



Personnel Policy **MANUAL**



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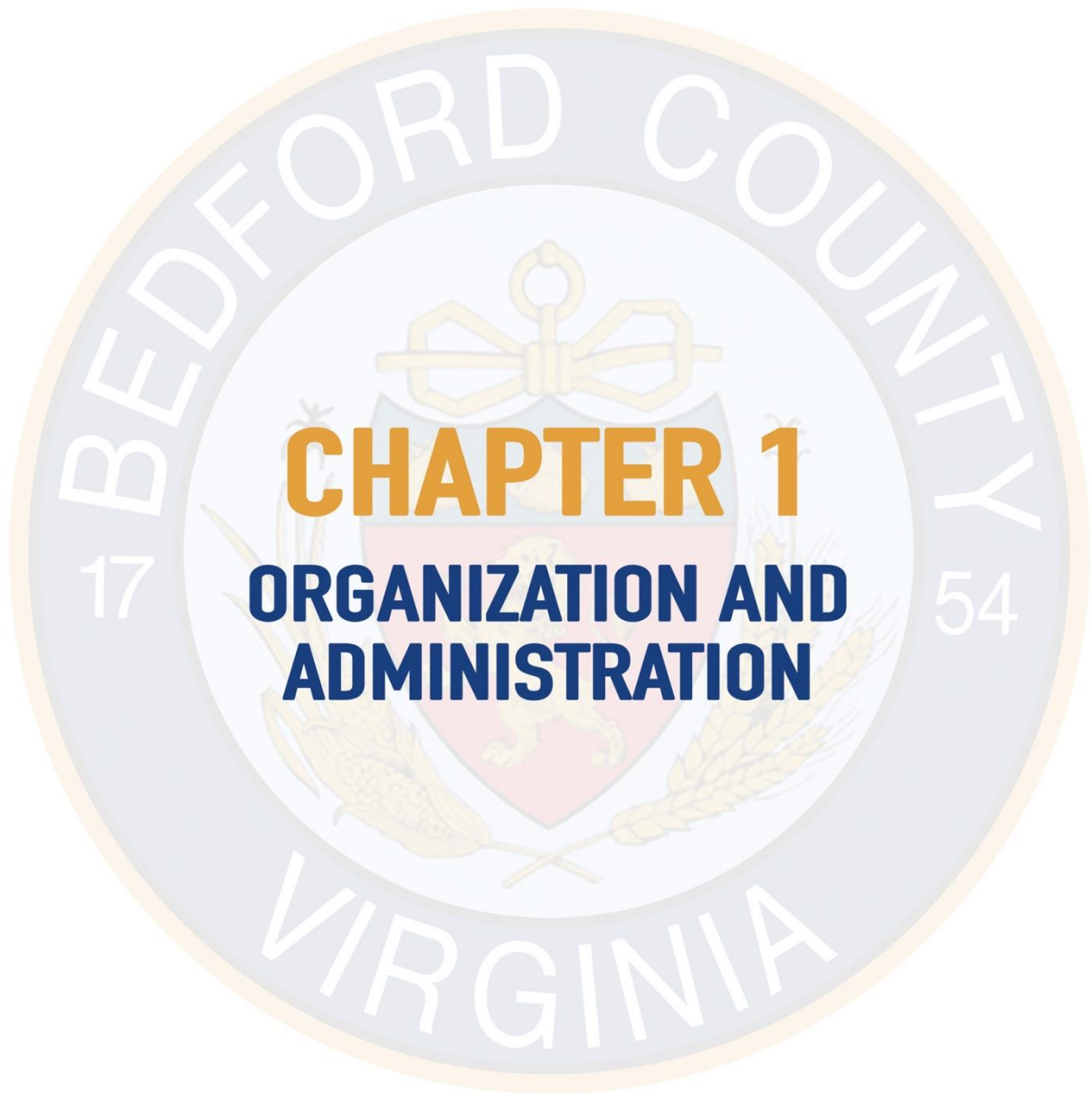
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Revised August 1, 2024



CHAPTER 1

ORGANIZATION AND ADMINISTRATION

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1-1 Adoption of Personnel Policies

The following is the Personnel Policy Manual for Bedford County, Virginia, and originally adopted August 1, 1989. It is subject to subsequent amendments as necessary. This manual supersedes all previous manuals.

These rules and regulations are established under authority of Section 15.2-1506, Code of Virginia, 1950. The policies and procedures outlined herein shall apply to all personnel employed by Bedford County, exclusively within the various departments and offices named in the official County organizational chart. The policies and procedures shall also apply to employees of Constitutional Officers and General Registrar, in which the Constitutional Officers and the Electoral Board have agreed to in writing. This includes employees of the Clerk of the Court, Commissioner of the Revenue, Commonwealth Attorney, General Registrar, Sheriff, and the Treasurer. Employees of the Constitutional Officers and General Registrar will be excluded from the Grievance Procedure. Constitutional Officers and the General Registrar retain the right to their own hiring practices and terminations. These policies and procedures shall not apply to employees of any other political subdivision, board, authority, commission, or other agency of or associated with the County government, without specific action by the appropriate official or respective board to adopt the same. If any office or agency of Bedford County not under the Board of Supervisors adopts these policies and procedures, the board and/or official involved shall exercise the authority assigned herein to the Board of Supervisors and the County Administrator, respectively, unless otherwise specified.

Mission Statement: Bedford County government delivers high quality services to meet the needs of all residents, while supporting and protecting their individual freedoms and liberties.

Vision Statement: To be a vibrant, healthy and destination community for individuals, residents and businesses that includes opportunities for economic growth, protection of natural resources and agricultural character, reliable infrastructure, and fiscally responsible governance.

1-2 General Policy

It is the fundamental policy of Bedford County that a fair and uniform personnel management system be established for its employees to ensure the most effective provision of services to the citizens of the community. Therefore, it shall be the policy of the County that:

- A. Employment shall be based on merit and ability without regard to identification or membership in any protected class under Virginia state or federal law (see Section 2-1).
- B. Equitable incentives and conditions of employment shall be established and maintained.

- C. Compensation shall be reflective of the essential duties of the position. An employee's performance shall be the major factor in justifying salary adjustments and increases.
- D. Employees are expected to be productive and to demonstrate a considerate and friendly attitude towards persons with whom they encounter during the course of their work.
- E. Employees shall adhere to the policies and procedures required of them and shall endeavor to serve citizens and taxpayers to the best of their ability.

The County retains the sole right to exercise all managerial functions including, but not limited to, these rights:

- A. To direct the work force.
- B. To assign, reassign, supervise, discipline, and terminate employees.
- C. To transfer or reassign duties as necessary to provide services to the citizen.
- D. To establish, change, alter, or delete policies as may be deemed necessary to achieve its goals.
- E. To alter the organization and structure of the County within the Virginia statutory requirements at will as deemed necessary.

1-3 Purpose and Scope of Manual

This manual is intended to serve as a source of information regarding employment with Bedford County. It answers many questions most frequently asked by employees. If further information or advice about matters covered in this manual is needed, please contact your supervisor, department head, or Human Resources.

The policies and procedures contained in this manual are internal guidelines, which do not create contractual rights and should not be interpreted to constitute binding contractual obligations. The County reserves the right, in its sole judgment, to modify, amend, or rescind the provisions of this manual.

Much of the information contained in this manual is drawn from relevant laws, regulations, and policies. Should there be a conflict between any statement, fact or figure presented here, and the current laws, regulations and policies, the latter takes precedence. This manual is not intended to alter the employment-at-will relationship in any way.

Employees have a responsibility to keep themselves informed of updates and revisions to the County policy. Department heads are also responsible for maintaining a current manual within their department, which shall be available to all employees upon request.

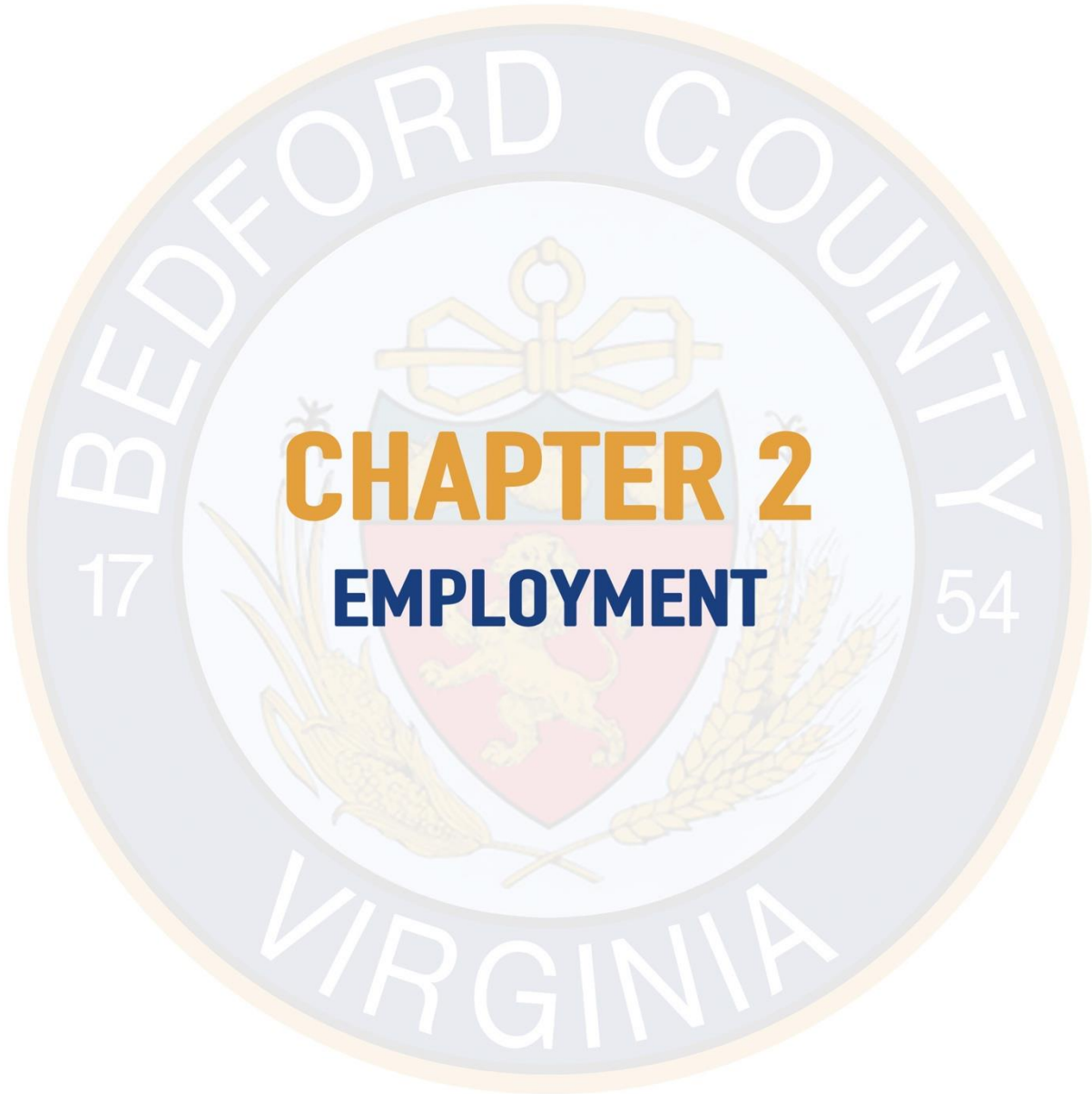
1-4 County Administration

The Code of Virginia and the Code for the County of Bedford establishes the powers of the Bedford County government. These powers are vested in a Board of Supervisors consisting of seven (7) members, one from each of the County's seven voting districts. The qualified voters of the respective districts elect members of the Board of Supervisors for a term of four years. These terms are staggered. The Bedford County Board of Supervisors is responsible for all policy matters, allocation and expenditure of funds and contract execution.

