primarily serves people in the Middle Peninsula and Northern Neck.
Federal Tax Identification: 54-1085032.*

AGENDA ITEM 4.c.

King William County – FY 2021 Budget Request Application Package

- 1.) *The amount and reasons for the requested level of funding, including the proportional level to the total expenditures of your agency. Please show all other revenues and the methodology used to calculate the request for funding by the County.*

Our request for FY 2021 is for \$8,808 for Operating Funds. These operating funds will be co-mingled with local funds provided by the other 11 counties (total requested of \$103,004) within the College's service region and applied to the following operating expenses at both campuses (Glenns and Warsaw):

- Maintenance and repairs of parking lots, curb & gutter and sidewalks
- Grounds maintenance and landscaping
- External lighting and security cameras
- On our Glenns Campus, maintenance of our water treatment systems and well

RCC maintains two primary campuses of over 100 acres each, involving considerable operating expenses to maintain parking lots, sidewalks, grounds, security/lighting and the water treatment system. The State's "five foot rule" requires these expenses to be funded by local funds, a significant part of which are provided by the counties.

For operating purposes, RCC is largely funded through a combination of State/VCCS appropriations and tuition/fees paid by students. A variety of public and private grants supplement overall funding and are used specifically for the intended purpose of the grant, e.g., developing and offering specific services/programs in the community. For more detailed information on overall funding, please see the attachment titled "Statement of Revenues, Expenses and Changes in Net Position for the Year Ended June 30, 2019". RCC's Total Operating Budget for FY 2020 is \$17.2 million.

Our approach to local funds requests of the counties is intended to determine a pro rata sharing of the prescribed operating expenses which Virginia statute requires to be covered by local funds, i.e., the "5 foot rule". The original methodology for determining the requests of the counties was developed under a previous administration and was based largely upon the distribution of student population – this methodology has not been recently updated, though we believe it remains reasonably reliable. Historically, all twelve counties have participated in the operating funds contribution, at or very near the requested levels. Six counties have supported periodic requests for capital funds to support significant projects at the College.

As an aside, the RCC Educational Foundation Inc., (EFI) a 501(c)(3) nonprofit organization, raises charitable funds to support high quality, affordable, and accessible educational experiences at RCC through scholarships, endowments, and outreach programs. For FY 2019 and YTD FY 2020, over \$1.2 million in student scholarships were distributed through the Foundation. Also, the EFI runs the Rappahannock Institute for Lifelong Learning, a program offering non-credit classes targeted to the retirement community.

Scholarships Awarded for the Most Recent Three Academic Years:

2019-20: \$625,332 in scholarships to 307 students

2018-19: \$586,683 in scholarships to 342 students

2017-18: \$569,332 in scholarships to 299 students

2.) A narrative description of the programs included and how service delivery to County residents is accomplished. Please describe the impact to service delivery if a reduction to funding would occur.

Rappahannock Community College provides access to high quality educational experiences for members of its community, preparing them for success as learners, employees, and citizens.

Founded in 1971, RCC is a member college of Virginia's Community College System (VCCS), a 23 college system serving communities throughout the Commonwealth. Our service region includes 12 counties in the Northern Neck/Middle Peninsula Region, which are served through two 100+ acre campuses, one each in Glens and Warsaw, and three remote sites located in Kilmarnock, New Kent and King George. In addition, the College offers online courses/programs and also provides dual enrollment courses through 14 public school systems within the service region (12 counties and two towns), one private school (St. Margaret's), two technical centers (Northern Neck and Bridging Communities) and Chesapeake Bay Governor's School.

Key characteristics of the educational programs offered through RCC include (please see Supplemental Information attachment for additional details):

- Transfer Program – 9 different areas of study, with guaranteed admission to 36 colleges/universities
- Applied Science Degree – 4 areas of study
- Career Studies Certificates – 26 areas of study
- Certificate Programs – 6 areas of study
- Dual enrollment credits transferable to 4 four year schools
- Workforce Development – 35 areas of job skills and career training
- Regional Educational Consortium (REC) – coordinated by RCC, the Consortium provides collaborative professional development programs for member school divisions

RCC's well regarded Nursing program is both State and nationally accredited, and is expanding to meet market demand for highly trained nursing professionals. National accreditation has also been earned for the following RCC programs: Emergency Medical Services (EMS), Emergency Medical Technician (EMT) and Paramedic.

RCC offers classes at Haynesville Correctional Facility, one of only two colleges in Virginia and 67 nationwide to provide college-level educational programs in a correctional institution.

According to a national workplace survey by ModernThink, an organizational development and management consulting firm, RCC has been designated **A Great College to Work For** for the fifth straight year. Based upon survey results from faculty and staff, RCC demonstrated excellence in three different categories, including Teaching Environment, Compensation & Benefits, and Respect & Appreciation. The Center for Digital Education recognizes RCC as a Top 10 Tech Savvy Community College. RCC is also rated as a Military Friendly College.

Please see attached Supplemental Information for a listing of programs offered through RCC.

Number of Clients Served:

<u>Period</u>	<u>Total Clients Served</u>	<u># King William County Residents Served</u>
July 1, 2018 – June 30, 2019	3,651	370
July 1, 2017 – June 30, 2018	3,894	381
July 1, 2016 – June 30, 2017	4,207	412

Workforce Development Clients only (not included above):

July 1, 2018 – June 30, 2019	1,066	71
July 1, 2017 – June 30, 2018	1,026	88
July 1, 2016 – June 30, 2017	1,076	83

If our request for operating funds is denied or reduced, it means we have fewer dollars available to maintain our campuses in the safe and attractive manner expected by our students, faculty and staff and local citizens. While the primary use of our facilities is for the students, RCC facilities are also broadly utilized by community service organizations throughout the service region. Our ability to support this type of use may be impacted by reduced funding.

3.) The name, telephone number and email address of the contact person in the event further information is needed.

William E. Doyle, Jr.
Vice President for Finance and Administrative Services
804/758-6706
bdoyle@rappahannock.edu

Gwen Coker
Administrative Assistant, Finance and Administrative Services
804/758-6705
gcoker@rappahannock.edu

4.) Outcomes of County FY 2020 funding.

King William County generously approved operating funds for FY 2020 in the amount of \$8,635. These operating funds were co-mingled with local funds provided by the other 11 counties (totaling \$100,686) within the College's service region and applied to the following operating expenses at both campuses (Glenns and Warsaw):

- Maintenance and repairs of parking lots, curb & gutter and sidewalks
- Grounds maintenance and landscaping
- External lighting and security cameras
- On our Glens Campus, maintenance of our water treatment systems and well

5.) *A copy of your most recent audited financial statements – please see attached statements.*

- Statement of Net Position as of June 30, 2019
- Statement of Revenues, Expenses and Changes in Net Position for the Year Ended June 30, 2019

King William County – FY 2021 Budget Request Application Package

Rappahannock Community College Board – 2019/2020

Officers of the Board:

Mrs. Ellen Davis, Chair

Mrs. Maxine Ball – Vice Chair

Dr. Shannon L. Kennedy, Ed.D, Secretary (President, Rappahannock Community College)

Board Members:

Essex County – Ms. Ann Beverly Eubank
Tappahannock, VA

Gloucester County – Mr. Donald O. Sandridge
Gloucester Point, VA

King and Queen County – Ms. Barbara Hudgins
West Point, VA

King George County – Mr. Joseph L. McGettigan
King George, VA

King William County – Mrs. Kathy H. Morrison
King William, VA

Lancaster County – Mr. William H. Pennell, Jr.
Lancaster, VA

Mathews County – Mr. Michael Beavers
Port Haywood, VA

Middlesex County – Mr. Matt Walker
Saluda, VA

New Kent County – Mrs. Ellen Davis
Eltham, VA

Northumberland County – Mrs. Jamie Tucker
Burgess, VA

Richmond County – Mrs. Maxine Ball
Warsaw, VA

Westmoreland County – Mrs. Victoria G. Roberson
Colonial Beach, VA

Note: Board members are residents of and selected by each County's Board of Supervisors. Board members serve an initial four (4) year term and may stand for reappointment for an additional term.

Supplemental Information for RCC's Funding Request – FY 2021

King William County – for FY 2019

Number of King William County residents attending RCC for credit courses - **370**

Percent of all King William County residents enrolled in higher education (VA) who attend RCC – **43%**

Number of King William County high school dual enrollment students (HSDE) - **262**

Number of King William County Workforce Development students or trainees - **71**

Financial Aid awarded to King William County residents - **\$198,532**

State contribution for King William County student enrollment - **\$1,026,328**

Officers' Names/Title/Phones:

Shannon L. Kennedy, Ed.D., President	804/758-6701
A.D. Alexander, Ph.D., Vice President of Instruction and Student Development	804/758-6703
William E. Doyle, Jr., Vice President for Finance and Administrative Services	804/758-6706
Jason Perry, Ed.D., Vice President for Workforce and Community Development	804/758-6751
Sarah D. Pope, Vice President of College Advancement	804/333-6705
Glenda D. Haynie, Ph.D., Dean of Research, Effectiveness, and Planning	804/758-6719
Caroline Stelter, Director of Human Resources	804/758-6728

Supplemental Information for RCC's Funding Request – FY 2021

Areas of Study at RCC

Transfer Programs (Associates Degrees)

- Arts and Sciences
- Business Administration
- Criminal Justice
- Health-STEM
- Pre-Engineering
- Psychology/Social Work
- Sustainable Science
- Teacher Education (PreK-8)
- Pre-BSN Specialization

Applied Science Degrees (Associates Degrees)

- Administration of Justice
- ADN Nursing
- Business Management
- General Engineering Technology

Career Studies Certificates

- Autism
- Basic Electronics
- Basic Networking and Cybersecurity
- Advanced Networking and Cybersecurity
- Computer Applications Specialist
- Computer Aided Drafting
- Culinary Arts
- Baking and Pastry Fundamentals
- Culinary Arts – Advanced
- Diesel Mechanics Tech
- EMS – Intermediate
- EMS – Advanced
- EMT – Emergency Medical Technician
- Game Design and Development
- Intro to Engineering Technology
- HVAC
- HVAC – Advanced
- Nurse Aide
- Paramedic
- Phlebotomy
- Pre-Medical Lab Technician
- Pre-Nursing

- Pre-Paramedic
- Pre-Practical Nursing
- Web Design
- STEM at Work

Certificate Programs

- Accounting
- Administrative Support Technology
- General Education
- Law Enforcement
- Practical Nursing
- Diesel Certificate

Workforce Development

- Adult Education & HSE (High School Equivalency)
- Virginia's Career Readiness Certificate
- Office of Career & Transition Services (OCATS)
- Accounting
- Career Enhancements
- Construction
- CPR and First Aid
- Healthcare
- Driver's Education
- Electrical
- GED Testing
- Food Sanitation Certificate
- HVAC
- Refrigeration
- Motorcycle Training
- ParaProfessional
- Plumbing & Gas Fitting
- Pharmacy Technical Training
- Teacher Education
- Tractor Trailer Training
- Welding
- Computer Applications
- Environmental Sciences
- Industrial Manufacturing
- Logistics and Operations
- Marketing
- Machining
- Materials and Manufacturing
- Networks and Systems



- Programming
- Project Management Online
- Real Estate
- Safety and OSHA Requirements
- Software Applications
- Cybersecurity

AGENDA ITEM 4.d.



King William County
Est. 1702

Board of Supervisors

County Administrator

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

MEMO

DATE: February 10, 2020

TO: King William County Board of Supervisors

FROM: Bobbie Tassinari, County Administrator

RE: *Resolution #20-04 Budget Amendment – King William County Fire and Emergency Medical Services Department Addition of Three Full-Time (FTE) Fire Medics*

SUMMARY

On January 13, 2020, the Board of Supervisors was presented with a request to fund three additional full-time Fire Medics for the Fire and Emergency Medical Services Department. The three positions would bring the total of full-time Fire Medics for the County to nine (9) positions. The addition of the three positions will enhance the services provided to County residents. In addition, the addition of full-time staff will provide for three full-time providers per shift.

As presented to the Board on the 13th by Chief Laura Nunnally, the new hires will be fully certified Fire and EMT providers. This will reduce the time needed to acclimate the new personnel to the King William County method of providing service. The addition of the staff positions will also assist in alleviating some of the over time the County is currently expending to provide three providers per shift (currently made up of full-time and part-time personnel).

This formal request was brought to the Board of Supervisors at the January 27, 2020 meeting and the topic was tabled. The County Administrator and Chief Laura Nunnally are respectfully requesting the Board of Supervisors approve three (3) new Fire Medic positions to be funded from General Fund Unassigned monies. Projected costs associated with this request total \$62,688. This entails five (5) months of base salary for three positions of \$53,125 and associated benefits of \$9,563.

ATTACHMENTS

Resolution #20-04

RESOLUTION 20-04

**BUDGET AMENDMENT – KING WILLIAM FIRE AND EMERGENCY MEDICAL
SERVICES DEPARTMENT ADDING THREE FULL-TIME EQUIVALENT (FTE) FIRE
MEDICS FY20**

WHEREAS, the Board of Supervisors wishes to amend the FY 19-20 County Budget to provide funds to the Fire and Emergency Services Department for the purposes of providing additional staff to meet operational needs at a cost of approximately \$62,688 by appropriating General Fund Balance; and

WHEREAS, the Board of Supervisors recognizes the need for additional staff to address service delivery needs and to offset overtime expenses; and

WHEREAS, the FY19-20 County Budget currently includes 6 FTE’s for Fire and Emergency services and is requesting three full-time equivalent positions be created and funded to address service needs; and

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors of King William County hereby amends the FY 19-20 County Budget to establish the following transfers for the referenced revenue and expenditure:

TRANSFER FROM:	General Fund Balance	\$62,688
TRANSFER TO:	Fire and Emergency Services	
	Half Year Salary	53,125
	Half Year Benefits	<u>9,563</u>
		\$62,688

and \$62,688 is hereby appropriated and is directed to be transferred to the above referenced line items for the above stated purposes.