The County Administrator is a full-time official appointed by the Board of Supervisors. Board resolution and official Board action specify the duties of this position, which include, acting as the administrative head of the government, preparing the County's annual budget, and executing resolutions and orders of the Board. The Board of Supervisors delegates to the County Administrator authority in selection, hiring, and termination of all other County employees with the exception of the County Attorney. While the actual selection and appointment responsibility is assigned to the County Administrator, the County Board of Supervisors, under Virginia Statutes, retains ultimate authority for all personnel under its auspices.

For the purposes of this manual, the term "County Administration" will be used and includes the County Administrator, Deputy County Administrator, and Assistant County Administrator.

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CHAPTER 2

EMPLOYMENT

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2-1 Equal Employment Opportunity

Bedford County shall promote and afford equal treatment and service to all citizens, shall ensure that all applicants and employees are given equal employment opportunity, and shall not discriminate on the basis of identification or membership within any protected class under Virginia state or federal law, as from time to time amended, and expressly incorporated by reference herein (see links provided — hard copies of said policies are available upon request).

<https://www.eeoc.gov/know-your-rights-workplace-discrimination-illegal>

<https://law.lis.virginia.gov/vacode/title2.2/chapter39/section2.2-3905/>

<https://law.lis.virginia.gov/vacode/title2.2/chapter39/section2.2-3909/>

2-2 Open Door Policy

Bedford County practices an open-door policy in which any employee who wishes to meet with the County Administrator, Deputy County Administrator, Assistant County Administrator, or the Human Resources Director can do so by setting an appointment through his/her respective department head or through the County Administration support staff. Although there is an open-door policy, employees are strongly encouraged to resolve any issues directly with the parties involved. If the parties involved are unable to reach an agreement, the issue should be brought to the attention of their supervisor.

2-3 Application Process

The Human Resources Department will administer and coordinate the hiring process for all position vacancies. All hiring processes will be conducted in a fair and equitable manner. All departments announcing position vacancies will adhere to the procedures outlined below.

2-3.1 Recruitment

- A. The Human Resources Department will be notified immediately by the respective department head or internal hiring manager of any position vacancies.
- B. The department may be asked to assist the Human Resources Department, as necessary, in formulating the job announcement and advertisements.
- C. The Human Resources Department will post job openings on the County website and through other recruitment websites and social media platforms. When qualified applicants are available internally the County will consider filling job openings by

promoting from within and may decide to post internally rather than recruiting individuals not employed with the County. Job announcements may also be distributed to area Virginia Employment Commission offices, local governments and educational institutions.

- D. Advertisements for local newspapers, trade publications, and professional websites will be developed and may be placed by the Human Resources Department with assistance provided by the department.
- E. Applications shall be submitted to the Human Resources Department using the County employment application. A resume will not substitute for the County application form. The County will accept applications for employment only for specific positions in which openings exist. Internal candidates interested in applying for another position within the County should follow these same procedures.
- F. No applications for a position are accepted after close of business on the published closing date. If time is a factor, a resume will hold an application slot open for five (5) working days after the closing date. If there are not sufficient qualified candidates at the closing date, the position can be re-opened and re-advertised.
- G. Copies of all applications meeting the minimum qualifications will be submitted to the department for review and comment.
- H. Applicants may be disqualified when any of the following factors exist:
 - 1. They do not possess the necessary qualifications for the job.
 - 2. They have demonstrated an unsatisfactory employment record or personal record as evidenced by information contained on the application form or by the results of a reference check or background check.
 - 3. They have made false statements of any material facts or were deceptive on their application.
 - 4. They are physically, mentally, or otherwise unable to perform the essential job functions of the position with reasonable accommodation.
 - 5. The applicant does not meet the legal minimum age limits or work status prescribed by law.
 - 6. They were deemed ineligible for rehire as a previous County employee.

- I. Bedford County endeavors to employ the best qualified candidate for each position. Each applicant must complete the application process as set forth in Section 2-3. Applicants may be subject to various pre-employment checks and tests to determine suitability for the position based on the essential duties of the position. Applicants must sign a release for a background check as part of the hiring process. All applicants are required to meet the minimum standards of requirements for the position as set forth in the job description.

2-3.2 Interview Process

An employment interview is part of the selection process. The primary function of the interview is to obtain data on certain knowledge, skills, and abilities of a candidate not available through review of applications or other testing mechanisms. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEOC requirements.

- A. The Human Resources Department will work with the hiring manager to coordinate the interview process, including selection of panel members, scheduling candidates, development of interview questions, etc.
- B. Generally, no more than three (3) individuals will serve on the interview panel. The composition of the interview panel shall consist of personnel who have the expertise with the technical elements of the position. Careful selection will be made of panel members to ensure objectivity and job knowledge. Relatives or personal friends of the applicant will be excluded from serving on the panel. Reasonable accommodations shall be made for disabled applicants to allow participation in the interview process.
- C. The Human Resources Department and the internal hiring manager of the department in which the vacancy exists shall be responsible for the development of interview questions and standards for measurement of candidate responses. Consistency will be maintained in questions asked of all candidates. The questions must be job related. All interview questions shall focus on the applicant's ability to perform essential job functions.
- D. Inquiries as to an applicant's ability to read, write, hear, see, or speak foreign languages are permitted when such inquiries are based on essential duties outlined in the job description.
- E. The interview panel should be provided a job description outlining the responsibilities and requirements of the position to be staffed. Copies of the applications of final

candidates will also be provided to the interview panel member prior to the interview, along with proposed interview questions.

- F. Each panel member rates the candidates independently.

2-3.3 Applicant Expenses

- A. Unless approved by the County Administrator, the County does not reimburse any applicant for travel costs in conjunction with the hiring process.
- B. Relocation costs are paid in full by the employee unless otherwise approved by the County Administrator or the Board of Supervisors.
- C. Residency may be required for certain positions as defined in the Code of Virginia.
- D. The applicant should be advised of their obligation to pay for travel expenses before reporting for the interview if applicable.

2-3.4 Reference Check

- A. Following the initial interview, the internal hiring manager or the Human Resources Department conducts an employment reference check on the final candidate(s). The check includes verification of employment duties, dates of employment, work record, attendance record, strengths, weaknesses, safety record, and other pertinent information. Education and/or licensure may also be verified.
- B. Results of the reference check will help determine the applicant's qualifications for the position.

2-3.5 Background and DMV Check

- A. A background check will be conducted prior to applicant notification. The applicant will have signed a release form as part of the hiring process.
- B. Any background check will be obtained from the Virginia State Police Department or other designates individual/agency within the guidelines of the Fair Credit Reporting Act.
- C. If a background check is returned flagged, it will be reviewed by the Human Resources Department and County Administration if necessary. It will then be decided if the candidate is still eligible for the position.

- D. All new employees who operate a County-owned motor vehicle must possess a valid Virginia driver's license. In addition, employees who will be driving vehicles larger than a pickup truck must possess the appropriate commercial driver's license (CDL). All new employees' driving records may be checked through the Virginia Department of Motor Vehicles. Periodic DMV checks may be performed on current employees who are authorized to drive County Vehicles. Anyone who has had a DUI (driving under the influence) within the last five (5) years and/or has a high incidence of moving traffic violations may be reassigned or terminated for failing to meet County driving standards.

2-3.6 Applicant Notification

- A. After a final decision is reached, the internal hiring manager or Human Resources will notify the candidate of their selection and make a verbal offer of employment.
- B. If the first offer is rejected after negotiations (if applicable), it will be decided whether to hire another candidate or to re-open the position for recruitment.

2-3.7 Pre-employment Physical and Drug Screen

- A. If the conditional offer of employment is accepted, the applicant will be required to complete and successfully pass a pre-employment physical and drug screening prior to hire.
- B. All full-time, part-time, and hourly employees will have a physical and drug screening completed.
- C. The cost of any required physical examination and drug screen will be paid by the County and completed by a medical doctor chosen by the County.

2-4 Rehire and Reinstatement

An employee who voluntarily leaves the County in good standing shall be eligible for rehire. If an employee is rehired within six (6) months, pre-employment tests do not need to be performed again unless requested by the hiring department.

An employee who has chosen to leave the County and is in good standing and wishes to return within thirty (30) days of the separation, may be reinstated, at the department Director's discretion, to their former position if vacant. A reinstated employee shall be considered to have been on a leave without pay status for the time of the separation.

2-5 Orientation

- A. All new employees of the County will be scheduled for orientation with the Human Resources Department on designated hiring dates.
- B. The Human Resources Department will provide the employee with a job description, information on employee benefits, policies, and other miscellaneous information. Human Resources will have the new employee complete the necessary Federal and State tax forms as required by law.
- C. The Immigration Reform and Control Act of 1986, makes it illegal for employers to employ anyone who is not authorized to work in the United States. All new employees are required to provide documents establishing their identity and authorization to work in the United States. A list of approved documents is listed on Form I-9 (Employment Eligibility Verification), which must be completed by all new employees and verified by a representative from Human Resources. Failure to provide the required documents within three (3) days of employment will result in automatic termination.
- D. The Department Head will provide additional information to the new employee, including:
 - 1. Work standards and regulations
 - 2. Hours of work and timekeeping procedures
 - 3. Duties of the position
 - 4. Safety rules and procedures, location of safety or protective equipment
 - 5. Tour of the work area, including location of equipment, supplies, etc.
 - 6. Introduction to co-workers
 - 7. Schedule for lunch and breaks
 - 8. When and whom to report absence from work
 - 9. Overview of the performance management process
- E. All new employees shall be required to serve a probationary period as defined in this chapter.

2-6 Employment Categories

All employees at the time of hire shall be designated as either full-time, part-time, or hourly employees. Employees will also be designated as paid salary or hourly.

- A. Full-time Employees are selected to fill positions in the County that normally work a minimum of 37 ½ hours per work week on a year-round basis, and who have completed the minimum probationary period. Some full-time positions involve non-standard work hours to ensure continuous operations.

Full-time employees receive benefits, including retirement, group life, health insurance, sick leave, annual leave, military leave, paid holidays, and voluntary payroll deductions.

- B. Part-time Employees are hired when the employee's services are only needed for a part of a workday or workweek, and generally will work 29 or fewer hours per week.
- C. Hourly Employees shall be compensated for the hours worked and are considered non-exempt. Hourly employees are not eligible for County benefits. An hourly employee may be dismissed at any time and has no right of appeal through the grievance procedure.
- D. Temporary Employees are selected to fill a position having a short or fixed term to accomplish a specific project for a duration of less than one year. Temporary employees are not eligible for County benefits. A temporary employee may be dismissed at any time and has no right of appeal through the grievance procedure.
- E. Salaried Employees are full-time employees of the County that will generally be considered as salaried employees and paid on a monthly or bi-weekly basis.

2-7 Employment Status

Upon hiring, all employees will be designated as either exempt or non-exempt according to the Fair Labor Standards Act (FLSA) and applicable regulations of the United States Department of Labor.

- A. Exempt Status: Includes employees classified as executive, administrative, professional, or other exempt categories as defined by the FLSA.
- B. Non-Exempt Status: Includes employees who do not fall into any of the exempt categories. These employees are eligible for overtime pay in accordance with the FLSA and applicable regulations.

2-8 Probationary Employment Period

The initial six (6) months of original employment or re-employment is designated as a probationary period. During this period, employees are considered at-will and can be terminated with or without cause. The purpose of the probationary period is to assess the new employees work performance, interpersonal behavior, and conduct and allow time for an employee to adjust to the position and work environment. Temporary employees are at will employees for the duration of their employment and do not serve a probationary period.

2-8.1 Termination During Probationary Period

At any time during the probationary period, a probationary employee may be terminated with no right of grievance except where discrimination or retaliation is claimed. Employees with charges of discrimination or retaliation have the right of appeal through the grievance procedure described in Chapter 7.

2-8.2 Probationary Period Performance Evaluation

The County will conduct an initial informal assessment of the employee's ability to perform assigned tasks during the first thirty (30) days of employment and as frequently thereafter as deemed necessary. If it is determined that termination is required, Human Resources will be notified. Two weeks prior to completion of the six months' probationary period of a new employee, the supervisor shall review the performance of the employee. The evaluation of performance shall be discussed with the employee pointing out any areas for improvement. If the employee's performance evaluation has been rated as satisfactory, the department head will sign and return the evaluation to Human Resources to be included in the employee's personnel file.

If the employee's performance has not been satisfactory, a discussion will be held with the employee and one or more of the following actions taken:

- A. Establish a future review date. The appraisal form will indicate action to be taken or any additional training to be provided. The appraisal form shall be returned to the Human Resources Department for action and inclusion in the personnel file.
- B. Extend the probationary period. A department head may extend the probationary period for a period not to exceed six (6) months if the department head believes that an extension is in the best interest of the County and/or the employee.
- C. Terminate the employee after discussing the situation with Human Resources.

2-8.3 Probationary Period Benefits

A full-time employee serving a probationary period accrues from the date of employment, benefits to which he or she is entitled as herein set forth. This includes appropriate leave at the prescribed rates, health insurance, VRS life insurance, and the VRS retirement plan.

2-9 Nepotism

It shall be the policy of the County not to place immediate family members within the same department or in a supervisor/subordinate relationship. The term "immediate family" shall include spouse, children, stepchildren, brother, sister, parents, guardians, mother-in-law, father-in-law, grandparents or any other person residing in the household. Exceptions to this policy may be granted by the County Administrator.

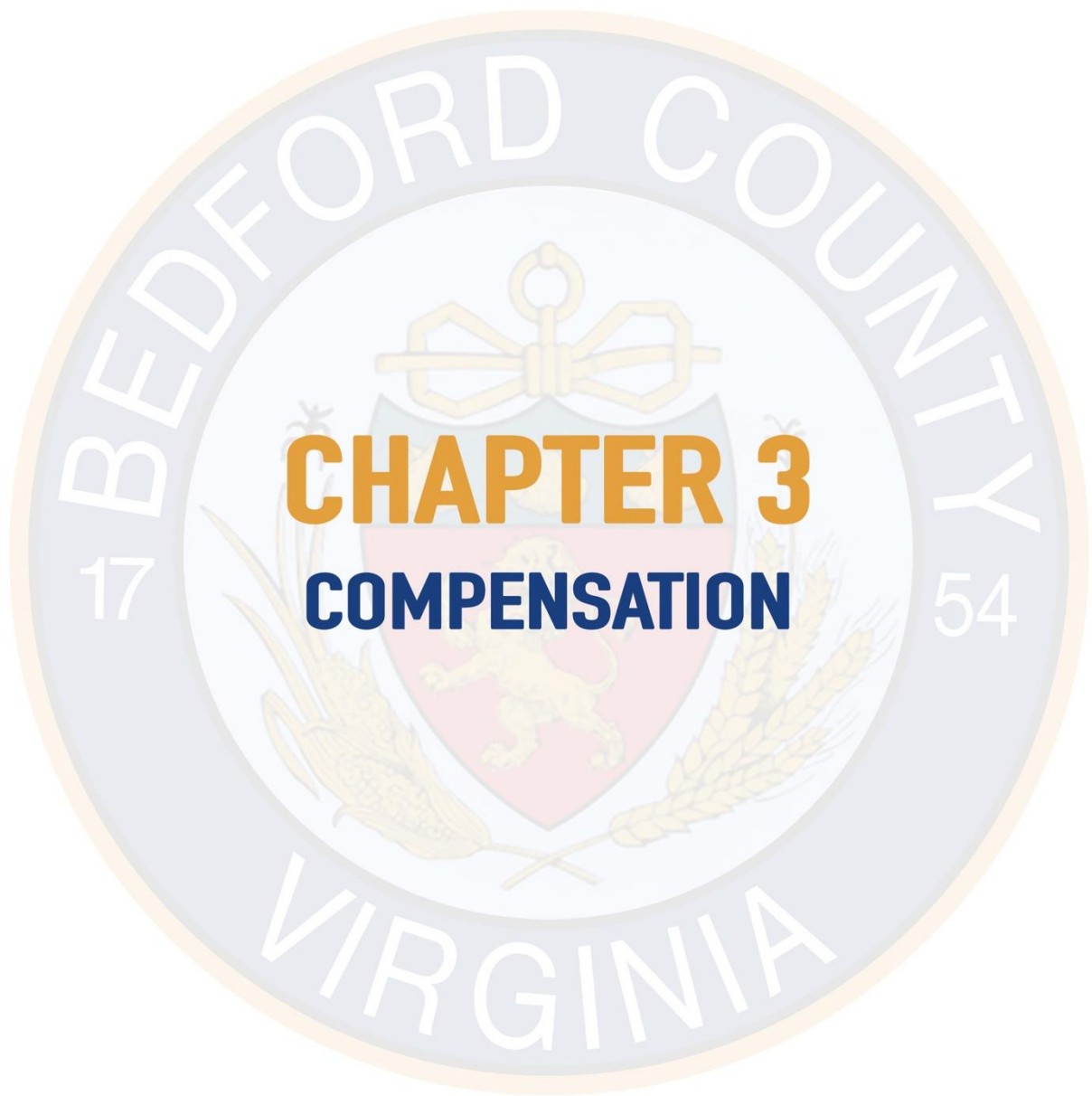
2-10 Personnel Files

It is the County's objective to maintain complete and accurate personnel files on all employees. All personnel files will be located in a secure location in the Human Resources Office. These records are confidential therefore access is limited to the appropriate personnel.

The personnel file will contain all information required by federal and state law. This includes, but is not limited to, the employees completed application for employment, Personnel Action Forms, performance reviews, benefit enrollment forms, discipline, training records and any policies that the employee had to review and sign. All confidential information will be kept separately to comply with HIPAA regulations.

Personnel files and the contents of the file are the property of the County. Individuals who wish to review their file may do so by setting an appointment with the Human Resources Department. A Human Resources staff member will be present while an employee is reviewing the contents of the file.

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CHAPTER 3
COMPENSATION

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3-1 Position Classification and Pay Plan

County Administration and Human Resources is responsible for the administration of the Position Classification and Pay Plan. It is their responsibility to ensure that the plan is administered in a fair and equitable manner. Any classifications that do not appear to be in accordance with the plan should be brought to the attention of Human Resources staff for review.

3-1.1 Interpretation

The Human Resources Department shall be responsible for applying the Position Classification and Pay Plan with respect to issues not specifically covered by the plan using the policies expressed herein as a guide.

3-1.2 Reclassification of a Position

Department heads shall be responsible for bringing to the attention of County Administration or Human Resources staff any substantial change in duties, responsibilities, or other factors affecting the classification of any position in their respective departments. Upon receipt of such information, Human Resources staff shall review the position descriptions and determine if a re-classification of the position is warranted.

The Human Resources Director and County Administrator shall review the Position Classification and Pay Plan prior to the submission of the annual budget to the County Board of Supervisors. In conducting the review, consideration shall be given to current cost of living and the County's financial position. Based on the findings, the County Administrator may recommend revisions in the plan to the County Board of Supervisors.

3-1.3 Classifications

All full time County positions, except for the County Administrator, County Attorney, and Constitutional Officers, are included in the Position Classification and Pay Plan.

All positions in the County are grouped together into classifications. Each position in the County is classified according to the type of work and the amount of responsibility in the position. Similar positions with like duties and responsibilities are placed in the same pay grade. Each position has an established pay grade and a specification describing the duties and qualifications of the position.

3-1.4 Classification of New Positions

To establish a new position in the County, the department head shall prepare a new personnel request form and a job description for the proposed position with the assistance of Human Resources. The final draft should be submitted to County Administration for review and approval.

If the County Administrator approves the establishment of the new position, it shall be allocated to the appropriate pay grade in the Position Classification and Pay Plan. In the event a suitable classification does not exist, Human Resources shall establish a new position classification and assign an appropriate pay grade to the position after reviewing similar positions across the County and other localities.

The proposed position would be presented to the Personnel Committee of the Board of Supervisors for approval. With the approval of the Personnel Committee, the proposed position would be presented to the full Board of Supervisors for final approval.

3-1.5 Appeals and Reclassification

If an employee has facts, which indicate that his/her position is improperly classified, a request may be made to the Human Resources Director to review the classification of the position. Such requests shall be submitted in writing, through the employee's department head. All requests for review of classification shall contain a statement of justification. The Human Resources Director will meet with County Administration to review the request. County Administration's decision regarding classification shall be final.

An employee whose position is reclassified upwards may receive up to a five (5) percent increase above the present salary, or the minimum of the new grade, whichever is higher. The compensation for an employee whose position is reclassified downward will fall under Section 3-3.3.

3-1.6 New Employees

A new County employee will typically receive the minimum salary for their grade. However, if an applicant has significant job-related professional experience, they may be compensated at a higher rate within the grade. Any salary request above the minimum of the grade should be discussed with Human Resources. Approval to hire above the minimum must be justified in writing and approved by County Administration.

3-1.7 Job Descriptions

All positions listed on the Position Classification Plan will have an associated job description. Job descriptions will be reviewed as necessary, by the supervisor and employee to ensure the duties reflect the actual work of the employee. The Department Head will give suggested revisions to Human Resources who will update the job descriptions and ensure consistency across classifications. Job descriptions may be updated more often as duties and responsibilities change. The employee shall be given a copy of his/her respective job description and shall sign and date a copy of the job description for placement in his/her personnel file. Human Resources will keep an official copy of all job descriptions.

3-2 Pay Policies

It is the policy and practice of Bedford County to accurately compensate employees and to do so in compliance with all applicable state and federal laws.

3-2.1 Pay Schedules

There are two schedules for County employees to be paid:

1. Employees who are paid from the General Fund will be paid monthly.
2. Part-time/hourly employees will be paid bi-weekly.

3-2.2 Working Hours

The workweek is defined as seven (7) consecutive 24-hour periods beginning on Sunday and ending on Saturday with a day beginning at 12:00 A.M. The bi-weekly payroll workweek will begin on Thursday and end on Wednesday. One hundred seventy-one (171) hours shall be the maximum normal work period for law enforcement personnel. Law enforcement and uniformed Fire/EMS personnel who work 10-hour shifts, 12-hour shifts, or 24-hour shifts will operate on a 28-day work period.

All employees of the County shall be required to observe all practices relating to hours of work, safe working requirements, and lunch periods. It is, therefore, fair for the County to expect the time paid for to be time worked, with due regard for health and safety.

Department Directors have the authority to approve remote work for employees on a case-by-case basis. This approval is intended for short-term situations, such as a few hours or days, rather than for permanent remote work arrangements.

Examples of circumstances that may warrant remote work include, but are not limited to:

- A. Attending medical appointments.
- B. Caring for a sick child.
- C. Situations where remote work aligns with business needs such as office renovations, inclement weather, etc.
- D. Other isolated occurrences where work can be effectively completed remotely without negatively impacting county operations.

Each request will be evaluated individually to ensure that remote work is appropriate and feasible for the specific situation. Employees are expected to comply with all Bedford County policies, procedures and performance standards when working from a remote location. Requests to work remotely for more than five consecutive business days will need to be approved in writing by County Administration.

3-2.3 Record of Time Worked

Time records for all employees are maintained on a monthly or bi-weekly basis through the timekeeping system. All employees are required to record their time daily. When recording time, any duration of 8 minutes or more will be rounded up to the nearest 15-minute increment. Durations of 7 minutes or less will be rounded down. The Department Director or designee is required to submit the department's time to payroll by the required due date.

3-2.4 Garnishments, Tax Liens, and Court Orders

Bedford County is obligated by federal and state law to withhold money from an employee's paycheck for child support, unpaid student loans, unpaid medical bills, unpaid taxes, or any other judgment ordered by the Court.

3-2.5 Overtime and Compensatory Time

All non-exempt employees will be eligible for overtime compensation or compensatory time in accordance with the law. These employees will accrue compensatory time unless authorized by the County Administrator. The overtime compensation will be paid at a rate of 1.5 hours for every hour worked over 40 hours. Overtime will be approved by the department head in advance. This approval must be in writing and will be sent to payroll with timesheets. Disciplinary action will be taken if unauthorized overtime is taken.