AGENDA ITEM 4.e.



King William County
Est. 1702

Board of Supervisors

County Administrator

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

MEMO

DATE: February 10, 2020

TO: King William County Board of Supervisors

FROM: Bobbie Tassinari, County Administrator
Dr. David O. White, Superintendent, King William County Public Schools

RE: *Resolution 20-08 Budget Amendment and Reimbursement Request Using the Restricted General Fund*

SUMMARY

At the October 7, 2019 Board meeting the Director of Financial Services presented the FY 2019 Special School Tax District Property Tax Levies and Non-Split Levy Reconciliation. This annual reconciliation is presented to the Board of Supervisors upon closing of the prior fiscal year and in preparation of the Comprehensive Annual Financial Report (CAFR).

At the October 7th meeting, the Director of Financial Services cited \$610,617.75 would be reflected as Restricted General Fund within the General Fund Balance.

The King William County Public Schools (KWPCS) has requested up to \$100,000 of the Restricted General Fund balance be appropriated to the School System to allow for an emergency procurement of an intercom system at the Cold Springs Primary School. The intercom system is an aged piece of equipment, parts are no longer manufactured for repairs and the system is no longer working. This creates a communication and safety issue within the Primary School.

The King William County Director of Financial Services is also requesting \$235,673.59 be appropriated for reimbursement of the following expenditures on behalf of the KWPCS that were not included within the Schools FY2020 operational budget. (Attachment A)

Total request of \$335,673.59 from the Restricted General Fund balance. The request of the KWPCS, up to \$100,000, will be transferred to the KWPCS Capital Fund 315 when procurement has been



King William County
Est. 1702

Board of Supervisors

County Administrator

William L. Hodges, First District
Travis J. Moskalski, Second District
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C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

completed and final costs are available. The request for reimbursement by the County will be processed through a reduction to expenditures.

ATTACHMENTS

- October 7, 2019 Reconciliation Memo to the Board of Supervisors
- Attachment A – County Reimbursement Request Breakout
- Resolution 20-08 Authorizing Use of the Restricted General Fund balance by both the KWCPs and County



King William County
Est. 1702

Board of Supervisors

Natasha Langston
Director of Financial Services

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
David E. Hansen, Fourth District
Robert W. Ehrhart, Fifth District

DATE: October 7, 2019

TO: King William Board of Supervisors

FROM: Natasha Langston, Director of Financial Services

SUBJECT: Reconciliation of FY 2019 – Special School Tax District Property Tax Levies (Split Levy) and Non-Split Levy from Sources Outside the Town of West Point

Summary

The reconciliation document presented to the Board of Supervisors addresses funds held within the County General Fund Balance that will be restricted for King William County Public School use. The reconciliation process for FY 2019 identified there were no funds owed to the Town of West Point. The King William County Finance Department will instruct the audit firm, Brown, Edwards & Company, to designate \$ 610,617.75 as restricted funds within the General Fund Balance designated for KWCPSS. These funds may be used to support future school operational budgets or expended for other school-related purposes if approved by the Board of Supervisors. The Board of Supervisors did appropriate \$ 200,000 in restricted funds as part of the operational funding of the KWCPSS FY 2020 budget.

The documents provided as backup include:

- Summary of Split Levy and Non-Split Levy Disbursements (2019 thru 2015)
- Finalized Values (Reflect Actual Booked Data)
- Estimated Values (Reflects Estimated Data for Budget Purposes)
- Estimated KWCPSS Category Funding
- Calculation Spreadsheet Determining the Breakdown of Personal Property Less PPTRA Subsidy

Background

In FY2018 a reconciliation was completed for the period 2015, 2016, and 2017. It was determined at that time an annual reconciliation would be performed by the County and provided to the Town Manager upon the close of the prior Fiscal Year. This action was to be taken to ensure transparency by the Board of Supervisors, Town of West Point, and King William County Public Schools.

No further action is needed.

180 Horse Landing Road #4 • King William, Virginia 23086

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www.kingwilliamcounty.us

ATTACHMENT A

Fiscal Year 2020

Expenses Paid by King William County for King William Public Schools

BRIGHT FINANCIAL SOFTWARE

ANNUAL MAINTENANCE FY2020(AUGUST 1, 2019 THRU July 31, 2020)	\$ 1,579.50	Paid
ESD DOWNLOAD SUPPORT	\$ 390.00	Paid
TECH SUPPORT FY2020(JAN 1, 2020 - JUNE 30, 2020)	\$ 2,328.00	Paid
TECH SUPPORT FY2020-JULY 1, 2019 - DECEMBER 2019	\$ 2,400.00	Paid
Total BAI Expenses	\$ 6,697.50	

AUDIT SERVICES

Field Audit FY 2019	\$ 8,500.00	Paid
Final Billing on 6/30/19 FS & Comp Audit	\$ 13,825.00	Paid
Planning, Interim, and Final Field Work Preparation FY2019	\$ 11,500.00	Paid
School Activity Audit FY2019	\$ 5,425.00	Paid
Total Brown Edwards Expenses	\$ 39,250.00	

RADIOS

Hanover County Bi-Annual Service	\$ 88,259.71	Encumbrance
Motorola Annual Agreement	\$ 29,642.38	Encumbrance
Total Radio Based Expenses	\$ 117,902.09	

OTHER

Expeni Annual Payment	\$ 1,824.00	Paid
Financial Software Implementation	\$ 70,000.00	Encumbrance

TOTAL FOR KWPS **\$ 235,673.59**

RESOLUTION 20-08
APPROPRIATING FY2020 RESTRICTED GENERAL FUNDS
TO THE KING WILLIAM COUNTY PUBLIC SCHOOLS CAPITAL FUND

WHEREAS, the King William County Board of Supervisors at the October 7, 2019 Board meeting was presented with the Fiscal Year 2019 Special School Tax District Property Tax Levies and Non-Split Levy Reconciliation; and

WHEREAS, the Director of Financial Services prepares the annual reconciliation of revenue collected in the prior fiscal year that will be reflected within the General Fund as Restricted for KWCPs use; and

WHEREAS, the Fiscal Year 2019 reconciliation designated \$610,617.75 for use within the General Fund and is cited in the 2019 Comprehensive Annual Financial Report Balance Sheet, Exhibit 3; and

WHEREAS, the King William County Public Schools has requested up to \$100,000 for an emergency procurement of the intercom system at Cold Springs Primary School; and

WHEREAS, the County Administrator is requesting \$235,673.59 for reimbursement of annual operating costs associated with the KWCPs which was not budgeted in the FY2020 KWCPs operational monies; and

WHEREAS, the County Administrator's request of \$235,673.59 reimburses for the following expenditures; and

Restricted General Fund	\$610,617.75
KWCPs Emergency Procurement <i>*(not to exceed)</i>	\$100,000*
Reimburse County Budget FY2020 <i>**See Attachment A</i>	<u>\$235,673.59**</u>
New Restricted General Fund Balance	<u>\$274,944.16</u>

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors this 24th day of February 2020, they approve reimbursement of \$235,673.59 to the FY2020 County budget from the Restricted General Fund for expenditures related to KWCPs and the Board of Supervisors appropriates up to an additional \$100,000 to the KWCPs Capital Fund to address the emergency procurement of the intercom system at Cold Springs Primary School.

AGENDA ITEM 4.f.



King William County
Est. 1702

Board of Supervisors

Natasha Langston
Director of Financial Services

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Steward Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

DATE: February 10, 2020

TO: King William County Board of Supervisors

FROM: Natasha Langston, Director of Financial Services

SUBJECT: Reappropriation of unencumbered Capital Improvements Plan balances at fiscal year-end FY 2019

Summary

Brown, Edwards & Company, LLC, within the 2019 Comprehensive Annual Financial Report (CAFR), cited a ***Finding 2019-004 Budget and Appropriation***, that will need to be addressed within this current fiscal year. The County had been acting under the premise that once funds were appropriated within the Capital Fund, for a specific purpose, those funds were available across fiscal years as long as the Board of Supervisors appropriating premise was followed. The County's auditing firm recommended staff incorporate unexpended Capital Funds still needed for completion of projects to be incorporated into the annual budget process. Due to this information staff is requesting the Board to reappropriate a total of **\$684,618.09** from prior years Capital funds that remain unexpended. These unexpended funds from prior years will be appropriated in FY2020 to cover anticipated expenses as approved in prior year budgets – *See Attachment A.*

Background

The Capital Improvements Plan (CIP) is developed and presented for planning purposes each year as part of the annual budget process. The budget adoption and appropriation process only commit and establishes authority to expend the funds for projects identified within the Capital Improvements Plan (CIP). The overall purpose of the Plan is to identify short to mid-range planning actions (up to 5 years) while documenting future capital needs as a financing guide.

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Board of Supervisors

Natasha Langston
Director of Financial Services

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C. Steward Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

Staff commits to the Board of Supervisors when preparing the annual budget, a review of CIP shall be conducted during the budgetary process and at end-of-year to determine the necessity for reappropriation of unencumbered CIP balances. Those balances which are determined to be unnecessary to maintain will be transferred to the originating funding source.

Consideration/Options

- Grant approval to reappropriate Capital Funds balance as designated in Attachment A.
- Approve on February 24, 2020 Resolution 20-09 to amend the FY2020 Capital Fund budget in the amount not to exceed \$684,618.09.

Attachment

1. Attachment A
2. Resolution 20-09 Amendment to the King William County Fiscal Year 2020 Capital Fund Budget

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ATTACHMENT A

6/30/19 CAPITAL FUNDS REAPPROPRIATION FY 2020

PROJECTS	BALANCE AS OF 6/30/2019	PURPOSES	ANTICIPATED USE IN FY2020
HISTORICAL COMPLEX REPAIRS AND MAINTENANCE	57,987.12	FY2019 - Interior Sealing of Walls and Repairs to Water Damaged Areas; Painting; HVAC, etc.	57,987.12
DRAINAGE - COUNTY COMPLEXES	20,000.00	FY2019 - Drainage issues at facilities complexes	20,000.00
INFRASTRUCTURE NEEDS	2,000,000.00	FY2019 - Water lines, roadway improvements, etc.	250,000.00
STATION ONE	7,985.92	FY2019 - General repairs	7,985.92
MANGOCHICK FIRE & RESCUE VOLUNTEER	30,000.00	FY2019 - Equipment and/or supplies needed	30,000.00
FONTAINBLEAU WELL AND PUMP HOUSE	535,851.50	FY2019 - Potential new well, pump house and storage tank required	-
PARKS AND RECREATION	35,923.88	FY2018 - Playground and drainage actions	22,121.01
E-911	22,738.68	2018 - CAD system upgrade; apply to IT equipment	22,738.68
INFORMATION TECHNOLOGY NEEDS	4,075.75	FY2019 - Available for software and/or hardware needs	4,075.75
ADMINISTRATION BUILDING LIGHTING PROJECT	5,953.45	FY2016 - Retrofit lighting	5,953.45
HVAC REPLACEMENT	14,838.00	FY2018 - Part of annual HVAC replacement schedule	14,838.00
KWC EMERGENCY SERVICES-SPECIAL NEEDS	8,144.68	FY2019 - KWC Emergency Medical Services capital needs	8,144.68
KWC FIRE SERVICES	15,773.48	FY2019 - KWC Fire capital needs	15,773.48
BROADBAND INITIATIVE	225,000.00	FY2018 - Set aside for broadband needs	225,000.00
	\$ 2,984,272.46		\$ 684,618.09

"USE OF CAPITAL FUND BALANCE"

REQUEST BUDGET AMENDMENT IN FY2020 TO UTILIZE THE FUNDS FOR EXPENSES

FY 2021 - The budget adoption resolutions shall include approval for the re-appropriation of unencumbered Capital Improvements Program balances at fiscal year-end

A review of CIP shall be conducted at year end to determine the necessity for reappropriated funds. Those which are determined to be unnecessary will be transferred to the originating fund source.

AGENDA ITEM 4.g.
Documents will
be provided
at meeting

AGENDA ITEM 4.h.



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MEMO

DATE: February 10, 2020

TO: King William County Board of Supervisors

FROM: Bobbie Tassinari, County Administrator

RE: *FY2021 Classification and Compensation Plan Review and Recommended Update*

SUMMARY

In August 2019, the County Administrator created a work group to review the existing County Classification and Compensation system and to begin the process of updating where needed. The end goal was to bring vetted recommendations to the Board of Supervisors as part of the FY2021 budget process. The work group included the County Administrator, Director of Financial Services, Human Resources Manager and the Executive Assistant – Deputy Clerk. The work group was convened with the goal to perform a comprehensive review of components that affect the County's compensation program, such as those listed below;

- Review of the current compensation structure,
- Reassess the County's compensation philosophy,
- Determine the regional market competitiveness of County salaries,
- Assess the internal equity of salaries paid to comparable County positions,
- Strive to ensure the integrity of the ongoing administration of the compensation system.

The following information documents the findings from the work group of the existing classification and compensation system and the methodology used to update the system. The review was conducted with extensive participation from the County staff. Staff provided input through an e-survey to collect detailed information pertaining to their job functions and responsibility levels. The work group utilized the survey results and formal job descriptions to review the level of education, experience, expertise, software knowledge requirements, license and certification requirements, and level of responsibility for each position. The work group then



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re-evaluated the pay grade, reclassified the existing positions within grade and categories and compared the information to localities that we generally compete with for employees. Department Heads were involved throughout the project. They reviewed and commented on the e-survey responses submitted by their staff prior to submittal to the work group. Department Heads also were included in final review of the placement of their departmental positions within the proposed system prior to presenting to the Board of Supervisors.

In addition, all positions were evaluated in accordance with market data and the recommended salary schedule. The work group's analysis resulted in recommended changes to positions and their grades, with the goal of achieving grade parity for similar positions and to meet the market established rates of pay for comparable positions. As indicated earlier, of the salaries of the 107 positions included in the study, 26 (24.3%) ended up below the grade needed to equalize them with the market, while 80 (74.8%) were within range with one (.9%) above the maximum.