Compensatory time should be taken within 45 days of when it was earned with approval of the supervisor. Flex time when authorized by a supervisor must be used within the same pay

period. A non-exempt employee may not accumulate more than 240 hours (480 for law enforcement) of compensatory time.

3-3 Employee Transfers and Reassignments

The County retains complete managerial discretion to determine both the location and place for the conduct of the business and position assignments of each employee. Employees may be transferred and/or re-assigned from one position to another and from one location to another as may be determined by the County Administrator. The County Administrator may delegate reassignment authority to department heads to make specific personnel, organizational and/or programmatic changes within their respective departments or may exercise both transfer and re-assignment authority unilaterally. The exercise of such authority by County Administration is not subject to grievance under Chapter 7 of this manual.

For the purposes of this section, “transfer” is defined as the placement of a current County employee of one department into another position within a different department. “Re-assigned” is defined as the placement of a current County employee into another, different position within the same department (not necessarily within the same departmental division).

3-3.1 Temporary Transfers and Reassignments

Temporary transfers and re-assignments may occur as organizational circumstances dictate as determined by County Administration. Usually, temporary transfers will not last longer than six (6) months but may be extended an additional six (6) months when in the best interest of the County. When temporarily transferred or re-assigned, an employee shall be maintained at their present pay rate if transferred/re-assigned to a lower pay grade position. If an employee would be reduced in pay by a temporary transfer/reassignment to a higher pay grade position, the County Administrator may temporarily increase the employee’s compensation in recognition of the assumption of additional responsibilities.

3-3.2 Internal Applicants

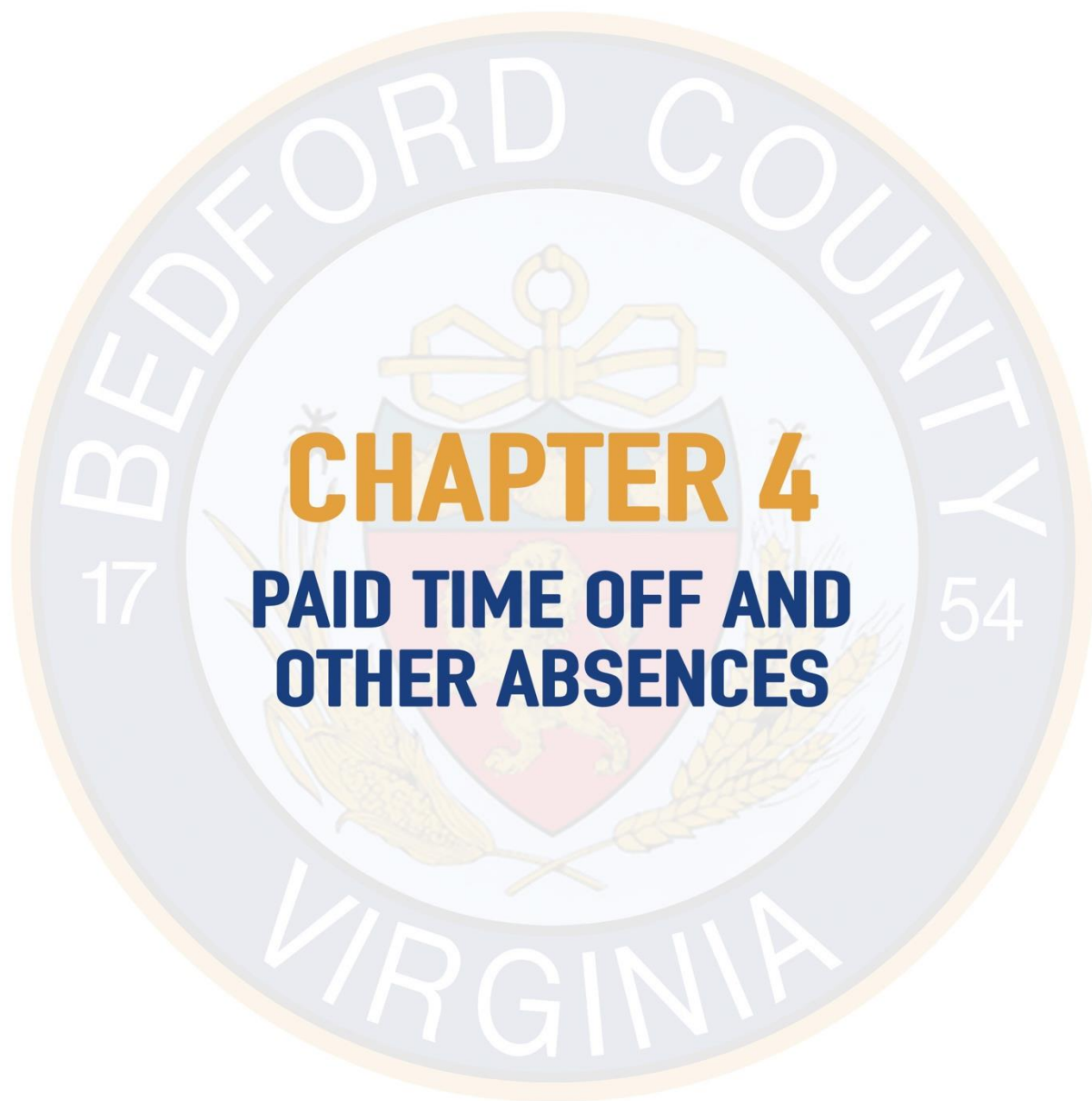
The County shall consistently seek the best qualified applicants to fill all positions through an open, competitive hiring process. As positions become available, either through vacancies in existing positions or by creation of new positions, current employees may apply for the position in the manner as all other non-employees. No special consideration or advantage will be afforded current employees (internal applicants) in this regard; however, the County will consider an employee’s qualifications, experience, and past performance within the organization in the same manner it evaluates all non-employee applicants.

Department heads at their discretion may reduce or waive probationary employment period requirements for successful internal applicants provided the employee satisfactorily completed the probationary employment period requirements in their previous position. Internal applicants not having fully and satisfactorily completed their probationary employment period in their previous position shall begin a new, full period of probationary employment. Internal applicants shall be advised of probationary employment requirements prior to offer of the position. An internal applicant may only be considered for one (1) open position prior to completing a probationary employment period.

3-3.3 Compensation of Transferred, Demoted or Reassigned Employees

Pay for transferred, re-assigned or demoted employees will be handled as follows:

- A. Employees transferred or re-assigned and to a position within the same pay grade will continue to receive their existing pay.
- B. Employees transferred, reassigned, or demoted to a position at a lower grade shall be paid within the pay grade of the new position. An employees hire date and the current compensation of other employees in the same or similar positions will be considered when determining a new rate of pay.
- C. Employees transferring or re-assigned to a position with a higher pay grade will normally get the minimum of that grade. It will be at the discretion of the County Administration to give the whole increase at once or to gradually increase the employee over the span of a specific time period. This may be done if the employee is increasing several grades. The County Administrator may consider alternate compensation in the form of a stipend for temporary assignments such as serving in an interim role or taking on additional duties.



CHAPTER 4

PAID TIME OFF AND OTHER ABSENCES

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4-1 Holidays

The County observes certain days throughout the year as holidays and all full-time employees are given leave with pay. If the nature of the services of a department of the County requires that it is at full operation on certain days listed below as holidays, compensatory time shall be credited on an hour for hour basis for hours worked, up to eight (8) hours. The compensatory time should be taken within 45 days of the actual holiday with the approval of the Department Director.

The giving of holidays is a benefit provided by the County and may be changed or altered from time to time by the Board of Supervisors.

The Board of Supervisors revised the Holiday Policy effective January 1, 2021, to reflect the following holiday schedule adopted by the State on the first of every January, with the exception of Election Day which will be a floating holiday for as long as the state considers it a holiday. Election Day may not be taken as a holiday until after the date has passed and must be taken before December 31st if an employee floated this holiday. All employees will work their regular schedules on Election Day with the exception of Constitutional and State offices. The following holidays are authorized to be observed each year; however, the County will follow the State if additional days are approved by the Governor.

- New Year's Day (1st of January)
- Martin Luther King Day (Third Monday in January)
- Presidents Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Juneteenth (June 19th)
- Independence Day (4th of July)
- Labor Day (First Monday in September)
- Columbus Day (Second Monday in October)
- Election Day – (Floating Holiday)
- Veteran's Day (11th of November)
- Thanksgiving Day (November)
- Day After Thanksgiving (November)
- Christmas Day (25th of December)

Whenever an observed holiday falls on Saturday, the Friday preceding such day, or whenever such day falls on Sunday, the Monday next following such day, shall be observed as the holiday for purposes of leave absences.

Employees who wish to work on an approved holiday instead of taking paid leave may do so with their supervisor's approval. In such cases, the employee will flex their time on an hour-for-hour basis, in lieu of receiving holiday pay.

The Board of Supervisors may grant additional holiday time off or may delegate to the County Administrator authority to declare certain days or parts of days as paid leaves of absences as may be deemed appropriate.

4-1.1 Eligibility for Holiday Pay

For a full-time employee to receive payment for a holiday he/she must work the last regularly scheduled workday before and the first regularly scheduled workday after the holiday or be on an approved leave status. Holidays will be paid out during the pay period in which it falls.

4.2 Vacation Leave

- A. Upon initial full-time employment with the County, annual leave credit shall be accrued in the following manner:
 - 1. Hired on the 1st through the 15th – credit given for full month
 - 2. Hired on the 16th through the end of the month – accrual will begin on the following month
- B. No annual leave credit shall be provided for service less than a full calendar month.
- C. Annual leave credit will accrue when an employee is in a paid status regardless of whether the employee is at work each day or not. Absences with pay for illness, vacation, jury duty, etc., do not affect annual leave accrual. An employee shall not accrue annual leave credits when in a non-pay status, i.e., administrative leave without pay, vacation, sick time exhausted, suspension, leave without pay, etc.
- D. An employee receiving donated leave for an entire calendar month will not accrue annual leave for that month.
- E. Employees will not be permitted to take annual leave time before such leave is earned.

- F. Annual leave may be accumulated by full-time employees to a maximum of 288 hours (36 days) at the end of any calendar year. Any time over the 288 hours will be reduced. Fire and Rescue employees working 24-hour shifts can accumulate up to 388.8 hours annually.
- G. Employees moving from full-time status to part-time status will be paid out for any remaining leave accruals.

4-2.1 Vacation Accruals

0-4 Years of Service: All full-time employees with less than 5 full years of continuous service will accrue annual leave at the rate of 8 hours (1 day); up to twelve days per calendar year for each completed month of service.

5-9 Years of Service: All full-time employees with more than 5 and less than 10 full years of continuous service will accrue annual leave at the rate of 10 hours (1 ¼ days); up to 15 days per calendar year for each completed month of service.

10+ Years of Service: All full-time employees with more than 10 full years of continuous service will accrue annual leave at the rate of 12 hours (1 ½ days); up to 18 days per calendar year for each completed month of service.

4-2.2 Vacation Leave Due Upon Termination

Employees who have accumulated vacation leave hours are entitled to payment up to a maximum of 288 hours (36 days) in lieu of such leave under the following circumstances:

- A. When the employee terminates employment with the County whether through retirement or voluntary resignation.
- B. In cases of involuntary termination for an offense listed in Section 6-15, the County reserves the right to withhold payment for accrued vacation time.
- C. When the employee goes into military service or extended active duty.
- D. Upon the employee's death, his/her beneficiary or estate is paid his/her unused vacation leave credit.

4-2.3 Paid Holidays and Illnesses During Vacation

In the event a paid holiday falls during the employee's scheduled vacation period, the holiday will not be charged against the annual leave.

In the event an employee becomes ill while on leave, such illness shall be chargeable to sick leave and not to annual leave, provided the employee presents a doctor's certificate to substantiate the claim.

4-2.4 Payment in Lieu of Vacation Leave

Vacation leave is provided to employees to allow for rest from their everyday job duties. Therefore, it is encouraged that all employees take their leave. Compensation payments in lieu of vacation leave will only be paid to an employee in unusual circumstances and only upon written approval of the County Administration.

4-2.5 Scheduling of Vacation Leave

Each department Director is responsible for scheduling the leave of employees in the respective department. Department heads will attempt to schedule leave as requested by the employee; however, the efficient operation of the department will be first consideration. In the event of conflicting requests for leave, the department Director will attempt to give preference to the employee who had requested the leave first. Department Directors will make every effort to arrange his/her personal vacation schedule in such a manner that it will not be necessary for the total annual vacation period to be taken in the last month of the calendar year.

4-2.6 Requesting Vacation Leave

Employees within a department will submit annual leave requests to their department heads for appropriate action. Department heads will submit their vacation requests to the County Administrator, Deputy County Administrator, and Assistant County Administrator for approval.

4-3 Sick Leave

Bedford County recognizes the inability to work because of illness or injury may cause economic hardship. The County also recognizes that employees may need time off to obtain necessary medical treatment.

4-3.1 Sick Leave Eligibility and Amount

All full-time employees accumulate sick leave at the rate of 8 hours (1 day) for each completed month of service.

4-3.2 Sick Leave Accumulation

- A. Upon initial employment with the County, sick leave credit shall be accrued in the following manner:
 - 1. Hired on the 1st through the 15th – credit given for full month
 - 2. Hired on the 16th through the end of the month – accrual will begin at the start of the following month.
- B. No sick leave credit shall be provided for service less than a full calendar month.
- C. Sick leave credit will accrue when an employee is in a paid status regardless of whether he/she is at work each day or not. Absences with pay for illness, vacation, jury duty, etc., do not affect sick leave accrual. An employee shall not accrue sick leave credits when in a non-pay status, i.e. administrative leave without pay, suspension, or when vacation and sick time are exhausted.
- D. An employee receiving donated leave for an entire calendar month will not accrue sick leave for that month.
- E. Employees are not permitted to take sick leave time before such is earned.
- F. When all sick time has been exhausted and an employee is unable to report to work because of illness, the employee shall be given the option of using accrued vacation time.

4-3.3 Use of Sick Leave

Paid sick leave may be taken by a full-time employee for an absence by reason of:

- A. Bona fide illness or injury, which prevents the employee from performing their usual work.
- B. Illness, injury, or doctor's appointment in the employee's immediate family, which requires the attendance of the employee.
- C. An employee giving birth to a child, for prenatal care and incapacity related to pregnancy in accordance with FMLA.

4-3.4 Definition of “Immediate Family” for Sick Leave Usage

The term “Immediate Family” as it applies to the use of paid sick leave shall include the employee’s spouse, children, stepchildren, parents, guardians, brother, sister, or any relative living in the employee’s household.

4-3.5 Sick Leave and Workers Compensation

The salary or wages received by an incapacitated employee as sick leave pay shall be reduced by the amount of Worker’s Compensation received during the sick leave period.

4-3.6 Employee’s Responsibility

All employees shall, in the event of a sick leave absence, notify his/her immediate supervisor as soon as possible or at least two hours prior to their scheduled work time. Failure to notify the supervisor of a sick leave absence may result in disciplinary action under Section 6-15.

4-3.7 Proof of Illness

Department Directors, County Administration or Human Resources may, at their discretion, require an employee to submit a doctor’s statement certifying the reason for their absence.

4-3.8 Abuse of Sick Leave

Sick leave is provided to the employee as an aid in time of need and should only be used as necessary. Sick leave pay will be denied to any employee who is found guilty of making a false statement of sickness or otherwise abusing the sick leave privilege. Such false statements or abuse will be cause for termination or other disciplinary action under Section 6-15.

4-3.9 Donation of Leave and Parental Leave

In situations where an employee has depleted all accumulated leave, or when the employee has not been employed long enough to accumulate adequate leave to cover an extended illness or parental leave, an employee may submit a request for donated leave by completing a Request for Donated Leave Form provided by Human Resources. This completed form should be submitted to the Human Resources Department for verification and approval purposes.

Employees may donate a designated amount of their vacation, holiday, or compensatory leave to the leave donation bank to assist others in their time of need. If an employee is interested in

donating a designated amount of their vacation, holiday, or compensatory leave to the bank, a Donation of Leave Form must be completed and submitted to the Human Resources Department for verification and approval purposes.

The leave donation bank is available to assist employees who have had a catastrophic personal injury or illness such as a heart attack, cancer, or serious car accident. (The examples are not all inclusive). Donated leave may not be requested for a minor injury or short-term illness such as colds, flu, virus, elective surgery or illnesses and injuries that are covered under the Worker's Compensation Act.

Employees are eligible to request up to six weeks (240 hours) of donated parental leave per year from the bank for the birth of an employee's child, or the placement of an adopted child aged 17 years or younger within the employees' home. This policy does not apply to the adoption of a stepchild by a stepparent. Donated parental leave will be available for a six-month period following the birth or adoption of a child. If both parents are County employees each employee will be eligible for up to six weeks of donated leave.

In order to be eligible to receive donated leave, an employee must:

1. Have medical documentation supporting the request.
2. Have used all forms of accumulated leave, including sick time, vacation time, holiday and compensatory time.
3. Anticipated to be absent from work in excess of three consecutive weeks.
4. Have communicated the absence with their immediate supervisor, Human Resources, and completed FMLA paperwork.
5. Have been employed with the County for at least one year and be classified as a full-time employee.

Employees donating to the bank must retain no fewer than 30 days (240 hours) of leave on record (after donation). Donated time is intended to address the needs of the employee only and does not permit donated time to cover an illness or injury of an employee's family member. An employee can receive a maximum of 480 hours of total donated leave in a 12-month rolling calendar period.

The Human Resources Director will review each donated leave request for verification. The decision of the Human Resources Director is final and not eligible to be grieved through the County's grievance process.

4-3.10 Sick Leave and Termination

When an employee terminates employment with Bedford County, unused accrued sick leave shall not be paid out to the employee unless the employee is retiring under VRS. In this case, one-fourth (1/4) of the unused accrued sick leave shall be paid to the employee up to a maximum of \$5,000. Employees moving from full-time status to part-time status will not retain their sick leave balance.

4-4 Bereavement Leave

Full time employees required to be absent from work due to a death in his/her immediate family (as defined in Section 4-4.1) shall be entitled to up to 40 hours of County provided bereavement leave. Any additional time, if taken, shall be deducted from the employee's accumulated vacation leave. Bereavement leave can be used intermittently based on travel and funeral arrangements. Bereavement leave should be used within 90 days of the family loss. In cases of exigent circumstances, extensions may be granted with the approval by the department Director.

4-4.1 Definition of "Immediate Family" for Bereavement Leave

The term "Immediate Family" as it applies to the use of Bereavement Leave shall include the employee's spouse, children, stepchildren, parents, parents-in-law, guardians, daughter-in-law, son-in-law, brother, sister, brother-in-law, sister-in-law, grandparents, grandchildren, and any relative living in the employee's household.

4-5 Other Types of Leave

4-5.1 Military Leave

All employees of the County serving as members of the organized reserve forces of any of the armed services of the United States, shall be entitled military leave in accordance with United States Government regulations. Employees shall be entitled to leaves of absences from their respective duties without loss of pay, seniority, accrued leave or efficiency rating on all days during which they shall be engaged in training approved by the Governor or his designee, not to exceed 21 workdays per fiscal year. When relieved from such duty, they shall be restored to positions held by them when ordered to duty pursuant to Section 44-93 and 44-204 of the Code of Virginia. Additional information pertaining to military leave can be found under the Uniformed Services Employment and Reemployment Acts (USERRA) of 1994.

4-5.2 Civil Leave

Any employee who is summoned to serve on jury duty or who is summoned or subpoenaed to appear in any court or administrative hearing shall be entitled to civil leave without pay.

The employee may not use civil leave with pay if the employee is a defendant in a criminal case or summoned to court for any personal matter. In this case, the employee may charge the absence to vacation leave or compensatory time, if eligible.

Any employee who is summoned to serve on jury duty or any employee, except the defendant in a criminal case, who is summoned or subpoenaed to appear in any court shall not be discharged from employment nor have any adverse personal action taken against him or her nor shall he or she be required to use annual leave as a result of his or her absence from employment, upon giving reasonable notice to his or her supervisor of such jury duty or court appearance.

Civil leave with pay may not exceed the actual time required. With respect to any additional time off resulting from jury duty or summons to court, the employee may charge such time off to vacation leave or compensatory time, if eligible. The immediate supervisor must be notified as soon as possible to schedule civil leave, and the employee must provide documentation of the summons or subpoena.

4-5.3 Maternity Leave

Employees unable to work due to pregnancy or complications related to pregnancy shall be entitled to the same paid sick leave and temporary disability benefits as any other employee unable to work due to illness or injury. All maternity leave will follow the laws of the Family and Medical Leave Act (4-6), the Pregnant Workers Fairness Act and the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act upon returning to work.

4-5.4 Leave Without Pay

Leave without pay is not encouraged and will be granted only in unusual circumstances at the discretion of the Department Director with approval by the County Administrator. An employee must have exhausted all forms of accrued leave prior to making this request to their supervisor. Leave without pay will only be granted when it does not present an undue hardship on the County.

4-5.5 Administrative Leave

An employee may be placed on either paid or unpaid administrative leave by their Department Director (with authorization from Human Resources and County Administration) when it is in the best interest of the County to remove an employee from the worksite. When in a paid administrative leave status, the employee will be paid their full salary for the duration of the administrative leave. Time designated as administrative leave with pay will not be charged to the employee's paid leave.

4-5.6 Volunteer Fire and Rescue Calls

With permission from their immediate supervisor, employees who volunteer on a Bedford County fire or rescue squad may be permitted to leave their jobsite when required to respond to an emergency call. The employee is required to make up the hours missed from the job or account for the hours using accumulated vacation time.

4-6 Family and Medical Leave Act (FMLA)

The County provides leave to eligible employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and provides written guidance regarding FMLA rights and obligations. This policy is not exhaustive in scope. If you have questions regarding the FMLA, please contact Human Resources.

4-6.1 Eligibility Requirements

To be eligible for FMLA leave, an employee must be employed by the County for at least 12 months and have worked at least 1,250 hours during the previous 12 months.

4-6.2 Reasons for FMLA

- A. The birth and care of a newborn child of the employee.
- B. Placement with the employee of an adopted child or foster child.
- C. To care for a spouse, son, daughter, or parent with a serious health condition.
- D. For a serious health condition that results in the employee being unable to perform the functions of his or her job.

- E. For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active-duty status as a member of the National Guard or Reserves in support of a contingency operation.

FMLA may also be granted to an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the service member.

4-6.3 Duration of Leave

- A. A total of twelve work weeks of FMLA can be taken in a 12-month period based upon a rolling twelve (12) month calendar measured backward from the date of each use of FMLA leave.
- B. Spouses who are both employed by the County are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of twelve (12) weeks.
- C. Employees may take FMLA leave intermittently or on a reduced leave schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation. Intermittent leave or reduced schedule for birth, care or placement for adoption of a child is subject to approval of the Department Director.

4-6.4 Using Accrued Paid Time Off

Depending on the purpose of a leave request, employees may choose to use accrued paid leave, if available. Any paid leave that is taken is not exclusive of FMLA leave and will be deemed to run concurrently with FMLA leave entitlement.

4-6.5 Maintenance of Health Insurance While on Leave

Employees who are on the County's health insurance while on FMLA will be able to continue coverage during their leave. The County will continue to make the premium payments to maintain coverage through the duration of the leave. Coverage will continue on the same terms as if the employee were working. When appropriate, an employee will be required to pay their

share of the health insurance premiums while on leave. FMLA does not require the County to pay the employers portion of the health insurance premiums once FMLA has expired.

Under some circumstances the County reserves the right to recover premiums it has paid to maintain health coverage for an employee and their family. This will generally occur only when an employee doesn't return to work at the conclusion of their leave and was not due to the continuation or recurrence of the employee's (or the immediate family member's) serious health condition.