King William County currently has one pay plan. The plan has forty (40) grades with a minimum, midpoint and maximum for the grade. The distance between pay grades in the current pay plan range between 3.81% to 12.55%. The range spread is 40%. In order to maintain competitiveness with the regional labor market, a new salary schedule was developed. The County's proposed pay plan maintains the current open plan structure reducing the 40 pay grades to 27 that are 6% apart with a grade range of 60%.

The work group made the decision to separate Law Enforcement and Fire and Emergency Medical Services classifications from those listed above. Two separate pay plans were developed specific to law enforcement and fire and rescue. Fire and Emergency Medical Services personnel are subject to working 212 hours in any given 28-day cycle. The pay structure contains six (6) grades developed to address Fire and Emergency Medical Services pay structure. Those structures maintain similar range spreads (60%) and grade separation ranging from 4.71% to 27.83%. This range spread is dramatic due to the Chief of Fire and Emergency Medical Services position being included in the structure.

Law Enforcement positions such as Deputies, Senior Deputies, Sergeants, Investigators, Lieutenants, Captain, Dispatchers, Dispatcher Supervisors and Chief Dispatcher were designated separately from Fire and Rescue. The law enforcement structure contains ten (10) grades. These structures maintain similar range spreads (60%) and grade separation ranging from 4.71 to



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13.86%. This range spread is not as dramatic as the Fire and Emergency Medical Services due to the Sheriff's position (Constitutional Officer) being excluded. This pay plan is designed for Law Enforcement workers who are subject to working 12-hour workdays or up to 171 hours per 28-day cycle. Dispatchers were included within this pay structure due to working typically 10-hour work days or 40 hours per week with alternating schedules.

Of the 107 employees (full-time) the implementation of the new pay and classification system would require \$54,080 in additional base salary funds effective July 1, 2020 (FY2021).

- Twenty-six (26) employees would be brought to the minimum of the new minimum compensation classification for a total of \$54,080.
- Of the twenty-six (26) employees impacted; fourteen (14) are employed with the Sheriff's Office, five (5) are employed in the Fire and Emergency Medical Services Department, two (2) at the Regional Animal Shelter and one (1) respectively in each of the following offices; Commonwealth's Attorney Office, County Administration, Treasurer, Commissioner of Revenue and Facilities.

The information provided in this review is recommended to the Board of Supervisors as the new Classification and Compensation Plan for King William County. If the Board of Supervisors agrees with the work groups recommendations the base salary adjustments would take effect July 1, 2020 (FY2021).

ATTACHMENTS

- King William County Classification and Compensation Review – Dated February 2020
- DRAFT Resolution 20-10 Approving a Classification and Compensation Plan and Salary Adjustment for Fiscal Year 2021

AGENDA ITEM 4.i.



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DATE: February 10, 2020

TO: King William County Board of Supervisors

FROM: Nita McInteer, Human Resources Manager

SUBJECT: Recommended Amendments to the King William County Personnel Policies and Procedures Manual

SUMMARY

The following recommendations are being made to update the King William County Personnel Policies and Procedures Manual. Minor work corrections are not identified in the list of updates though they are highlighted in the attachments.

Chapter 2: Classification

Section 2-1: Employment Categories.

- Removing the term “permanent” as it refers to employment. All employees are considered “at will” employees for an indefinite period and that no employment contract exist.
- Clarifying the hours expected of part-time employees.

Chapter 3: Pay Plan

Section 3-2 c: Definitions. Clarify performance review dates.

Section 3-15 c. Premium Pays. Eliminate “On-Call Pay” as it is no longer a category used.

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Chapter 10 Disciplinary Policy

Section 10-5: Available Disciplinary Actions. Add language to clarify progression is not required to be followed.

Chapter 11 Grievance Policy and Procedures

Section 11-4: Coverage. Remove the term “permanent”.

Chapter 12 Separation and Termination

Section 12-7: Clearing Debt and Property Accounts. Correct language regarding outstanding property and the final paycheck.

Chapter 13 Miscellaneous Employment Policies

Section 13-2: Hours of Work. Include language pertaining to part-time employees.

Section 13-10: Americans with Disabilities Act. Update ADA Coordinator to reflect Human Resources Manager instead of County Administrator.

Section 13-27 Electronic Communication and Social Media B. Personal Use. Update language to provide further clarification of repercussions during personal use.

RECOMMENDATION

Approved Resolution to be brought to the Board of Supervisors at the February 24, 2020 updating the noted changes.

ATTACHMENT

- Updates to King William County Human Resources Policies and Procedure Manual

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Chapter 2: Classification

Section 2-1: Employment Categories

Regular Full-Time Position - positions that are established on a ~~permanent~~ full-time basis and require a regularly scheduled work week of 35 hours or more. Individuals in these positions are eligible for all benefits.

Regular Part-Time Position - positions that are established on a ~~permanent~~ part-time basis and require a ~~regularly~~ scheduled work week of ~~at least 20~~ ~~hours~~ of ~~varying~~ week of at least 20 hours. Individuals in these positions ~~are~~ ~~may be~~ eligible for benefits on a pro-rated basis.

Limited Term or Project Position - positions that are established on a full-time or part-time basis to perform a specific function or project with the term of employment depending on the continuing need or funding for the function being performed. Unless designated otherwise at the time of employment, individuals in these positions are eligible for certain benefits or certain pro-rated benefits if they are full-time or regularly scheduled part-time at least twenty (20) hours per week.

Work as Required (WAR) Position - positions that are established on a full-time or part-time basis but for a seasonal or temporary period of time and part time positions established for less than 20 hours per week. Individuals in these positions work only when required and are not eligible for benefits.

Exempt Position - A position identified as exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act.

Non-Exempt Position - A position identified as subject to the minimum wage and overtime requirements of the Fair Labor Standards Act.

Section 2-2: Position Classification Plan

The Position Classification Plan is the official system of grouping positions on the salary scale based on established classification factors.

Classification is the entire process of assigning and reassigning individuals to positions, and positions to pay grades.

For classification purposes, a position is a group of assigned duties and responsibilities as outlined in the job description requiring full or part time employment of one person. A position may be occupied or vacant.

The job description includes job title, a general statement of the job, specific duties and responsibilities of the position, and the knowledge, skills, and abilities needed to perform the job. Department Heads have the responsibility of assuring that job descriptions for positions in their departments are accurate and reflect essential functions.

Classification factors include essential job duties and responsibilities, knowledge, skills, and abilities needed to perform the job, role within the organization, and internal and external job evaluation. (A job duty is essential if performing the function is the reason the position exists and if not performing the function alters the nature of the position.)

Section 2-3: Creation and Maintenance of Classification Specifications

Prior to the establishment of a new position, a job description covering the duties, responsibilities and minimum qualifications for the proposed position(s) shall be developed and submitted to the designated personnel officer for review.

The designated personnel officer shall examine the proposed position, recommend the proper classification, and forward the request to the County Administrator for approval.

No person shall be appointed, promoted, demoted, transferred, or paid in any position until the position has been first established.

Section 2-4: Maintenance of Classification Plan

The pay classification of each position shall be reviewed as directed by the County Administrator.

Abolished positions shall be removed from the Classification Plan.

The designated personnel officer is responsible for maintaining an official copy of the

Position Classification Plan, as approved or amended by the Board or by the County Administrator. The official copy includes a schematic list of positions and their respective pay grade and any amendments. A copy of the official classification plan shall be available in the designated personnel office for inspection by the public or any employee under reasonable conditions during normal operating hours and shall be provided to the Board of Supervisors annually, together with a summary of changes which have been approved by the County Administrator or the Board during the fiscal year.

Section 2- 5: Position Allocation List

The designated personnel officer shall maintain the official list of all authorized positions in County service by department or agency and shall cause changes to be made to the list only when authorized. A copy of the Position Allocation List shall be provided to the Board of Supervisors annually, together with a summary of changes which have been approved by the County Administrator or the Board during the fiscal year.

Chapter 3: Pay Plan

Section 3-1: General

This chapter sets forth the manner in which the pay system operates and how various types of expected transactions should affect an employee.

- a. These policies shall apply to all employees who enter, serve in, and leave classified positions.
- b. Exceptions and deviations from these policies shall be handled on a case by case basis through the appropriate Department Head and the County Administrator and shall, when necessary, be the subject of supplements to this policy.
- c. It shall be the responsibility of the designated personnel officer to administer these policies and to facilitate the resolution of problems and issues that may arise from time to time.

Section 3-2: Definitions

a. Date of Employment (DOE). The month, day, and year on which an employee began working for the County.

b. Grade Entry Date (GED). The month, day, and year that employees enter their current grade. This date may be the same as the date of employment or another date as a result of promotion, demotion or other action set forth in this policy.

c. Performance Review Date (PRD). That **first annual review** date that ~~begins~~ **occurs** one year after the GED, **upon conclusion of the probationary period. All full and part-time employees will receive an annual PRD by March 1 each year for their performance in the previous calendar year.** and continues thereafter. The annual PRD is ~~always the first of the month. For employees with GED's before the 15th of any month, the PRD shall be the first day of that month. For employees with GED's after the 15th day of any month, the PRD shall be the first day of the following month.~~

Section 3-3: Pay Structure

The pay plan for the authorized positions of the County shall consist of:

- a. The assigned pay grades; and
- b. Rules providing for application of the scales and fixing the rates of pay for individual employees within the pay grades.

Persons employed in an authorized position on a part-time basis will be paid at an hourly rate equal to a full-time employee in the same classification. Progression through the assigned pay grade shall be as set forth in this chapter.

Section 3-4: Entry Rate of Pay

The entry rate of pay for any position shall be the lowest or minimum rate in the pay grade for the position, unless education, training or experience would qualify the employee for a higher entry rate and the higher rate is approved by the County Administrator. Employees who are re-

entering County employment after resignation or discharge normally enter the grade for their position at the lowest or minimum rate in the pay grade for the position unless approved otherwise by the County Administrator.

Section 3-5: Pay for Performance Increases

a. Employees are eligible for a pay for performance increases on their performance review date (PRD) until they reach the maximum salary for their position. Once an employee has reached the maximum salary for their pay grade they are ineligible for pay for performance increases until such time as they have rendered 20 years of service to King William County. On the first PRD following the completion of 20 years of service and on each PRD thereafter, such employees are again eligible for a pay for performance increase.

b. Salary increases provided for by movement within a pay grade shall not accrue solely as a result of the completion of a required period of service, but shall be based on the established performance appraisal process.

c. When authorized, employees will receive a pay for performance salary increase. The average percentage or dollar increase and the range of allowable increases are established annually by the County Administrator based on the total funds allocated by the Board of Supervisors for such purpose as part of the budget approval process.

d. The established salary scale for employees who work a forty-hour week is computed on 2080 work hours per year. The established salary scale for employees who work a thirty-five-hour week is computed on 1820 work hours per year. Some public safety employees may be assigned different schedules and work hours based on departmental needs and Fair Labor Standards Act guidelines. All rates in the pay scale are those authorized for full-time employment for a period of 12 months and include compensation for holidays.

e. Pay for performance salary increases are effective on the PRD unless otherwise established by the Board. Department Heads will be advised of the approved allowable increases

and the date by which completed performance reviews must be received in the designated personnel office. An employee is not eligible for a pay increase until the performance review form has been completely processed and no pay increases will be given until the forms are properly completed, signed and received by the designated personnel office.

Section 3-6: Reclassification

Reclassification is defined as a change to the class, title or grade assigned to a particular class title. Reclassification is not a promotion or demotion. When an employee's position is reclassified, the duties have not changed substantially.

a. If an employee is changed from one classification to a classification carrying a higher pay grade as a result of reclassification, the employee's rate of pay will not change unless the minimum of the higher classification is above the present rate of pay in which case the employee will be placed at the minimum of the higher pay grade. The PRD will remain unchanged.

b. If an employee is changed from one classification to a classification carrying a lower pay grade, the employee's rate of pay will not change unless the maximum of the lower classification is lower than the present rate of pay in which case the employee shall be placed at the maximum of the lower pay grade. The PRD will remain unchanged.

Section 3-7: Promotion

A promotion is defined as elevation to a job with a substantial increase in duties and responsibilities which is a logical step upward in the same career field. Movement to a new position in a different career field is considered to be a new hire rather than a promotion. A promoted employee will receive a 5% salary increase or the minimum salary of the new grade whichever is higher. The effective date of all promotions will be the first day of the month. The PRD shall be established as set forth in Section 3-2.

Section 3-8: Temporary Promotion

An employee who is temporarily promoted from one classified position to another shall receive an immediate salary increase not more than 10% for the period of the temporary assignment, provided the assignment is expected to be thirty (30) or more calendar days. A temporary promotional assignment for less than thirty (30) calendar days shall not receive any additional compensation; however, a retroactive 5% increase is authorized should the assignment eventually be thirty or more calendar days. Temporary promotions must be approved by the County Administrator.

Section 3-9: Demotion

A voluntary or involuntary demotion is defined as assignment to a position with a decrease in duties and responsibilities and is distinguished from a downward reclassification resulting from a formal review of duties and responsibilities. An employee demoted from one classified position to another is placed on the lower pay grade at a salary equal to a 5% reduction for each grade difference between the new grade and the old grade. In unusual circumstances the Department Head may petition the County Administrator to adjust the amount of the salary reduction either upward or downward. The PRD shall be established as set forth in Section 3-2.

Section 3-10: Transfers

A transfer to a new position in a new career path or in the same salary grade does not result in promotion. When transfer of an employee from one department to another involves a promotion or demotion the rules of the appropriate action shall apply. When employees transfer between departments to the same class or position no change of status or PRD occurs.