4-6.6 Job and Benefit Protection

- A. Upon return from an approved FMLA leave, an employee will be restored to his or her original or an equivalent position with equivalent pay and benefits in accordance with the FMLA and its regulations. An employee on FMLA leave has no greater right to reinstatement or other benefits and conditions of employment than if the employee had not taken FMLA leave.
- B. Employees on FMLA leave will not lose eligibility/entitlement to any benefits/employment programs accrued prior to the day the leave commenced.
- C. For the duration of FMLA leave, the County will maintain an employee's medical insurance coverage under the same conditions and coverage level which would have been provided if the employee had not taken FMLA leave.

4-6.7 Advance Notice and Medical Certifications

- A. An employee must provide a minimum of thirty (30) days advance written notice when the leave is foreseeable. If the need for leave is not foreseeable, or 30 days is not possible, the employee should provide as much notice as possible.
- B. Medical certifications supporting the need for leave due to a serious health condition affecting the employee or an immediate family member must be provided. The County reserves the right to ask the employee to get a second or third medical opinion at the County's expense. Periodic recertifications may also be required.
- C. The County may ask for periodic reports of the employee's status and intent to return to work.

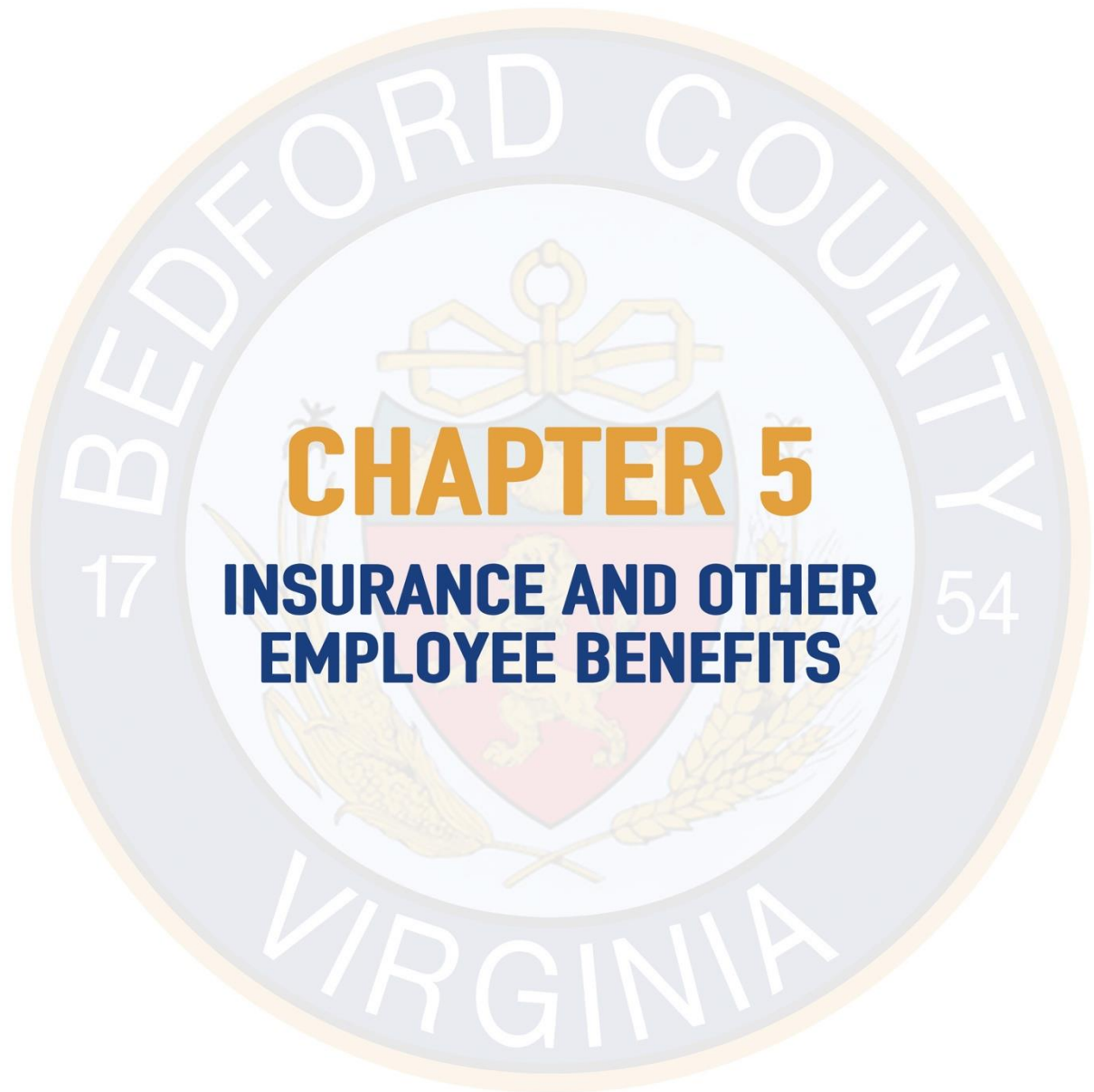
- D. Medical certification of the employee's fitness for duty will be required before the employee is allowed to return to work if the leave was taken for a serious health condition.

4-6.8 Exhaustion of FMLA Leave

Any employee who does not return or is unable to return to work at the exhaustion of the 12-week entitlement may be subject to termination of his or her employment. An employee who informs the County that he/she does not intend to return to work at the conclusion of the FMLA leave will be deemed to have resigned.

If the employee has exhausted their FMLA leave entitlement and is medically necessary to remain out of work, the employee must request in writing to the County Administrator the reason for the additional leave with supporting medical certification. A maximum of two additional weeks of leave time may be granted. After the additional two weeks is exhausted, the employee will be terminated if they are unable to return to work.

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CHAPTER 5

INSURANCE AND OTHER EMPLOYEE BENEFITS

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5-1 Benefits Introduction

The County has established a variety of employee benefit programs designed to assist employees and eligible dependents in meeting the financial burdens that can result from illness and disability and to help plan for retirement. This portion of the Personnel Policy Manual contains a general description of the benefits to which employees may be entitled to and does not provide all the details of these benefits. Therefore, this manual does not change or otherwise interpret the terms of the official plan documents. Employees' rights can be determined only by referring to the full text of the official plan documents, which are available for examination in the Human Resources Department. Benefits generally have a specific waiting period or eligibility requirements described in the official plan documents. To the extent that any of the information contained in this manual is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

For more complete information regarding any of the benefits programs, please refer to the summary plan descriptions, which were provided during new hire orientation, or contact the Human Resources Department.

5-2 Group Health Insurance

All full-time employees are eligible to participate in the Group Health Insurance Plan. Part-time employees who have consistently worked 30 hours per week over the lookback period are eligible for health insurance. Employee's coverage will be effective the first day of the following month after the date of hire if hired on or before the 15th of the month. If an employee is hired between the 16th and last day of the month, the employee will be eligible for coverage the first day of the second month. Additional information concerning the Group Health insurance Plan can be obtained from the Human Resources Department.

5-2.1 Continuous Coverage Option (COBRA)

Employees and enrolled family members may continue group coverage for either eighteen (18) or thirty-six (36) months.

Conditions of a continuance of eighteen (18) months:

- A. Change from full-time to part-time employment.
- B. Lay off or termination (except for gross misconduct)
- C. Leave work voluntarily for any reason including retirement.

Conditions of a continuance of thirty-six (36) months:

- A. Surviving spouses or children of an employee who dies. If the spouse turns down coverage, children may elect continuous coverage.
- B. Children of active employees who reach the dependent age limit for coverage under the parent's contract.
- C. Spouses or children who are no longer eligible for coverage because of separation or divorce.
- D. Family members who lose coverage because the employee is eligible for Medicare and chooses Medicare as his/her primary carrier.

5-3 Virginia Retirement System (VRS)

Bedford County participates in the Virginia Retirement System (VRS) through the Commonwealth of Virginia. VRS provides a monthly payment to members when they retire and for as long as the member lives. This monthly payment is based upon the average final compensation, the years of service credit, and the member's age. Membership in VRS is a condition of employment for all full-time employees. The County makes contributions to VRS on behalf of each employee. These payments are divided into the employee's share, which is five percent (5%) of the annual salary, and the employer's share. After five (5) years of service with the County, an employee is a vested member. If an employee terminates service with the County before retirement, he or she may be able to withdraw the employee's share depending upon VRS membership date and the provisions of the VRS. Employees who have questions regarding the VRS retirement system should refer to the VRS handbook located online at www.varetire.org.

5-3.1 Group Health Insurance Premium

Employees retiring through the Virginia Retirement System may continue health insurance coverage under the County group plan, provided the total premiums are paid by the retired employee. In the event such employee fails or neglects to pay the increase in premiums, then all health insurance under the County's group plan will be discontinued. Retirees become ineligible for insurance when they qualify for Medicare or other coverage is obtained.

If the employee is not receiving VRS benefits after termination of employment, he shall not be eligible for the County group health insurance benefits.

5-4 Workers Compensation Insurance

If an employee becomes ill or injured while performing assigned duties, and the injury or illness is determined to be work related, the necessary medical payments and compensation pay will be made by the County's worker's compensation carrier, as provided for by Virginia State Workers' Compensation laws.

When a workers compensation claim is filed with the County and the employee meets eligibility requirements, an Election of Method of Payment Form must be signed by the employee, or his/her representative. This election form allows the employee to either receive pay or subsidize what the carrier pays with an employee's own accumulated leave, so that in total the employee continues to receive his or her regular paycheck.

All employees are required to report a workplace injury or illness immediately, regardless of how minor it may be, to their department head or immediate supervisor.

The County has established a list of approved physicians for an employee to see for a workers compensation injury or illness. A claim may be considered if the employee has been seen by an approved physician. Employees and/or supervisors should contact the VACORP Nurse's Hotline for guidance on approved workers' compensation physicians.

5-5 Life Insurance

Each full-time employee participates in the group life insurance plan, if eligible. This plan is administered by the Virginia Retirement System and offers life insurance without the requirement of a medical examination upon initial employment. The County covers the cost of the insurance. This insurance provides coverage for twice the amount of each employee's base annual salary when rounded to the next highest thousand for a natural death, and four times the base annual salary when rounded for accidental death. There is also coverage for accidental dismemberment and accidental blindness. After retirement, the coverage will continue if eligible, and the amount of insurance reduces by 25% annually starting January 1 following the first full year of retirement. Each January thereafter the amount will reduce by 25% until the coverage reached 25% of its value at retirement. Both dismemberment and double indemnity coverage stop at retirement. The Virginia Retirement System publishes a handbook which includes an explanation of the group life insurance plan which can be found on their website www.varetire.org.

5-6 Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) is provided as a benefit to all employees and their immediate family members.

The County is vitally concerned with each employee's physical and mental wellbeing. The County further recognizes that substance abuse and related behavioral and medical problems, and marital, family, and financial problems can gravely affect employee's wellbeing, work performance, and attendance.

The EAP is a voluntary program provided to employees through our health insurance provider. Employee assistance is operated both as a personnel management function and an employee benefit. Participation in the program is through self-referral when an employee needs assistance with personal or medical problems or through supervisory referral where job performance has declined.

5-6.1 EAP Purpose

The purpose of the Employee Assistance Program (EAP) includes the following:

- A. To provide immediate help for employees with personal or medical problems and to refer for help those employees whose work performance has declined because of personal or medical problems.
- B. To restore those employees to their previous higher level of work performance to prevent further decline in performance.
- C. To save County dollars by reducing losses due to declining work performance and productivity
- D. To make these services available to members of the employee's immediate families who may need assistance.

5-6.2 EAP Policy Statement

- A. The primary focus of the program is to provide employees assistance in dealing with problems affecting their physical or mental well-being.
- B. An employee may participate in employee assistance without any adverse effect upon his/her employment with the County. All department heads and supervisors will ensure compliance with this policy.

- C. Supervisors will not determine or define the nature of the problem. Assessment and treatment will be provided by the Employee Assistance Program (EAP). However, every effort will be made to detect employee problems and deteriorating job performance at an early stage and to encourage and assist the employee in obtaining immediate help.
- D. The employee will be responsible for complying with supervisory referrals to the EAP and cooperating in any prescribed treatment plan.
- E. Employees participating in the EAP will remain responsible for complying with all County employment policies and meeting employment job performance requirements.
- F. The medical/personnel records of employees participating in EAP will be handled in a confidential manner.
- G. Employees may use their accumulated leave time when attending the EAP on a self-referral basis. Instances where there has been a supervisory referral, the employee may attend on County time.