Section 3-11: Reinstatement

An employee who has been separated because of a reduction in force or who has resigned in good standing is eligible for reinstatement. Approval of requests for reinstatement is reserved to the County Administrator upon recommendation of the Department Head. Employees re-entering County employment normally enter the grade for their position at the entry level for

that position. In other than normal circumstances, the Department Head may petition the County Administrator for approval of a beginning salary above the entry level on the pay grade specified for the relevant classification. If an individual is reinstated within three (3) months of separation from the County, the employee's original date of employment and PRD are amended to reflect the period of non-employment. The employment date for those reinstated after a three (3) month separation is the date of reinstatement and such reinstated employees shall be treated as new hires subject to a probationary period of employment.

Section 3-12: Administrative Increase

An administrative increase is one within the pay range of a grade that is awarded to an employee for successful completion of educational or training classes pertaining to their position. In lieu of such increase, a one (1) pay period adjustment may be provided. Employees may receive an administrative increase or pay period adjustment upon recommendation of the Department Head and approval of the County Administrator.

Section 3-13: Career Ladders

The term "career ladder" refers to jobs within the same career field that perform a core of the same essential functions, but at differing skill levels. From one level up to the next level, the knowledge, skill, and ability increases, the supervision required of the incumbent decreases, and the responsibilities and work behaviors become more difficult and/or complex.

The County Administrator may establish appropriate career ladders conforming to the following criteria:

- a. Career ladders must meet organizational, staffing and professional development goals.
- b. Career ladder skills must be recognizable in the market.
- c. Clear, identifiable requirements must be met to progress from one level to the Next.

The employee's supervisor may recommend advancement based on the completion of designated requirements for the higher classification level and a review of the employee's qualifications, experience and work performance. A career ladder advancement is not automatic and must be approved by the employee's supervisor and Department Head.

Employees reclassified through the career ladder process receive an increase in salary in the same manner as a promotion. Employees who fail to maintain required skills/certifications required by a higher level position on the career ladder shall be moved down the career ladder to a position for which they do qualify and such move shall be treated as a demotion under this policy. Such action is in addition to and does not preclude any appropriate disciplinary measures.

Section 3-14: Pay Scale and Compression Adjustments

Periodically, as market conditions warrant, the Board of Supervisors may approve pay scale adjustments to the schematic list of titles. All employees will receive the same percentage increase on the same date as authorized by the Board with the exception of those who are above the maximum salary for their pay grade. In those cases, the salary of the affected employees is not changed until such time as the adjusted pay grade exceeds the individual's salary.

"Compression" refers to the situation that occurs when there is only a small difference in compensation between employees regardless of their skills or experience. Compression is often the result of the market-rate for a given job outpacing the increases historically given by the County to long serving (tenured) employees. Therefore, new employees often may only be successfully recruited only by offering them as much or more than tenured employees. It is the policy of the Board to undertake a compression study not more frequently than every three (3) years or as may be recommended by the designated personnel officer and County Administrator to achieve certain levels of internal equity so that people in relatively similar positions in the County receive equitable compensation.

Section 3-15: Premium Pays

Premium pays are authorized as follows:

a. Overtime Pay

Overtime may be approved when necessary to accomplish particular tasks. The County Administrator shall designate those positions eligible for overtime pay or compensatory leave and those not eligible for such pay or leave in accordance with the standards of the Fair Labor Standards Act (FLSA). Positions designated as exempt or non-exempt from the provisions of the FLSA are so identified in the approved County Pay Plan. All overtime hours must be approved in writing by supervisor prior to being incurred. The signed overtime form should be attached to the employee time report for the month it was incurred.

The overtime pay rate is one-half times the regular hourly rate of pay or time worked, in addition to the regular hourly rate or time worked. Overtime compensation is paid or granted in accordance with applicable state and federal laws. Except when otherwise required by state or federal law, compensation paid for a leave of absence is not counted as hours worked for overtime purposes and paid holidays, are not counted as hours worked for overtime purposes.

Overtime hours are credited to employees in compensatory time the month after it is earned. Compensatory time off, at the rate of one-and one-half times the number of hours worked, must be taken within the following pay period. Any leave taken in that pay period (annual or sick) will be credited with the compensatory time before being applied. Any remaining compensatory time not used in that pay period will be remitted to the employee in that pay period.

b. Holiday Pay

With the exception of work-as-required employees, employees who do not work on a holiday are entitled to pay equal to the employees' regularly scheduled hours of work not to exceed eight (8) hours. An employee shall forfeit eligibility to be compensated for a holiday observed by the County unless he/she actually works the last scheduled day before the holiday and the first scheduled work day after the holiday or is on approved, sick, annual or non- exempt

compensatory leave on such days.

c. ~~Special Pays~~

~~On-call pay. Non-exempt employees who are required to be available by telephone or beeper after regular working hours and to respond in a reasonable period of time when called, are eligible to receive on-call pay. Employees who are required to be on-call receive one dollar (\$1.00) per hour for each hour on-call. Department Heads identify and the County Administrator approves those positions considered essential to County operations after normal working hours that are eligible to receive on-call pay.~~

Section 3-16: Additional Pay and Overtime Procedures

Holiday Premium Pay: Those non-exempt employees who work during any declared Holiday are paid overtime for those hours worked during such holiday leave time.

Employees called back: Non-exempt employees required to return to a work site, at least one hour after the termination of the employee's regular work shift, shall receive a minimum of two hours at the applicable pay rate.

Emergencies: This paragraph shall not apply to; firefighters and emergency medical services providers, deputies sheriff and communication dispatchers. Essential personnel required to work in addition to their normally scheduled hours during periods of authorized emergency conditions leave will receive pay at their normal hourly rate for all such hours worked in addition to their normally scheduled hours, until total hours actually worked exceed the applicable over- time threshold. In addition, such essential personnel will receive compensatory leave, on an hour for hour basis, for any hours of required work performed during the periods of authorized emergency conditions leave that fall within their normally scheduled work hours. Such compensatory time shall be used at a time approved by the appropriate supervisor. Any hours in which employees are not required to work during the period of emergency conditions leave will not count toward over-time eligibility. Employees in any other approved leave status (i.e., vacation, sick,

military etc.) will remain in that status.

Section 3-17: Maintenance of the Pay Plan

Periodically, the County Administrator may cause to be made a comprehensive review of all factors affecting employee compensation. The review when undertaken, will consider rates of pay for comparable positions in the area, fringe benefits, general wage data, the County's financial condition and other pertinent factors. Prior to implementing changes to the employee pay plan or compensation package based on such review, approval of the Board is required.

Chapter 10: Disciplinary Policy

Section 10-1: Policy

It is the policy of the County to discourage behavior that violates rules, policies, procedures, acceptable standards of ethical conduct, regulations, or laws, or that results in unacceptable performance. Disciplinary action is to be in proportion to the seriousness of the violation. Supervisors are primarily responsible for beginning the disciplinary process when situations that warrant discipline occur.

Section 10-2 : Purpose

The primary purpose of discipline is to supplement and strengthen self-discipline within each individual and within each work group. It is the County's intention to foster an employment relationship with high morale that promotes self-discipline in every employee and group discipline within every work team.

Section 10-3: Reasons for Disciplinary Measures

Reasons for discipline include, but are not limited to, the following:

- Commission of any act constituting a crime under Federal or State law or County ordinance while on County time or property, or any act of such a nature (including a violation of law) as to indicate unfitness or unsuitability for continued employment in the particular position, regardless of where or when such act

is committed.

- Disregard for work or safety rules.
- Failure to follow County or department policies or procedures whether the same are established in writing or by standard practice.
- Failure to meet job standards.
- Falsification or improper use of County records.
- Gambling on County time or property.
- Incompetence or inefficiency in the performance of required job duties.
- Insubordination.
- Lying, cheating, or stealing in any of the forms these might take.
- Misuse of position with the County.
- Placing property or persons at risk of injury.
- Possession, use, distribution or sale of, or reporting to work under the influence of, alcohol or controlled substances. The term “controlled substance” means any drug, narcotic, or other substance that the use or possession of is prohibited or controlled by federal or state law or regulation.
- Provoking, instigating, or participating in a fight while on duty or on County property.
- Refusal to comply with reasonable instructions from an authorized supervisor.
- Recurring tardiness.
- Sleeping on the job.
- Use of offensive, abusive, threatening, coercive, indecent or discourteous language towards supervisors, other employees, or members of the public.
- Violation of the County’s harassment policy set forth in Chapter 13.
- Weapons possession and/or physical violence.

- Willful or negligent damage to County property.

The preceding examples are intended only as guidelines and disciplinary action is not limited to these offenses.

Section 10-4: Use of Disciplinary Measures

Graduated forms of discipline will frequently be used in addressing disciplinary matters. Employees will often be informed and reminded about accepted standards and rules of conduct before more severe disciplinary action is taken. However, even in the absence of prior disciplinary measures, any infraction may incur serious disciplinary action up to and including termination.

Section 10-5: Available Disciplinary Actions

The following measures of discipline are established, and, unless otherwise specifically provided, are documented on prescribed forms available from the designated personnel office. **Depending on the nature and seriousness of the problem the appropriate level of discipline may be imposed without consideration to the progression. For example, it is not necessary to issue a Verbal or Written Reprimand if the offense is such a nature to warrant a suspension or termination.** Department Heads must approve any disciplinary measure imposed beyond a verbal warning, including dismissals.

a. Verbal Warning or Reprimand

This measure may be imposed by the immediate supervisor and is used in situations where the violation is considered to be minor and the warning or reprimand can be expected to resolve the problem or alert the employee of expected future conduct and the consequences of reoccurrence of the behavior in question. Verbal warnings or reprimands are not documented for any official file, but shall be noted in writing by the supervisor for the supervisor's use in the event that further discipline is needed.

b. Written Warning or Reprimand

This measure is used for more significant first violations or repeated minor infractions. Employees are advised that the behavior must improve or further specified action will be taken.

c. Suspension

Suspension for up to ten (10) days without pay may be used when a more serious violation occurs or when previous warnings have not succeeded in bringing about the desired change in the employee's behavior. For suspensions without pay of five (5) days or longer, the employee shall be notified in writing of the reasons for the proposed suspension and shall be afforded an opportunity to schedule an administrative hearing with the Department Head prior to the proposed effective date. In order to insure compliance with the Fair Labor Standards Act, employees designated as exempt must be suspended in increments of days that represent a full workweek. In certain appropriate cases, suspension with pay may be imposed.

d. Demotion or Salary Reduction

These measures may be used in place of, or in addition to, suspensions when dealing with violations deemed serious enough to otherwise warrant a suspension.

e. Dismissal

This measure is used for the most serious violations or when other measures have failed. It is also used when it is the opinion of management that no level of discipline will be successful in correcting the behavior. The Department Head, prior to dismissing an employee, shall compile the complete disciplinary record and forward it to the designated personnel officer. Prior to any final decision concerning the dismissal of a non-probationary employee, the Department Head shall conduct an administrative termination hearing, if requested by the affected employee, to determine whether the charges leading to the recommendation for dismissal are founded. (See Chapter 12 on Separation and Termination.)

Section 10-6: Review of Proposed Action

In each instance of the imposition of a disciplinary action beyond a verbal warning or reprimand, a copy of the prescribed disciplinary form must be sent to the designated personnel office for inclusion in the employee's official personnel file. To assure the consistency of discipline

throughout the County workforce, all disciplinary actions beyond verbal warnings must be reviewed for compliance and consistency by the designated personnel officer prior to approval by the Department Head. In the event the personnel officer believes that the proposed action is not in accord with policy or is inconsistent with other actions taken in the County workforce, the personnel officer shall forward the matter to the County Administrator for review and decision. The designated personnel officer shall keep the County Administrator informed of all current disciplinary actions.

Chapter 11: Grievance Policy and Procedures

Section 11-1: Purpose

This Chapter establishes an effective process for the fair, expeditious, and orderly adjustment of grievances before they become major issues of discontent or dispute. Nothing in this Chapter is intended to imply that employees may be dismissed only “for cause” or to otherwise alter an employee’s “at will” status. Employees also have access to the open door policy for discussion of employment issues. (See Section 13-17).

Section 11-2: Policy

The County seeks to employ and retain the most qualified persons available for positions with the County and is justly proud of the accomplishments of its staff in serving the public. When an employee of the County believes that any condition affecting him or her is unjust, inequitable, arbitrarily applied or a hindrance to work performance, the employee may use the following procedure without fear of reprisal. The same procedure may be followed by a group of employees. Because justice delayed is justice denied, grievances must be resolved with dispatch.

Responsible action under the grievance procedure is a right of employment. Each step of the procedure is to be conducted with the open, thoughtful communication and mutual respect that is characteristic of successful day-to-day contact between employees and their supervisors. Responsibility for finding satisfactory solutions to employment-related problems is shared by all

participants at each stage of the grievance procedure.

Section 11-3: Objectives

The grievance procedure is intended to provide an immediate and fair method for resolving problems that may arise during the course of an employee's service with the County. The grievance procedure is designed to assure the employee of the fairness of the process by providing for a right of appeal in the event that an employee believes that fair treatment has been denied.

Through the good faith observance of this procedure, the County hopes to prevent conditions which may give cause for grievance. This can be achieved in many ways, among which are:

- a. a reduction in employee concerns caused by supervisory decisions;
- b. a more uniform application and interpretation of policies and conditions which govern employment;
- c. avoidance of prejudice;
- d. alerting management to supervisory problems.

Section 11-4: Coverage

This grievance procedure is available to all regular ~~permanent~~ full-time and part-time County employees in the classified service (See Section 1-3), except probationary employees, Deputy or Assistant County Administrators, Department Heads and employees otherwise covered by applicable grievance procedures of State or local agencies. The procedure is not available to employees in the unclassified service. The procedure is available to regular ~~permanent~~ employees of constitutional offices of the County or the Department of Social Services when the constitutional officer has requested that their employees be covered and the Board of Supervisors has approved such request, or the local social services board has adopted this procedure pursuant to the provisions of Sections 63.2-219 or 2.2-3008 of the Code of Virginia. Law enforcement officers as defined in Section 9.1-500 of the Code of Virginia have the option of using this procedure or the law enforcement officer's

procedure set out in Chapter 5 of Title 9.1 of the Code of Virginia. The procedure is also available to employees of such other agencies as may from time to time be specified in the Code of Virginia when the prerequisites established by state law have been met.

The County Administrator shall be responsible for creating and maintaining and up to date list of those positions not covered by this grievance procedure.

Section 11-5: Definition of Grievance

a. A grievance is a complaint or dispute relating to the employment of the employee or employees making the complaint. A grievance involves, but is not necessarily limited to, one or more of the following:

- (1) Disciplinary actions, including those that involve dismissal, demotion or suspension, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;
- (2) Concerns regarding the meaning, interpretation or application of personnel policies, procedures, rules and regulations;
- (3) Acts of retaliation¹ for using the grievance procedure or for participation in the grievance of another County employee;
- (4) Complaints of discrimination on the basis of race, color, creed, religion political affiliation, age, disability, national origin or sex;
- (5) Acts of retaliation* because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States or the General Assembly. Acts of retaliation* because an employee has reported an incident of fraud, abuse, or gross mismanagement.

b. The Board of Supervisors and its management team retain the exclusive right to manage the affairs and operations of County government. Accordingly, the following complaints,

among others, are non-grievable:

- (1) The contents of ordinances, resolutions, statutes, or established personnel policies, procedures, rules, and regulations;
- (2) Work activity accepted by the employee as a condition of employment or work activity which may be reasonably expected to be a part of the job content;
- (3) Establishment and revision of wages or salaries, position classifications or general benefits;
- (4) Failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
- (5) The methods, means, and personnel by which such work activities are to be conducted;
- (6) Non-disciplinary discharge, demotion, suspension from work or layoff because of lack of work or reduction in work force, or job abolition, except where such action affects an employee who has been reinstated within the previous six months as the result of a grievance;
- (7) The hiring, promotion, transfer, assignment and retention of employees;
- (8) The relief of employees from duties of the County in emergencies.

In any grievance brought under the exception contained in (6) above, 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 such reason in writing prior to the effective date of the action.

Section 11-6: Determination of Grievability

Decisions regarding whether or not a matter is grievable, including questions of access to the procedure, shall be made by the County Administrator at the request of the County or the grievant. The issue of grievability may be raised at any step of the procedure subsequent to the submission of a written grievance and prior to the panel hearing, but once raised the issue shall be resolved before

further processing of the grievance. The issue of grievability must be resolved prior to the panel hearing or it shall be deemed to have been waived. The request for a determination of grievability is made by completing Grievance Form D and forwarding it to the County Administrator. The decision on grievability shall be made within ten (10) calendar days of the request. A copy of the ruling shall be sent to the grievant. Decisions concerning grievability may be appealed by the grievant to the Circuit Court of King William County for a hearing on the issue of grievability.

Proceedings for review of the County Administrator's decision shall be instituted by filing a notice of appeal on Grievance Form D with the County Administrator within ten (10) calendar days from the date of the grievant's receipt of the decision, and giving a copy thereof to all other parties. Within ten (10) calendar days thereafter, the County Administrator or his designee shall transmit to the Clerk of the Circuit Court a copy of the decision, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the court shall also be furnished to the grievant. The failure of the County Administrator to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the County Administrator to transmit the record on or before a certain date. The court shall hear and decide the appeal within the time frames established by Va. Code Section 15.2-1507. The court may affirm the decision of the County Administrator or may reverse or modify the decision. The decision of the court is final and not appealable.

Section 11-7: Procedural Steps

Step I: Supervisory Level. An employee who has an employment-related complaint or problem first discusses it directly with his or her immediate supervisor. The grievance need not be placed in written form at this step. The grievance shall be reported within twenty (20) calendar days from the time that the employee first becomes aware of the condition or work activity giving rise to the grievance. The supervisor shall render a response to the aggrieved employee within five (5) workdays of the complaint. This first step is intended to provide for an informal, initial

processing of employee complaints by the immediate supervisor through a non-written, discussion format.

Step II: Department Head Level. If a satisfactory resolution of the problem is not reached through Step I, the employee may file a written grievance, identifying the nature of the complaint and the expected remedy, on Grievance Form A. The written grievance is presented to the Department Head and a copy is given to the immediate supervisor within five (5) workdays of the supervisor's response to Step I. A meeting to review the grievance shall be held among the grievant, the immediate supervisor and the Department Head within five (5) workdays of receipt of the written grievance, unless this time limit is extended by mutual agreement for a period not to exceed five (5) workdays. The Department Head shall provide a written reply to the grievant within five (5) workdays after the second step meeting. Concurrently, a copy of the grievance and reply, together with a copy of all related materials, shall be forwarded by the Department Head to the designated personnel officer. For purposes of this policy, "Department Head" shall mean the head of the employee's department; in the case of employees of constitutional offices, it shall mean the constitutional officer; in the case of employees of the Department of Social Services or other agencies, it shall mean the director of that department or agency.

Step III: County Administrator Level. If a satisfactory resolution of the problem is not reached at the second step, the employee may submit the written grievance on Grievance Form A to the designated personnel officer; provided, however, that an employee of a constitutional officer or the Department of Social Services or other agency covered by this procedure may, in the employee's discretion, proceed immediately to Step IV. Submission of the written grievance to the third step shall occur within five (5) workdays of the second step reply. The designated personnel officer will coordinate the Step III meeting. The County Administrator and the immediate supervisor shall meet with the employee within five (5) workdays or indicate that an extension is necessary. Such extension shall not exceed five (5) additional workdays except by mutual agreement of the

County Administrator and the grievant. The Department Head or other intermediate supervisor may attend this meeting if requested by the grievant, the immediate supervisor, or the County Administrator. Using Form B, a written reply by the County Administrator shall be provided to the grievant within five (5) workdays of this meeting.

Step IV: Panel Level. If the response of the County Administrator does not resolve the grievance, the employee may proceed with the grievance by requesting a panel hearing (or a hearing before an administrative hearing officer if both parties agree). This request shall be made in writing to the County Administrator on Grievance Form B within five (5) workdays of the grievant's receipt of a response from Step III, or Step II if applicable. The County Administrator shall insure selection of the panel and arrange an organizational meeting of the grievance panel within ten (10) working days of receipt of the request. The date of the hearing shall be established at the organizational meeting and shall be within ten (10) working days of such meeting. The County Administrator shall provide the panel with copies of the grievance record at their organizational meeting. The County Administrator shall provide the grievant with a list of the documents furnished to the panel. The grievant and/or the grievant's attorney, at least ten (10) days prior to the scheduled panel hearing, shall be allowed access to and copies of all relevant files intended to be used in the grievance proceeding. Documents, exhibits, and lists of witnesses shall be exchanged between the parties in advance of any panel hearing.

Section 11-8: Panel Procedures

The panel (or hearing officer) is charged with the responsibility of interpreting the application of appropriate government policies and procedures in the case. It does not have the prerogative to formulate or to alter existing policies or procedures nor to direct subsequent action of management when the panel determines that the action of management grieved was inappropriate.

The conduct of the panel hearing is as follows:

- a. The panel determines the propriety of attendance at the hearing of persons not

having a direct interest in the hearing, and, at the request of either party, the hearing shall be private.

- b. The panel may at the beginning of the hearing ask for statements clarifying the issues involved.
- c. Exhibits, when offered, may be received in evidence by the panel, and when so received, are marked and made part of the record.
- d. The grievant and then the grievant's supervisor, or their representative(s), present the claim and proofs and witnesses who submit to questions or other examination or cross-examination. The panel may, at its discretion, vary this procedure but must afford full and equal opportunity to all parties and witnesses for presentation of any material or relevant proofs.
- e. The parties may offer evidence and shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel is the judge of relevancy and materiality of the evidence offered. The panel has the authority to determine the admissibility of evidence, without regard to the burden of proof or the rules of evidence. All evidence shall be presented in the presence of the panel and the parties, except by mutual consent of the parties. Documents, exhibits, and lists of witnesses shall be exchanged between the parties a minimum of three working days in advance of the hearing. Hearings are not intended to be conducted like proceedings in courts.
- f. The panel chair shall specifically inquire of all parties whether they have any further proofs to offer or witnesses to be heard. Upon receiving negative replies, the chairman shall declare the hearing closed.
- g. The hearing may be reopened by the panel on its own motion or upon application of a party for good cause shown at any time before a decision is made.

- h. The majority decision of the panel is final and binding in all its determinations, and shall be consistent with existing policies, procedures, and law. No panel member shall be allowed to abstain from voting.
- i. Any relief granted by the panel shall not be final if the County Administrator, or his designee, determines that the relief granted is not consistent with law or written policy of the County. In the event that the County Administrator has had a direct personal involvement with the event or events giving rise to the grievance, the question of consistency of the relief granted by the panel with law or written policy of the County shall be made by the Commonwealth's Attorney.
- j. Either party may petition the circuit court for an order requiring the implementation of the decision of the panel.

The decision shall be filed in writing by the panel chairman with the County Administrator not later than ten (10) working days after completion of the hearing. The decision shall be prepared in the format shown on Grievance Form C. Copies of the decision shall be transmitted to the employee and to the employee's supervisor by the County Administrator within five (5) working days after the County Administrator receives it.

Section 11-9: General Provisions

- a. Step II is not observed by direct reports of Department Heads; such grievants proceed from Step I to Step III.
- b. A grievance shared by a group of employees begins at Step II, using Step I time limits.
- c. References to "workdays" are to the days during which the administrative offices of the County are customarily open, from Monday through Friday, not including holidays observed by the County. All time periods listed in this procedure may be extended by mutual agreement of the grievant and the County Administrator, or by others as specifically provided elsewhere in this procedure.

- d. After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, without just cause, shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) workdays 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. The County Administrator, may require a clear written explanation of the basis for just cause extensions or exceptions. The County Administrator, shall determine compliance issues. Compliance determinations made by the County Administrator shall be subject to judicial review upon the filing of a petition with the circuit court seeking such review within thirty (30) days of the compliance determination.
- e. All stages of the grievance beyond the first step shall be prepared in writing on forms supplied by the designated personnel office.
- f. The only persons who may normally be present at Step I or II meetings are the grievant, the individual hearing the matter, and appropriate witnesses for each side. The grievant shall bear the cost, if any, of calling the grievant's witnesses. Witnesses shall be present only while actually providing testimony. At Step III, the grievant, at his option, may have present a representative of his choice. If the grievant is represented by legal counsel, the County may also be represented by counsel. Either or both parties may be represented by legal counsel at Step IV.
- g. Once an employee reduces the grievance to writing, the specific relief expected to be obtained through use of this procedure must be stated on the appropriate form and may not later be changed by the grievant.
- h. The determination that an employee is not covered by this grievance procedure or

that a complaint is not grievable shall not be construed to restrict any employee's right to seek, or management's right to provide, customary administrative review of complaints outside the scope or coverage of the grievance procedure.

Section 11-10: Composition of Panel

The panel shall be impartial and composed of three (3) members. One member shall be chosen by the grievant, one member shall be chosen by the County Administrator and the third member shall be chosen by the first two. If no agreement on a third member can be reached, the selection shall be made by the Judge of the Circuit Court. In all cases, the third panel member shall be the Chairperson of the panel.

Such panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, any person residing in the same household as the grievant, and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, and 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 such an attorney shall serve as a panel member.

Chapter 12: Separation and Termination

Section 12-1: Resignation

To resign in good standing, employees other than Department Heads must give notice in writing to the Department Head at least fourteen (14) days prior to the effective date of the resignation; Department Heads must give 30 days' notice in writing to the County Administrator. Failure to provide the required notice renders the employee ineligible for sick leave accruals and results in forfeiture of accrued annual leave up to eighty (80) hours notwithstanding the provisions

of Chapter 5.

A resignation shall be effective when tendered. No written acceptance of a resignation shall be required as a condition precedent to its effectiveness. The notice period is for the benefit of the employer and should the Department Head decide that an effective separation, sooner than that proposed by the employee, is in the County's best interest, an earlier date may be established after consultation with the designated personnel officer. No compensation is due beyond the actual date set. Department Heads shall transmit all resignations to the designated personnel office within 24 hours of receipt.

Section 12-2: Retirement

The County is a member of the Virginia Retirement System (VRS) and employees are entitled to retire pursuant to the rules established by VRS.

Section 12-3: Death

When an employee dies while in the service of the County, all compensation due is paid to the legal representative of the employee's estate or any other properly designated individual. Assistance and benefit counseling is provided to survivors of the employee by the designated personnel office. Pay and benefits accrue to the last day of actual service provided to the County.

Section 12-4: Termination

Termination is defined as a separation for disciplinary reasons. The process for termination is as set forth below:

a. If termination of a non-probationary employee is warranted, the Department Head shall provide the employee with a written notice of proposed termination. In situations when it is not possible to personally deliver a written notice to an employee, the notice may be sent as provide in paragraph (d) of this section. Such notice shall set forth the following:

(1) A statement of the reasons for which the dismissal of the employee is being considered, in sufficient detail to enable the employee to understand fully the violation, infraction, conduct or offense for which dismissal is being considered.

(2) That the employee's past performance, including any prior disciplinary records, has been considered;

(3) The effective date of the proposed dismissal, which should be no sooner than seventy-two (72) hours from the employee's receipt of the notice;

(4) That the employee is suspended, generally with pay, but for no longer than five (5) work days from the date of the notice of proposed dismissal or until a final decision is made, whichever occurs sooner.

(5) That the employee has the right to respond either in writing or in person, at the option of the employee, within two (2) working days of receipt of the notice;

(6) That the employee has the right to file a grievance pursuant to the County's grievance policy, if termination is imposed;

b. If the employee requests the right to respond in person, the Department Head should immediately schedule an informal hearing.

(1) The employee should be afforded an opportunity to explain his or her side of the story, to present any documentary evidence on his or her behalf, and to argue his or her side of the case.