5-7 Tuition Assistance

Bedford County values continuing education and considers it a vital part of employee development. This program is a benefit designed to attract and retain qualified employees, to improve the quality of employee leadership and productivity and to encourage employees to continue their education as a means of improving job skills and enhancing promotional opportunities.

5-7.1 Tuition Assistance Eligibility

- A. All active full-time employees under the County's pay and Classification Plan may apply for educational assistance. The employee must have at least one year of service with the County and a satisfactory work performance.
- B. Coursework taken must be directly related to the employee's present position or part of an undergraduate or graduate program where the degree is job related.
- C. Reimbursement is not available if the course is being paid by another source.

5-7.2 Tuition Assistance Benefit

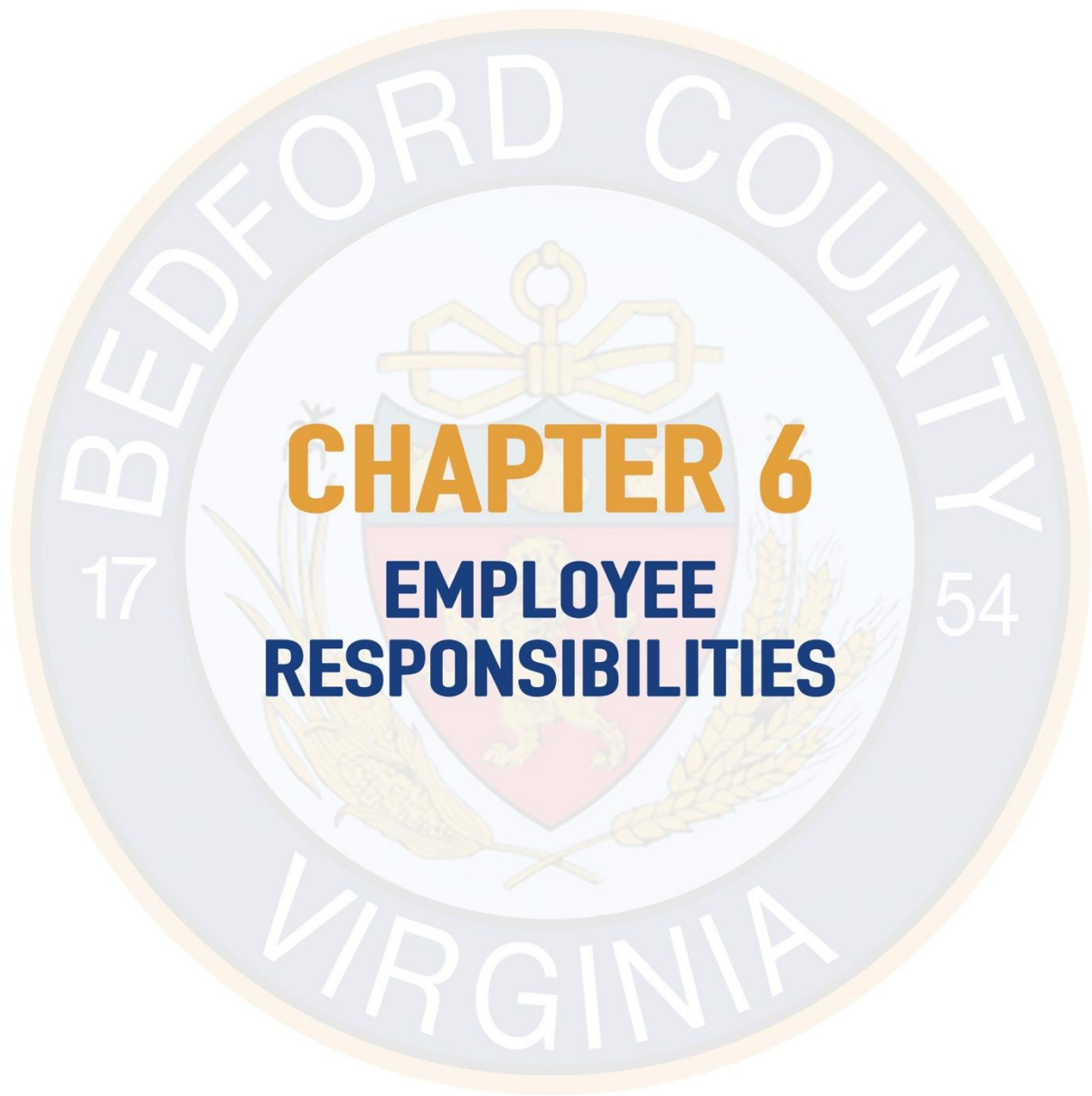
This is a cost sharing program to aid the employee in furthering their education. Eligible expenses include tuition, fees, and books for the coursework. The County will reimburse an

employee 80% (up to \$2,000/fiscal year) for courses that are directly related to the employee's current position. Courses that meet degree requirements will be reimbursed at 50% (up to \$750/fiscal year). The student must complete the class with a "B" or higher or "pass" to qualify for reimbursement. The maximum tuition assistance an employee can receive is \$2,000 per fiscal year.

An employee agrees to repay the educational assistance received by continuing employment with the County for a minimum of one year after all coursework is completed. If the employee's employment is terminated for any reason, before completing the minimum period of service, the employee agrees to repay, on a prorated basis, the dollar amount not repaid by service. For example, if the employee leaves after 6 months, 50% of the County cost will be paid back by the employee.

5-7.3 Tuition Assistance Procedure

Employees requesting tuition assistance should obtain from Human Resources a Request for Educational Reimbursement Form and submit the completed form to their department supervisor. This form should be reviewed, approved and signed by the department Director to verify that funding is available within the department's budget. The completed form will be submitted by the department Director to the Human Resources Director for verification and approval. Departments are required to submit requests for tuition assistance funding with their annual budget for approval by Administration.



CHAPTER 6

EMPLOYEE RESPONSIBILITIES

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6-1 Standards of Conduct and Performance

Bedford County has established rules of personal conduct and standards of acceptable work performance for its employees. Violation of the established rules and/or unacceptable work performance may result in corrective action. Such action is designed, and is to be used, as a corrective measure and shall not be based on an employee's identification or membership in any protected class under Virginia state or federal law (see Section 2-1).

The Standards of Conduct in this policy are designed to protect the wellbeing and rights of all employees; to assure safe, efficient County operations and to assure compliance with the law.

The standards serve to:

- A. Establish a fair and objective process for correcting and treating unacceptable conduct for work performance;
- B. Distinguish between less serious and more serious actions of misconduct and provide corrective action accordingly, and;
- C. Limit corrective action to employee conduct occurring only when employees are at work or when otherwise representing the County in an official or work-related capacity, or where the conduct is otherwise work related.

The standards listed in this policy are intended to be illustrative but not all-inclusive. Accordingly, an offense which, in the judgment of the department head, although not listed in this policy, seriously undermines the effectiveness of the County activities or the employee's performance should be treated consistent with the provisions of this policy.

6-1.1 Standards of Conduct

- A. The effective operation of the County requires that all public officials and the employees be independent, impartial, and responsible to the citizens.
- B. Decisions and policies will be made through the proper channels of our government.
- C. Employees of Bedford County will maintain ethical conduct by setting forth actions that are compatible with the best interests of the County.
- D. No employee shall grant special consideration, treatment or an advantage to a citizen, or employee, which is not available to any other citizen or employee.
- E. Employees are expected to maintain timely and regular attendance at work.

- F. Employees are expected to meet established performance standards. Conditions or circumstances, as they become known, which will prevent employees from performing effectively or from completing their assigned tasks should be reported to their supervisor.

6-2 Performance Management

The performance evaluation system is a standardized procedure that allows for the assessment of employee performance based on established standards and criteria. These standards and criteria are known to both the employees being evaluated and the evaluators.

6-2.1 Purpose

The goal of the performance evaluation is to permit supervisory personnel to evaluate the performance of employees in the accomplishment of their assigned duties and responsibilities. The evaluation of the performance of employees is to determine how and to what extent employee performance relates to position requirements. This serves three main purposes:

- A. The first is to ensure that each employee is fully aware of performance standards which apply to their job. The performance evaluation contains criteria on which performance is evaluated. Each of these criteria is used to measure how employees performed their assigned duties and responsibilities as explained in the job description.
- B. The second purpose is to assist supervisory personnel not only in completing performance ratings, but in discussing these ratings with the employees. The performance evaluation identifies the core competencies required for satisfactory performance and the specific reasons for a given rating. There are five levels of performance that can be used to describe an employee's performance in each category. These five performance levels are: (1) Unsatisfactory, (2) Needs Improvement, (3) Meets Expectations, (4) Exceeds Expectations, and (5) Exceptional.
- C. The third purpose is to assist the supervisor in identifying development needs of their employees. A detailed review of the actual performance deficiencies and weaknesses as they are identified in the performance evaluation should be documented. When reviewing the employee's performance evaluation with the employee, these deficiencies can be discussed in detail and specific development programs can be provided to assist the employee in improving his/her overall performance. The supervisor should discuss each employee's development and growth potential, completed goals, and objectives and set future goals and objectives.

6-2.2 Use of Employee Evaluations

Once an employee performance evaluation is completed, it is made a permanent part of the employee's personnel file. The information collected can assist in identifying deficiencies, outstanding performances, or areas where actions are necessary to better develop the employee. Each supervisor sets goals and objectives for each employee to complete during the upcoming year. This enables both the supervisor and employee to know exactly what is expected. When used properly, the performance evaluation can be advantageous to management and can improve services.

6-3 Secondary Employment

To minimize the potential for a conflict of interest, the County discourages any secondary employment. Any employee seeking secondary employment shall discuss this with his/her immediate supervisor and obtain approval prior to accepting a position outside of County employment. It should be known that the employment with the County is considered the primary employment. If secondary employment interferes with the employee's performance, attendance, or ability to do his/her job, the employee may be asked to discontinue dual employment.

Employees who have secondary employment at the time of hire must notify their immediate supervisor and Human Resources to determine if there is a conflict of interest.

6-4 Conflict of Interest

As provided in Title 2.2-3100 of the Code of Virginia (The Virginia Conflict of Interests Act), no employee of the County shall engage in any financial or other interest which might impact the performance of his/her duties.

- A. Employees shall not, without proper authorization, disclose confidential information concerning Bedford County.
- B. Employees shall not accept any gift or favor from a citizen, corporation, or firm that is intended to influence his/her decision or discharge his/her duties.
- C. Employees shall not represent private interests before the interests of the County unless he/she is doing so as a member of a civic organization or is speaking on an issue of public interest.

6-5 Dress Code

- A. Personal appearance, cleanliness, and neatness are vitally important to one's job and relationships with others. Excessive use of shaving lotion, perfume, cologne, makeup, or jewelry should be avoided. Good judgment and consideration for others must be exercised in matters of personal hygiene.
- B. Employees are expected to dress in a professional manner that is appropriate for their work environment. Dress pants and business attire may be worn. Clothing must be in good condition without holes, excessive wear, or staining. Appropriate undergarments and footwear must be worn. Casual attire such as golf shirts with the Bedford County seal, jeans, and tennis shoes are permitted on Fridays. Additional casual days may be designated by County Administration.
- C. If necessary, questions of proper attire will be addressed by the County Administrator whose decision will be final.
- D. Exceptions are made on days set aside specifically for cleaning or moving as specified by the department Director.

6-6 Attendance

Every employee is expected to be at work during all hours assigned. Excessive absences or tardiness may lead to disciplinary action, up to and including termination. All employees shall, in the event of a sick leave absence, notify his/her immediate supervisor as soon as possible or at least two hours prior to shift time. Failure to notify a sick leave absence, as required, may subject the employee to disciplinary action. When requesting leave or reporting an absence, the employee must personally contact the supervisor.