(2) Such hearings are intended to be informal and legal representatives are not permitted.

c. If, after the hearing or consideration of the employee's written response, the Department Head finds that the charge or charges against the employee are valid and support the dismissal, a written notice of such dismissal shall be given to the employee.

d. After reasonable attempts have been made to deliver in person a written notice of proposed termination or notice of termination to an employee, delivery may be made by sending notice by certified mail to the last known address of the employee. For purposes of this section, such notice shall be deemed to have been received either on the actual day it was received, or, five

(5) days after it was mailed, whichever date is earlier.

Section 12-5: Employee Separation Procedures

All pay and benefits accrue to the last day of actual service provided to the County and employees cannot expect to receive any compensation or benefits for periods of time beyond the last day of actual service, including pay for holidays, sick or vacation days, etc., that occur or accrue after the last day of actual service. Since benefit accruals occur on the last day of the month, the employee must have actual service on the last day of the month in order to receive this accrual. For purposes of this section, actual service shall mean the last day the employee actually worked or was on approved leave.

Section 12-6: Layoffs

Any involuntary separation other than for disciplinary reasons is considered a layoff.

Layoffs occur when in the opinion of the County Administrator proper management requires a reduction or change in the work force or the elimination of certain positions or programs. Employees to be laid off are, at a minimum, given the same notice as that required when an employee resigns.

Section 12-7: Clearing Debt and Property Accounts

Employees who separate from County service must clear all debts to the County and account for and turn in all County equipment or other property in their possession or for which they are responsible, including keys, uniforms, tools, equipment, credit cards, identification cards, books, manuscripts, papers, etc. to the Department Head. It is the responsibility of the Department Head to forward a list to the designated personnel office of any property held by the separating employee or a statement that all such property has been returned. ~~The employee's last check will be held by the designated personnel office until all such property has been returned.~~ **The value of the unreturned property may be deducted from the employee's final paycheck in accordance to FLSA regulations.**

Failure to clear all debts and turn in all County property will result in the initiation of lawful

collection procedures to recover any losses.

Section 12-8: Separation Pay

Generally, all compensation due and any settlement for accrued leave is included in the paycheck due on the next regularly scheduled payday.

Section 12-9: Post-Separation Benefits

The designated personnel office will provide information and counseling to separate employees regarding the availability of post separation benefits such as health insurance, life insurance, and retirement account options.

Section 12-10: Severance Pay

Severance pay may be approved by the County Administrator for separations that do not involve gross misconduct if deemed to be in the best interest of the County. When approved, the amount of severance pay shall not be more than 1/12th of the terminating employee's annual salary rate.

Section 12-11: Exit Interviews

The designated personnel office may conduct exit interviews of separating employees when it deems necessary. An exit interview properly conducted often corrects misinformation, modifies negative attitudes, and provides valuable information to the employer. Such interviews become a part of the employee's official personnel file and the employee's signature is required to acknowledge the correctness of the information on the interview form. When required by the designated personnel office, the exit interview is a prerequisite to final payment of any sums due the employee.

Chapter 13: Miscellaneous Employment Policies

Section 13-1: Applicability

This Chapter applies to the classified service and to the unclassified service to the extent set forth in any contract or, in the absence of a contract, to the extent the Board is authorized by law to apply the particular policy to the unclassified service.

Section 13-2: Hours of Work

The standard weekly work period for all King William County Employees shall be from 12:01 a.m. Saturday through midnight Friday. The core hours for administrative offices of the County to be open for public business are 8:30 a.m. to 4:30 p.m., Mondays through Fridays, including periods of lunch.

The normal work schedule for regular full-time employees is thirty-five (35) hours per week, seven (7) hours per day, Mondays through Fridays. The workday begins at 8:30 a.m. and ends at 4:30 p.m. and includes an hour lunch period. Because of differing requirements, schedules may vary from these times. Department Heads may adjust the workday beginning and ending times and lunch schedules provided that full-time employees work seven (7) hours each day (not including a lunch period) and administrative offices are adequately staffed and open from 8:30 a.m.

to 4:30 p.m., Monday through Friday. Any regular schedule for more or less than seven (7) hours per workday must be approved by the Department Head with notice to the County Administrator. The fifty-two (52) week work year consists of 1820 work hours.

Part-time employees will work varied hours and days. Part-time employees are to report at their designated time, date and location per the published schedule. Failure to report for an assigned shift may be considered an absence without notice and the employee may be subject to disciplinary action or termination.

Section 13-3: Time and Attendance Records

Attendance and time reports for employees are prepared by each department and agency of the County and are furnished to the designated personnel office for proper posting and accounting of hours worked, leave balances, etc.

Section 13-4: Emergency Closing of County Facilities

Working hours and schedules may be adjusted by the County Administrator in response to inclement weather or other emergency conditions. Individuals are notified through media or

telephone "calling trees" of the change in hours or schedules.

Employees' essential to operations during inclement weather or emergencies may be required to report to work as normally scheduled. Such employees are generally notified by the Department Head in advance of any announcement to report to work as scheduled and receive pay in accordance with policy. Others, in the interest of safety, receive paid emergency conditions leave. Please see Section 5-11 for information regarding emergency conditions leave.

Section 13-5: Holidays

King William County observes the following holidays and other such holidays as may be prescribed by the Board of Supervisors:

New Year's Day	First day of January
Lee-Jackson Day	Friday preceding Martin Luther King Day
Martin Luther King Day	Third Monday in January
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	Fourth day of July
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	Eleventh day of November
Thanksgiving	Fourth Thursday in November
Day After Thanksgiving	Fourth Friday in November
Christmas Day	Twenty-fifth day of December

In addition to the above holidays the County will follow special state holidays as announced by the Governor. When a holiday falls on a Saturday, the preceding Friday shall be observed; when a holiday falls on a Sunday, the following Monday shall be observed.

The Board of Supervisors may designate other days as official holidays of the County. When

granted, employees receive compensation in the same manner as is the case for other holidays.

Section 13-6: Uniforms and Personal Equipment

The County may provide personal equipment and/or uniforms for certain employees. Job descriptions of employees required to wear uniforms will include this requirement within the description body. All clothing and equipment issued by the County shall be inventoried by the issuing department and remains the property of the County. Non-serviceable clothing and equipment is replaced on a one-for-one basis when the particular item is returned to the County's inventory.

Employees are expected to maintain issued uniforms and equipment and return them to the County's inventory upon separation from service. All lost or negligently damaged clothing or equipment will be replaced at the employee's expense.

Section 13-7: Bonds

The County provides funding for adequate bonding of employees when required by the assigned position or when it is in the best interest of the County to do so.

Section 13-8: Use of Alcohol and Controlled Substances

a. All Employees.

It is the policy of the County to maintain a work place that is free from the effects of drug and alcohol abuse. The County is gravely concerned when its employees violate laws, create situations that cause potential safety hazards to themselves or to their fellow employees, or are parties to an act or situation that is detrimental to the image of the County in the eyes of the public it serves.

In furtherance of this policy and concern, unless prescribed by a duly licensed physician and the employee's supervisor is notified in advance, the possession, use, gift, distribution, sale, or being under the influence of any of the following substances by an employee in the course of County employment is prohibited and is cause for dismissal:

- Amphetamines.
- Barbiturates.

- Hallucinogens.
- Any other substance defined and listed as a controlled substance in the "The Drug Control Act" (Chapter 34 of Title 54.1 of the Code of Virginia, 1950, as amended).
- Any drug, narcotic, or other substance that the use or possession of is prohibited or controlled by federal or state law or regulation.

As a condition of employment each employee shall notify his or her supervisor if arrested for any criminal drug statute violation within one (1) workday after such arrest. Upon subsequent conviction the employee shall also notify the supervisor within one (1) workday.

Additionally, being in possession of or drinking alcoholic beverages in the course of employment, or reporting for work in an intoxicated condition or under the influence of alcohol, are causes for dismissal. For purposes of this policy, "in the course of employment" or "work" refers to normal working hours, including lunch periods, periods between office hours and night meetings of boards and agencies attended by the employee, and in addition includes after hours activities and functions during which an employee is serving in an official capacity as a representative of the County.

The fact of intoxication or degree of influence must be a determination made by the Department Head or supervisor involved. Any employee who is observed by a supervisor to exhibit overt symptoms of the use of alcohol or other prohibited substances shall be required to submit to testing for both alcohol and other prohibited substances.

In furtherance of this policy, any position whose work involves the operation of a County vehicle or vehicular equipment on more than an occasional or intermittent basis in order to carry out County business; any position with direct responsibilities for public safety and health; and any position whose work involves hazardous or potentially hazardous equipment will be entered into a random drug screen pool. This random drug screen pool will be separate from the random drug screen pool as described in Section 13-8 (b)(3). The County Administrator shall designate the

aforementioned positions and may add or delete positions from the list as deemed appropriate. The designated personnel officer shall administer the County's random drug testing program in accordance with applicable federal and state laws and regulations.

Employees who test positive or who refuse to submit to such testing for alcohol or other prohibited substances shall be subject to disciplinary action up to and including dismissal.

b. Commercial Drivers (Covered Employees).

In order to comply with the federal Omnibus Transportation Employees Testing Act of 1991 ("the Act") and maintain a safe workplace free from illegal drug use and the misuse of alcohol, it shall be a condition of employment for those employees of the County who are required, in connection with their employment, to operate a vehicle requiring a commercial driver's license (hereinafter "covered employees"), to submit to periodic breath analysis or urinalysis to test for the use of alcohol or other drugs and controlled substances as set out in this Policy. The County Administrator shall promulgate standard operating procedures to affect the implementation of this policy consistent with the Act.

The unlawful possession or use of alcohol or any controlled substance by any covered employee while operating a vehicle requiring a commercial driver's license, or while performing any "safety sensitive function" with respect to such a vehicle or the use of any substance to a degree to which renders the covered employee incapable of safely operating a motor vehicle, is prohibited.

For purposes of this Policy, the term "controlled substance" means any drug, narcotic, or other substance that the use or possession of is prohibited or controlled by federal or state law or regulation. With respect to drugs, narcotics, and other substances that the use or possession of is not prohibited but is merely controlled by law, the term "controlled substance" shall mean any such drug, narcotic, or other substance which has been used or possessed in violation of such law or regulation. The County Administrator shall designate those controlled substances for which testing will be conducted as mandated or authorized by the Act and by regulations of the United States

Department of Transportation, but at a minimum covered employees shall be tested for amphetamines (including methamphetamines), cocaine, THC (including but not being limited to marijuana and other cannabanoids), opiates, phencyclidine (PCP), or any derivative thereof. All references in this Policy to testing for controlled substances shall mean testing for those substances identified in the preceding sentence and for any other drug or substance designated by the County Administrator.

For purposes of this Policy, a "safety sensitive function" includes being present on County property waiting to be dispatched, inspecting or servicing a vehicle, operating a vehicle, being in or upon a vehicle while the vehicle is being operated, supervising or assisting in the loading or unloading of the vehicle, or repairing or obtaining assistance for or attending a disabled vehicle.

For purposes of this Policy, a covered employee will be deemed to be using alcohol or a controlled substance while driving a vehicle or performing a safety sensitive function if the covered employee partakes of, or ingests, any alcohol or controlled substance during work hours, or if the covered employee performs any such job functions while under the influence of alcohol or any controlled substance.

For purposes of this Policy, a covered employee will be deemed "under the influence of" alcohol if a test conducted pursuant to this Policy reveals that the covered employee's blood alcohol concentration (BAC), expressed in terms of grams of alcohol per 210 liters of breath, is 0.02 or higher, or regardless of the BAC level in the event that the covered employee becomes impaired in their ability to perform a "safety sensitive function" as a result of alcohol use. Moreover, a covered employee will be deemed under the influence of alcohol if the covered employee has consumed alcohol within four hours of operating a vehicle or performing any safety sensitive function. Covered employees discovered to have a BAC level of 0.02 or higher may, if not dismissed, be subjected to the requirements of this Policy for return to duty testing, and follow up testing, and the requirement for counseling as set out in section IV of this Policy. Absent of any observable evidence of impairment,

a BAC level of less than 0.02 shall be considered a negative test for alcohol.

For purposes of this Policy, a covered employee will be deemed "under the influence of" a controlled substance if a urinalysis or other test conducted pursuant to this Policy reveals the presence of any controlled substance. A covered employee will not be deemed under the influence of a controlled substance if the controlled substance is contained in a medication for which the covered employee has been given a prescription by a physician or other person licensed to prescribe drugs or medications, and the covered employee has taken the medication in accordance with the dosage set out in the prescription.

In order to ensure full compliance with this Policy, all covered employees shall be required to submit to periodic testing for the presence of alcohol or controlled substances, by means of breath analysis tests or urinalysis, whenever requested to do so by the County. The refusal by any covered employee to submit to such testing, when requested by a supervisor, is prohibited, and any such refusal shall be treated for all purposes under this policy as a positive test for controlled substances, or a BAC test level of 0.02 or higher, as the case may be. As a result, such refusal may be cause for dismissal. The County, or its agents, will administer such tests routinely or periodically at the following times or upon the occurrence of the following events:

(1) Pre-employment Testing or Transfer within the County to a Safety Sensitive Position: Prior to the first time that any new covered employee performs any job functions, or prior to the time that any current covered employee first performs any safety sensitive functions as a result of a transfer into a position requiring the performance of safety sensitive functions, the covered employee will be tested for alcohol and controlled substances. The County Administrator is authorized to make exceptions for covered employees who have been successfully tested within the previous six months for alcohol or controlled substances by a testing method that conforms to the requirements of the Act.

As part of the job application process, an applicant for a position requiring a

commercial driver's license or the performance of safety sensitive functions will be required to execute appropriate releases and consents allowing the County to obtain from the applicant's previous employers any records pertaining to the applicant's use of alcohol or controlled substances within the previous two years, including records of test results showing a BAC level of 0.02 or greater, or showing the presence of any controlled substance, or indicating that the applicant has refused to be tested.

(2) Post-Accident Testing: Following an accident involving a vehicle, the County will test any covered employee who receives a traffic citation for a moving traffic violation arising from the accident, or in the event the accident results in a loss of life, will also test any covered employee who was performing a safety sensitive function with respect to the vehicle at the time of the accident.

Any covered employee subject to being tested following an accident shall remain available for such testing for a period of up to eight hours following the accident, or until such testing has been performed, or the covered employee has refused to consent to being tested.

For purposes of this paragraph, an "accident" is any use of a vehicle which results in personal injury or property damage.

(3) Random Testing: The County will conduct random unannounced testing of all covered employees, at such times as deemed appropriate. No covered employee will be removed from the random sampling pool for any period of time by virtue of having been required at any time to submit to random testing. The selection of covered employees to be tested randomly shall be based on a scientifically valid method for random selection, as permitted by the Act or procedures thereunder. Any covered employee notified of selection for random testing shall proceed immediately (or as soon thereafter as possible) to the testing site.

(4) Reasonable Suspicion Testing: The County may test any covered employee who exhibits behavior which gives rise to a reasonable suspicion on the part of the employee's supervisor

that the covered employee has violated the prohibitions of this Policy with respect to alcohol or controlled substances. In the absence of any testing, a covered employee whose conduct gives rise to a reasonable suspicion of impairment from alcohol or controlled substances shall perform no safety sensitive functions with respect to any vehicle until at least 24 hours have elapsed, or an alcohol test reveals a BAC level of less than 0.02 and the covered employee evidences no impairment as a result of alcohol or controlled substance use, whichever first occurs.

(5) Return to Duty Testing: Any covered employee who has violated the provisions of this Section shall be tested for the presence of alcohol or controlled substances, as the case may be, before being allowed to operate a vehicle or perform any safety sensitive function. In the case of a violation of a prohibition related to alcohol, the return to duty test for alcohol must reveal a BAC of less than 0.02 and the covered employee must evidence no impairment in his or her ability to perform safety sensitive functions as a result of alcohol use.

(6) Follow-Up Testing: In the event of a determination that a covered employee is in need of counseling or other assistance to resolve problems related to the abuse or misuse of alcohol or controlled substances, the covered employee shall submit to periodic testing as determined by the counselor, but in any case not less than six (6) tests in the first twelve months following the covered employee's return to duty.

Referral To Counseling. Before any covered employee who violates any prohibitions set out in this Section is allowed to return to employment with the County the covered employee shall be evaluated by a substance abuse professional to determine what assistance, if any, is needed to assist the covered employee in resolving problems associated with abuse of alcohol or controlled substances. The County Administrator or designee shall assist the covered employee in locating a suitable substance abuse professional, and shall advise the covered employee of any resources available to resolve such issues. It shall be the responsibility of the covered employee to pay for any costs associated with the evaluation, or any recommended counseling or treatment. It shall be a

condition for continued employment that the covered employee shall successfully comply with all recommendations for counseling or treatment recommended by the substance abuse professional. Any such counseling or treatment program shall include follow-up testing as provided above. Nothing in this paragraph shall obligate the County to offer continued employment to any covered employee who violates any of the prohibitions of this Section.

Testing Procedures, Record Retention, and Confidentiality. The County Administrator shall promulgate procedures to ensure that all testing, record keeping and retention, and confidentiality of records, shall comply with the Act and the regulations of the Federal Department of Transportation promulgated thereunder as they may be amended from time to time.

Penalties For Violations. Covered employees may be disciplined by the County for any violation of this Section, including without limitation the use or possession of alcohol or controlled substances on the job, the performance of safety sensitive functions or other job duties while under the influence of alcohol or controlled substances, the refusal to be tested in accordance with this Section, the refusal to execute a release form as required by this Section, or the refusal to comply with treatment or counseling as recommended by a substance abuse professional. All of the incidences cited above are cause for dismissal.

Though paragraph (b) pertains to covered employees who must possess a Commercial Driver's License in order to perform their job duties or who are employed in related safety sensitive positions, it neither adds to nor detracts from paragraph (a) of this section which addresses the use of alcohol and controlled substances regardless of Commercial Driver's License or safety sensitive status.

Section 13-9: Harassment

a. Policy Statement: Employees shall be treated with respect and courtesy. Abusing the dignity of others through derogatory or objectionable conduct will not be tolerated and is cause for disciplinary action. The County does not tolerate sexual or other types of harassment of its employees and will promptly initiate an investigation whenever a complaint is brought to the attention of

management. Any employee who perceives the conduct of co-workers, supervisors, visitors, contractors, volunteers, customers and others entering the workplace to be harassing are expected to immediately inform the individual(s) that the conduct is unwelcomed and make a report through the complaint procedure outlined in this section.

b. Sexual Harassment: Sexual harassment is an infringement of an employee's right to work in an environment free from sexual pressure of any kind. The determining factor as to whether or not an action or remark is offensive is if the recipient deems it to be so and if a reasonable person in similar circumstances would find it offensive.

(1) Sexual harassment may consist of unwanted advances, requests for sexual favors, or other verbal/nonverbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of employment; using the submission to or rejection of, such conduct as the basis for decisions affecting the individual; or conduct which has the purpose or effect of unreasonably interfering with the individual's work, performance, or full participation in the benefits of employment, or creates an intimidating, hostile, or offensive environment for work.

(2) Sexual harassment may take many forms and includes physical assault, subtle or overt pressure or direct requests for sexual favors, inappropriate display of sexually suggestive objects or pictures, a pattern of unwelcomed and unwanted conduct that would be offensive to a reasonable person including unnecessary touching, using sexually abusive language or gestures (including remarks about a person's clothing, body, or body movements, or sexual activities) and teasing and joking of a sexual nature.

c. Enforcement: Enforcement of this policy is the responsibility of all employees.

(1) Department Heads are to advise all employees that County policy prohibits all types of harassment and that complaints of such harassment should be brought to the attention of management. Department Heads must also advise all employees of this policy and the means by which complaints can be filed and resolved.

(2) Department Heads are also to brief all supervisors on the problems of sexual harassment and their duty to take timely corrective action when they believe that such problems exist.

(3) Prior to the initiation of an investigation and the imposition of remedial/disciplinary actions, the Department Head shall notify the designated personnel officer that a complaint has been received. The designated personnel officer will assist with the investigation of violations of this policy and handling any follow up necessary to ensure compliance.

(4) Employees must report any known or suspected violations of this policy.

(5) Impeding an investigation or otherwise covering up a violation is prohibited conduct. Any employee who willfully fails or refuses to cooperate with the investigation of a harassment complaint shall also be the subject of a disciplinary action.

(6) Employees bringing complaints or identifying potential violations, or witnesses interviewed during the investigation will be protected from retaliatory acts.

(7) If a violation by a County employee is found, remedial/disciplinary action will be imposed on the offending employee(s).

d. Complaint Procedure: Employees must initiate a complaint on any matter that is believed to be in violation of this policy.

(1) Employees may report a violation or bring a complaint in person, by phone, or in writing. Any employee found, on investigation, to have brought a complaint in bad faith shall be subject to disciplinary action.

(2) Employees may complain to their immediate supervisor, or in the event the immediate supervisor is the source of the complaint, to the next supervisor in the organizational chain of command. If preferred, employees may go outside the chain of command and complain to the designated personnel officer or any Department Head.

(3) If the complaint is brought anonymously, the County will have the matter investigated but may be limited in its ability to investigate the matter fully.

(4) The County reserves the right to have the matter investigated by persons external to the organization. Investigations and Confidentiality of Information: Complaints will be investigated promptly. Although absolute confidentiality cannot be legally guaranteed, to the extent possible, the complaint and information from witnesses will be kept confidential and the complainant and witnesses will be protected from retaliatory action by a harasser.

(5) All employees are charged with maintaining confidentiality of information.

(6) If the complainant has not already confronted the accused, and name of the complainant must be revealed to the accused, the complainant will be informed prior to that communication.

(7) State and Federal law may require disclosure of information in certain circumstances.

(8) In the event that the County Administrator, or any elected official of the County, is the subject of the complaint, the investigating official shall be the Commonwealth's Attorney. The Commonwealth's Attorney shall provide a written report to the appropriate body or official authorized to discipline the offender and/or correct the behavior and/or take such other steps as the Commonwealth's Attorney deems necessary.

e. **Rights of the Accused:** An employee accused of violating this policy will be fully informed of the allegations and will be able to offer to management an explanation or defense to the charges prior to any report being prepared. If a violation should be found, the accused employee will be provided an opportunity to respond to the charges prior to the imposition of remedial/disciplinary action.

f. **Retaliation Prohibited:** Retaliation for reporting harassment is illegal and is contrary to this policy. Retaliation embraces more than just economic harm; it includes words and actions that are intimidating or hostile.

(1) If any employee who has made a complaint or has participated in an investigation believes they are being retaliated against for doing so, they should report it to their

immediate supervisor, or in the event the immediate supervisor is the source of the complaint, to the next supervisor in the organizational chain of command. If preferred, employees may go outside the chain of command and complain to the designated personnel officer or any Department Head.

(2) Those who are found to be acting in a retaliatory fashion will be disciplined for such conduct.

g. Remedial Action: Appropriate disciplinary action will be taken against those who violate this policy. Such discipline will be consistent with the County's disciplinary policies. Remedial actions may also include participation in further training or counseling. Interim actions may be taken when there is a reasonable belief that the employee involved in the complaint may be adversely affected by the status quo. Interim actions may include, but are not limited to, internal transfers or the placement of the accused on leave until such time as the investigation is concluded.

h. Questions: The designated personnel officer is available to discuss any concerns of employees or questions arising under this policy.

i. Application and Distribution: This harassment policy shall apply to all officers and employees of the County including all those in the classified and unclassified service. A copy of this policy shall be distributed to all present employees of the County. Each such employee shall acknowledge his or her receipt in writing and such acknowledgement shall be kept on file. New employees of the County shall be furnished with a copy of this policy at the time of hire and they shall provide written acknowledgement of the receipt of same.

Section 13-9.1: Workplace Violence Prevention Policy

The County strives to maintain a safe and secure workplace. Accordingly, the County does not tolerate any acts or threats of violence in the workplace, whether involving a friend, acquaintance, stranger or family member. The County will not tolerate any acts or threats of

stalking or domestic violence against any employee while on County property or while conducting the County's business. Employees who threaten, harass, or abuse anyone either at the workplace, or away from the workplace, while conducting the County's business and/or using any of the County's property, such as computers, telephones, facsimile machines, mail, vehicles, or other means, may be subject to disciplinary action up to and including discharge.

Employees who become aware of threats or acts of stalking or domestic violence that may occur or have occurred in the workplace must immediately inform their Department Head. In addition, employees with stalking or domestic violence Protective Orders must provide their Department Head with a copy of the Order. In response to possible threats, the Department Head will confer with the designated personnel office, and others as needed, to undertake an assessment of the risk and implement a safety response plan specific to the circumstances of the threat, implementing security options to minimize the risk. This plan will take into consideration the needs and rights of the targeted employee and others in the workplace, maintaining confidentiality when to do so would not interfere with safety needs.

Section 13-9.2: Safety Policy

It is the policy of the County to maintain a work place that is both safe and healthful for employees. Prevention of occupational-induced injuries and illnesses is of such consequence that it shall be given precedence over operating productivity, whenever necessary. No employee shall be required to work at a task that is not safe or healthful. Employees shall inform their supervisor immediately of any unsafe or unhealthful situation they encounter. It is the responsibility of every employee at every level of the organization to cooperate with others in detecting hazards and, in turn, controlling them.

Section 13-10: Americans with Disabilities Act

Procedures for filing complaints alleging discrimination on the basis of disability in the provision of County services are as follows:

a. The ~~County Administrator~~ **Human Resources Manager** is hereby designated as the County's Americans with Disabilities Act Coordinator (ADA Coordinator). The office address is 180 Horse Landing Road, King William, Virginia 23086, and the telephone number is (804) 769-4927. The ADA Coordinator shall be responsible for coordinating the County's efforts to comply with 28 C.F.R. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services.

b. It is the policy of the County to comply fully with the requirements of the ADA applicable to local governments and that no qualified individual with a disability as defined in the ADA shall, on the basis of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of the County, or be subjected to discrimination by the County.

c. This procedure is adopted pursuant to the requirements of 28 C.F.R. Section 35.107(b), and is intended to provide for prompt and equitable resolution of complaints alleging any action by the County that is prohibited by the ADA.

d. Persons who wish to complain of a perceived violation of any provision of the ADA are encouraged to contact the ADA Coordinator. The ADA Coordinator shall promptly investigate the complaint, and attempt to resolve it to the satisfaction of the complainant if determined to be well founded.

e. If the ADA Coordinator is not able to resolve a complaint to the satisfaction of the complainant, the complainant may submit to the County Administrator a signed written complaint, containing the complainant's name and address and a description of the alleged discriminatory action in sufficient detail to describe the date and nature of the alleged violation.

f. The County Administrator shall promptly investigate any written complaint, and, if unable to resolve the complaint to the complainant's satisfaction, shall schedule a meeting with the complainant within fifteen (15) days of receiving the complaint, at which meeting the complainant shall be accorded the opportunity to present evidence as to the nature of the complaint. A record

of such meeting shall be maintained, and the County Administrator shall provide the complainant with a written response to the complaint within seven (7) days of the meeting. This response shall be final, but shall not impair the complainant's right to pursue other remedies, State or Federal.

Section 13-11: Use of Tobacco Products in Public Facilities and Vehicles

Smoking or use of tobacco products is not allowed in County owned or leased offices, buildings, or vehicles with the exception of the Courthouse facilities. The Courthouse comes under the auspices of the Judge of the Circuit Court who establishes the smoking/tobacco use policy within the Courthouse. Tobacco products include but are not limited to cigarettes, cigars, e- cigarettes (vape pens), pipes, chewing tobacco and snuff.

Persons less than eighteen years of age are strictly prohibited from using or possessing tobacco products while at work or on County premises.

Section 13-12: Political Activity

Every County employee is entitled to exercise the right to vote and may join or affiliate with civic organizations of a partisan or political nature, attend political meetings, advocate and support the principles and policies of civic or political organizations in accordance with Federal, State, and local laws.

No employee, may (1) engage in any political campaigning or electioneering while on duty; (2) be required to contribute to, solicit for, or act as a custodian of funds for political purposes; (3) be coerced or compelled to contribute by any other employee of the County for political purposes; or (4) use any County supplies, materials, equipment or facilities for political purposes or to aid a political candidate, party or cause.

Section 13-13: Gifts and Gratuities

An employee is subject to disciplinary action if the employee accepts gifts or gratuities of value from any individual, organization or business concern with which they have official relationships in the business of County government. The provisions of the Virginia Conflict of

Interest Act govern the acceptance of gifts and gratuities and County employees should familiarize themselves with the provisions of that Act. County related business trips paid for by others must receive prior approval of the Board of Supervisors. Although certain courtesy gifts of nominal value may be accepted under law, as a general rule employee should discourage any gifts whenever possible.

Section 13-14: Outside Employment

A full-time position with King William County is considered to be the employee's primary occupation. Employees may not engage in other employment which presents a conflict of interest with their County position and/or which interferes with and detracts from the efficient and effective performance of their duties with the County. County employees should notify their department head if they are currently engaged or plan to become engaged in other or secondary employment as a courtesy. At no time should the secondary employment impact the employee's primary occupation with the County.

Section 13-15: Employment of Immediate Family Members/Nepotism

It shall be the policy of the County to avoid relationships by blood or marriage among employees in positions which require a supervisory link in the organizational chain. Employment of immediate family members in the same department or division where the relationship, influence or physical location could create conflicts, difficulties or a supervisor - subordinate situation is prohibited. Any employment of immediate family members in the same department is subject to review and prior approval of the County Administrator.

Immediate family members are defined as: spouse, parent, guardian, brother, sister, son, daughter, aunt, uncle, grandparent, grandchild, or any of these as a relationship in-law or as a step relation.

This policy pertains to new hires, promotions, demotions, transfers and reinstatements.

Section 13-16: Reference Inquiries

Inquiries regarding employment reference checks, whether written or telephonic, are referred to the designated personnel office for response. It is the policy of the County to release only information which is in the public domain, i.e, classification title, salary, and dates of employment. Reasons for termination, and references as to character and performance are not to be released without written authorization from the subject of the information. Referring inquiries to the designated personnel officer assures proper application of policy in these matters and is recommended.

Section 13-17: Open Door Policy

Employees have the opportunity to use the organization's "chain of command" whenever they desire to raise job related concerns to higher levels of supervision. The issue must first be discussed with the immediate supervisor. If the issue cannot be resolved, the employee has the right to discuss the concern with the next level of supervision. Until a resolution can be found, the employee may continue up the organizational chain, talking eventually with the Department Head, and finally the County Administrator. No adverse effect on the employee shall result from the use of this prerogative. If the employee has filed a formal grievance, this process is not available and the use of this process shall not toll the time periods within which a grievance must be filed.

Normally, both the employee and a supervisor will be present when discussing the issue with a higher level of supervision or management. If the job-related issue happens to involve the actual person in the employee's chain of command, the employee has the right after attempting to resolve the issue with the supervisor involved, to seek a solution through the organizational command.

Section 13-18: Confidential Information

An employee may not make use of or permit others to make use of confidential information acquired by virtue of employment with the County for the purpose of furthering the employee's or another's private interest. To do so is grounds for dismissal.

Section 13-19: Travel and Expense Reimbursement Policy

Travel funds, when approved in the annual budget, are provided for employees who travel on official County business. The County Administrator approves such travel for Department Heads. Constitutional Offices may elect to deviate from this section in the use of personal vehicles versus County fleet vehicles and reimbursement rates for their employees. Department Heads are delegated the authority to approve travel for assigned employees. While specific determinations will be made by the applicable approving authority, expenditures to be paid for by the County shall be in connection with travel or official business to an area where the employee incurs costs that he or she would not normally incur had the travel or business not taken place. There will be no travel advances unless unusual circumstances exist and such advances are approved, prior to being made, by the County Administrator.

Other business-related expenses may be reimbursed with the approval of the Department Head or County Administrator as appropriate.

Requests for reimbursements for expenses are made on a voucher which itemizes all expenses and includes all appropriate receipts. The voucher is submitted as soon as practical but no later than thirty (30) days after completion of the travel. Reimbursement for such expenses will normally be made within two (2) weeks of submission of the voucher. The employee certifies to the accuracy of the expenses by submission of the voucher. The Finance Office validates travel vouchers and establishes internal procedures to assure proper accounting and control of reimbursement payments.

The County maintains a fleet available for travel for County employees. When traveling, the employee must first attempt to obtain a fleet vehicle. If no fleet vehicle is available then the employee may elect to drive their personal vehicle. If an employee elects to drive their personal vehicle when a fleet vehicle is available the County will reimburse at the lower rate of \$0.246 per mile. Reimbursement for mileage will be calculated from the employee's routine place of business to the destination using a site such as MapQuest or Google Maps, whichever reflects the lower mileage.

https://www.doa.virginia.gov/reference/CAPP/CAPP_Topics_Cardinal/20335-2019-July.pdf

Section 13-20: Membership in Professional Organizations

When approved by the County Administrator or Department Head, as appropriate, and subject to budget constraints, the County will pay the professional dues for membership in job-related associations, travel expenses, and registration fees required for attendance at annual meetings, training sessions or similar gatherings of appropriate professional associations.

Section 13-21: Personal Appearance

A neat professional appearance – business casual - is a requirement of employment and it is expected that all employees will exercise good judgment and dress appropriately for their jobs. Department Heads are responsible for compliance within their departments.

Section 13-22: Solicitations

The solicitation of County employees on County property other than for participation in bona fide benefit programs offered by the employer or when specifically, authorized by the County Administrator is prohibited.

Section 13-23: Special Licensing Requirements

When required as a condition of employment, any licenses or certifications required for County positions are identified as a licensing requirement of work in the official position classification description.

Section 13-24: Weapons Possession

Other than the Sheriff, Sheriff's deputies and officers, Animal Control Officers, and any other County employee whose official job description requires that a weapon be carried, no County employee shall carry about his or her person any weapon during work hours or while on County property, unless the carrying of such weapon is approved in writing by the County Administrator. In addition, other than the aforementioned positions, no employee shall store any weapons on County property including weapons stored in private vehicles, unless such storage is specifically authorized by state law or is approved in writing by the County Administrator.

The term weapon shall include, but not be limited to, the following: (a) any pistol, revolver, rifle, shotgun, or other weapon designed or intended to propel a missile of any kind, or (b) dirk, bowie knife, switchblade knife, ballistic knife, slingshot, spring stick, metal knucks, blackjack, or (c) any flailing instrument consisting of two (2) or more rigid parts connected in such a manner as to allow them to spring freely, which instrument may also be known as a nunchuck, nunchucks, nunchalcu, shuriken or fighting chains or (d) any disc, of whatever configuration, having at least two (2) points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or (e) any weapon of like kind as those enumerated.

Section 13-25: Use of County Vehicles

County vehicles are provided for the use by employees and authorized volunteers in conducting official business of the County. Personal use of County vehicles is prohibited. Certain employees are required or allowed to take a County vehicle home at night, as they are required to respond to the needs of the County outside of normal business hours. Take home vehicles must be approved by the County Administrator who shall maintain a current record of all authorized take home vehicles. Take home vehicles are not to be driven to secondary employment.

Operators of County vehicles should practice “defensive driving” and anticipate and observe the actions of other drivers and control their own vehicle in such a manner so as to avoid an accident. Operators of County vehicles and all passengers therein shall properly use seatbelts at all times. Injury resulting from a failure to wear seatbelts may constitute gross negligence on the part of the individual and upon case review may jeopardize an employee’s eligibility for relief normally provided under the worker’s compensation or disability claims. Smoking is not permitted in County vehicles.

Section 13-26: Bidding to Purchase County Property

No County employee or member of his/her immediate family shall be eligible to bid to purchase any County property at County sponsored auctions. For the purpose of this policy, a member of the immediate family shall be defined as any person who is a natural or legally defined offspring, spouse, or parent of the employee.

Section 13-27: Electronic Communication and Social Media

It is the policy of the County to ensure the appropriate, responsible, and safe use of electronic communications and social media by employees. This policy establishes minimum standards for all County employees.

Employee Responsibilities and Requirements

A. Business Use

County provided electronic communications tools are the property of King William County and are provided to facilitate the effective and efficient conduct of governmental business. Users are permitted access to the Internet and electronic communications tools to assist in the performance of their jobs. Some users may also be permitted to access and use social media to conduct County business.

B. Personal Use

Personal use means use that it is not job-related. In general, incidental and occasional personal use of King William County's electronic communications tools including the Internet is permitted as long as the personal use does not interfere with the user's productivity or work performance, does not interfere with any other employee's productivity or work performance, and does not adversely affect the efficient operation of the County's systems and networks. Personal use of social media that refers to any aspect of the work environment should be done in a responsible and professional manner. **All personnel are advised that content posted, on-duty or off-duty, on social media pursuant to their official duties is not protected by the First Amendment and may result in disciplinary action up to and including termination.**

C. User Requirements

1. General Requirements

When using electronic communications tools and social media, users should:

- Be responsible and professional in their activities. Employees should conduct themselves in a manner that supports the County's mission and the performance of their duties.
- Exercise the appropriate care to protect the County's electronic communications tools against the introduction of viruses, spyware, malware, or other harmful attacks. When using the County's electronic communications tools, social media or Internet access, employees must:
 - Use the Internet, electronic communications tools and social media only in accordance with County policy;
 - Maintain the conditions of security (including safeguarding of passwords) under

which they are granted access to such media;

- Check with the appropriate County or contracted staff prior to downloading or accessing a file or document if the source of the file or other circumstances raises doubts about its safety.
- Be respectful of the County, other employees, customers, vendors, and others when posting and communicating information. Users should be sensitive to referring to or including others in their communications and posts and should be aware of any associated potential liabilities. Users may desire to obtain consent prior to communicating or posting information about the work place.

2. Business Use Requirements

When using electronic communications tools and social media, users should:

- Use their accurate identities and state their affiliation when using electronic communications or social media for business purposes.
- Ensure the security of sensitive or confidential information when communicating electronically or posting the information on internal or external websites including social media.
- Ensure information is accurate prior to posting on social media sites, County websites, or other electronic media sites. If it is discovered that information is inaccurate after posting, users should work to quickly correct the errors.

3. Personal Use Requirements

Personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships in the community, impede performance of duties, or negatively affect the public perception of King William

County personnel. When using electronic communications and social media, users should:

- Be clear that their communication or posting is personal and is not a communication of the County when using electronic communications or social media for personal use, including personal use of social media outside of the work environment. For example:

- Users should use their personal email addresses and not those related to their positions with the County when communicating or posting information for personal use.
- Users may use a disclaimer when posting opinions or views for personal use such as, “The views expressed on this (website, blog, social media site) are my own and do not reflect the views of my employer King William County.” when appropriate to ensure these views are not viewed as official County communications.

D. Prohibited Activities

Certain activities are prohibited when using the County’s Internet and electronic communications media or using social media in reference to the work environment. Employees who engage in prohibited activities may be subject to disciplinary action according to Section 10-3: Reasons for Disciplinary Measures. Investigative activities performed by personnel within the Sheriff’s Office, Commonwealth’s Attorney Office, Clerk of the Courts, Commissioner of Revenue’s Office, Treasurer’s Office and General Registrar Office are excluded from this section.

Prohibited activities include, but are not limited to:

- Any use that is in violation of applicable local, state, and federal law.
- Accessing, uploading, downloading, transmitting, printing, posting, or storing

information with sexually explicit content as prohibited by law (see Code of Virginia §2.2-2827).

- Accessing, uploading, downloading, transmitting, printing, posting, or storing fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images.
- Accessing, uploading, downloading, transmitting, printing, communicating, or posting access-restricted County information, proprietary County information, sensitive data or records, or copyrighted materials.
- Using proprietary County information, data or records, and social media to locate customers for personal reasons.
- Posting information or sending electronic communications such as email using another's identity.
- Permitting a non-user to use for purposes of communicating the message of some third-party individual or organization.
- Posting photos, videos, or audio recordings taken in the work environment without written consent.
- Using County logos without written consent.
- Texting, emailing, or using hand-held electronic communications devices while operating a County vehicle.

County Responsibilities and Requirements

King William County has the following responsibilities and requirements related to this policy.

A. Monitor Usage

No user shall have any expectation of privacy in any message, file, image or data created, sent, retrieved, received, or posted in the use of the County's equipment and/or access.

King William County has a right to monitor any and all aspects of electronic

communications and social media usage. Such monitoring may occur at any time, without notice, and without the user's permission. In addition, except for exemptions under the Act, electronic records may be subject to the Freedom of Information Act (FOIA) and, therefore, available for public distribution.

Constitutional Offices are exempt from the requirement of County monitoring of usage. It is the responsibility of the Constitutional Officer to monitor the usage of employees within their own offices. In addition, requests for information to Constitutional Offices under the Freedom of Information Act (FOIA) must be submitted directly to the Constitutional Officer or their designated contact.

B. Communication

King William County is responsible for ensuring employees have access to, read, understand, and acknowledge this policy and any related policies. With regard to use of electronic communications and social media, King William County is responsible for:

- Communicating this policy to current and new users.
- Retaining electronic records in accordance with the retention requirements of the Library of Virginia.

C. Address Violations

Violations of this policy must be addressed under Section 10-3, Reason for Disciplinary Measures. The appropriate level of disciplinary action will be determined on a case-by-case basis by the County Administrator or Department Head, with sanctions up to or including termination depending on the severity of the offense, consistent with Chapter 10: Disciplinary Policy.

AGENDA ITEM 4.j.
Documents will
be provided
at meeting

AGENDA ITEM 4.k.
No materials provided

AGENDA ITEM 5.
Board of Supervisor
Requests