6-7 Inclement Weather

During inclement weather conditions all County offices will remain open to serve the citizens of Bedford County and employees are expected to report to work. In situations of extreme weather conditions, the County Administrator will make the decision to delay opening, close early, or close for the entire day. In these situations, emergency personnel are required to report to work. Employees who are concerned about their travel safety should use their discretion and communicate with their direct supervisor to determine the needs of the department for the workday. Employees are required to use their accrued leave for any approved time missed from work due to inclement weather if their work site remains open.

In certain situations, County offices may close for the entire day, open later than usual, or close earlier than scheduled. During these times, emergency personnel may be required to remain at work and will be compensated according to FLSA provisions. Employees not involved in 24/7 operations who are required to work during such closures will also be compensated according to FLSA provisions.

6-8 County Owned Vehicles

- A. County vehicles are authorized for official use only. Employees are responsible for the proper use and maintenance of County owned vehicles used in the performance of their duties. Any defects noted by the employee should be reported to the immediate supervisor as soon as possible.
- B. County owned vehicles will be parked at their designated work location when not in use.
- C. Vehicles are to be used for County business only and are limited to employees who reside within Bedford County for purposes of a take home vehicle.
- D. Persons who are not employees of the County are not authorized to ride in these vehicles unless permission is received from County Administration.
- E. The use of tobacco products in any County owned vehicle is prohibited.
- F. The County reserves the right to monitor the usage and location of County owned vehicles, including the use of GPS tracking devices.

6-8.1 Accidents Involving County Owned Vehicles

Employees involved in any accident while driving a County owned vehicle must:

- A. Immediately call 911 for medical assistance if it is necessary.
- B. Notify the Sheriff's Office or other law enforcement agency if an accident occurs outside of Bedford County.
- C. Obtain the names and addresses of the other person(s) involved in the accident.
- D. Obtain the names and addresses of all witnesses present.

- E. As soon as possible, notify the department Director of the accident. It is the department Director's responsibility to notify County Administration of the accident.

6-9 Keys, ID Badges and P-Card

- A. Employees will be issued keys to the offices and/or buildings on an as needed basis. The keys are considered County owned property and should be treated as such. No key is to be reproduced. In the event an employee loses their County issued key(s), the employee may be responsible for all costs incurred in changing the locks.
- B. Employees will be issued a photo identification badge at the time of hire. The badge is to be worn while working in any County buildings. Badges are a necessary security measure and will also help identify the County employees to citizens.
- C. If an employee loses their ID badge, there will be a charge of \$5.00 for a replacement. An employee who has a damaged badge and needs a replacement will not be charged a fee. A new ID badge will be issued by Human Resources upon request for a name change or department change.
- D. Employees issued a County P-card will abide by all requirements listed in the Procurement Policies and Procedures Manual, as well as the P-card Procedure Manual. Employees are expected to use this card for all County purchases where appropriate. Personal credit card use for County purchases is to be limited and only used in case of emergency.

6-10 Harassment & Retaliation

The County's support of its Equal Employment Opportunity policy includes its commitment to prohibit harassment against employees due to their identification or membership within any protected class under Virginia state or federal law (see Section 2-1). This prohibition covers, but is not limited to, illegal harassment by anyone in the workplace including supervisors, co-workers, and non-employees. Our employees have the right to be free from inappropriate comments, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, or based on a person's protected class, when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or when such conduct creates an intimidating, hostile or offensive work environment. Employees are expected to treat each other with respect and courtesy. The County will not tolerate discrimination or harassment.

6-10.1 Procedure

The following procedure applies to any harassment or retaliation complaint.

- A. Any employee who feels he/she has been discriminated against, harassed, or subject to unwelcome conduct because of his/her protected class or for any other improper reason should report the matter immediately to his or her immediate supervisor, County Administration, or the Human Resources Department.
- B. The employee can inform any of these persons listed above of the complaint. For example, if the employee prefers not to report it to his or her supervisor, the employee should report it to the County Administrator or the Human Resources Department.
- C. Employees should not assume that County Administration or the department Director is aware of the situation. Employees are expected to report the behavior whether they are the subject of, or a witness to this behavior. Employees should report the situation before it becomes severe or pervasive.
- D. Such reports or complaints can be made without fear of retaliation.
- E. Once made aware of a complaint, the County will investigate it in a prompt, thorough, and impartial manner. The County will ensure as much confidentiality as possible. The County will not retaliate against anyone who provides information during the County's investigation.
- F. The County will take immediate and appropriate corrective action if it determines that any inappropriate behavior or conduct has occurred in violation of this policy. Such action may include the suspension or termination of the offending employee.

6-11 Drug Free Workplace

In compliance with the Drug Free Workplace Act of 1988, the County shall:

- A. Publish a policy notifying employees of the County's drug prohibitions in the workplace and specify any actions that will be taken against employees for violations of such policy.
- B. Notify employees who are subject to the County's drug and alcohol abuse policy, that as a condition of employment with the County the employee will:
 - 1. Abide by the terms of the drug and alcohol policy, and

2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- C. Notify any contracting agency within ten (10) days after receiving actual notice of such conviction.
- D. Impose a sanction on or require the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted.
- E. Make a good faith effort to continue to maintain a drug free workplace through implementation of this program.

6-11.1 Inspection

Inspections and searches conducted under this policy shall be for the purpose of determining adherence to County policy, fitness for duty and appropriate discipline. Law enforcement personnel investigating criminal activity shall not conduct inspections or searches pursuant to this policy.

The County reserves the right to search County owned property, including vehicles, structures, buildings, equipment, computers and other electronic communications systems, furniture, offices, desks, lockers, files, files cabinets and containers at any time and for any reason. All County employees are therefore strongly encouraged to refrain from storing on or in County owned property any personal article (including personal correspondence) they wish to protect from inspection by County officials.

By accepting or continuing employment, each County employee is deemed to have consented to unannounced searches of his or her own work area upon request. Searches of an employee's person, personal vehicle, or personal containers such as purses, briefcases, or lunch boxes will not be conducted without the employee's consent. However, an employee's refusal to consent to reasonable searches of his person, vehicle, or personal containers while on County property may result in disciplinary action up to and including termination.

6-11.2 Drug Policy

Bedford County is committed to providing a safe and healthy work environment for its employees while ensuring that our operations are conducted safely and efficiently for the public.

Employee Assistance Program: The County offers the Employee Assistance Program (EAP) to support employees with alcohol or drug-related problems and to assist in finding appropriate treatment for rehabilitation and recovery if needed. (See Section 5-6).

The abuse of drugs and alcohol poses a serious threat to the safety of our employees, County operations, and the public. Therefore, the following is strictly prohibited:

- A. Use, possession, or being under the influence of drugs or alcohol on County premises or while on-the-job (except where expressly authorized).
- B. Manufacture, distribution, or sale of such substances on County premises or while on-the-job.
- C. Any off-the-job abuse of such substances that adversely affects an employee's job performance or other County interests.

Definitions:

- A. **Drugs and Alcohol:** Includes any substance with the potential to produce intoxication and/or physical, mental, emotional, or behavioral changes that could adversely affect an employee's ability to perform their job safely and efficiently. This specifically includes marijuana, cocaine, amphetamines, barbiturates, heroin, opium, phencyclidine, and any prescription or over-the-counter drug not expressly approved for use on County premises or on-the-job by a physician.
- B. **County Premises:** Includes all land, property, buildings, structures, vehicles, and all other means of conveyance owned or leased by the County or used for County business.
- C. **On-the-Job:** Includes all working hours and paid and unpaid meal periods during the business day when an employee is required to return to work.

Employees with drug and/or alcohol abuse problems are encouraged to seek assistance through the County's EAP or community agencies. The County will not take disciplinary action against employees who voluntarily seek assistance. However, participation in an EAP does not relieve employees from complying with this policy or other performance and conduct standards.

Employees who violate this policy will face disciplinary action up to and including termination. In some cases, employees may be allowed to participate in EAP-approved treatment as an alternative to termination. Employees of independent contractors and temporary agency employees who violate this policy will be barred from performing additional services for the County.

To ensure safe and healthy working conditions, the County may request employees to participate in random drug or alcohol testing for justifiable reasons. Contractor employees who refuse to participate will not be permitted to work for the County. All records and information regarding alcohol and drug testing, as well as treatment for chemical dependency, will be confidentially maintained, with access restricted to those designated by Administration on a need-to-know basis.

6-12 Workplace Violence

Bedford County prohibits acts of aggression or violence in the workplace. These acts include, but are not limited to, intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, bringing weapons of any kind onto County property, or to the workplace. In addition, jokes or offensive comments regarding violent events will not be tolerated and may result in disciplinary action.

The purpose of this policy is to minimize the risk of personal injury to employees and damage to county property. It is our belief that through employee education we can identify stresses in the workplace early on and develop a risk-reducing violence prevention program. Employees are expected to be familiar with the provisions of this policy.

Employees should exercise reasonable judgment in identifying potentially dangerous situations. It is essential that all employees recognize that before any physical acts of violence occur, there often are behaviors exhibited by individuals engaging in such acts. Such behaviors may include:

- A. Co-workers displaying overt resentment, anger and hostility;
- B. Co-workers making ominous threats toward a particular person or mentioning that a catastrophic event might occur;
- C. Co-workers whose work performance has deteriorated suddenly and/or significantly;
- D. Co-workers who display irresponsible, irrational, or inappropriate behavior.
- E. Co-workers who have access to weapons, know how to use them, discuss them in the workplace, and/or brandish weapons in the workplace.

6-13 Prohibited Conduct

- A. Written and verbal threats or any other acts of aggression or violence made toward or by any County employees will not be tolerated. For purposes of this policy, a threat includes any attempts to intimidate or instill fear in others, menacing gestures, stalking, verbal or physical abuse, or other hostile, aggressive, injurious and destructive actions

undertaken for the purpose of domination or intimidation, where one may fear bodily injury.

- B. Other than a lawful firearm, all County employees are prohibited from possessing a deadly weapon while in the course and scope of performing their job for the County.
- C. “Deadly weapon” means any form of weapon or explosive prohibited by law.
- D. The County reserves the right to conduct searches and inspections of employee’s personal effects or County provided materials in situations meeting the definition of “reasonable cause” and when two supervisors agree on the “reasonable cause” decision. Illegal and/or unauthorized articles discovered, or articles deemed to be dangerous weapons may be taken into custody and will be turned over to law enforcement, as appropriate. Any employee who refuses to submit to a search, or who is found in possession of prohibited or dangerous articles, will be subject to disciplinary action up to and including termination.

6-13.1 Threat Reporting Procedures

- A. All potentially dangerous situations including threats should be reported to a manager, supervisor in your office and/or to Human Resources. All threats will be investigated.
- B. Employees who feel like they have been subjected to any of the behaviors listed above are required to immediately report the incident to a supervisor and/or to Human Resources. Complaints will be treated seriously and will be investigated. Based upon findings, disciplinary action may be taken against the offender.
- C. Employees who observe or have knowledge of any violation of this policy should immediately report it to management and to Human Resources. Employees should contact law enforcement authorities without first advising County Administration or the Human Resources Department (or simultaneously with informing above mentioned) if they believe an immediate safety threat exists.

6-14 Domestic Violence

To foster a safe, productive workplace, Bedford County is committed to providing information, resources, and support for employees and management who are responding to domestic violence concerns. Bedford County treats all employees fairly and will not discriminate against an employee in any employment actions because the employee is, or perceived to be, a victim of domestic violence.

To enable employees to seek assistance for domestic violence needs, it is encouraged that management respond to employees who are victims of domestic violence in an open-minded manner. Respecting the employees need for confidentiality whenever possible, we reserve the right to disclose limited information and act when it is clearly necessary to protect the safety of Bedford County employees.

6-14.1 Education and Training

Bedford County believes that offering employees opportunities to increase their awareness of domestic violence helps to prevent and reduce the impact of domestic violence in the lives of our staff. The County provides workplace educational and informational resources to employees whenever feasible.

6-14.2 Safety and Security

Bedford County will not tolerate any acts of threat or domestic violence against any employee while on County property or while conducting County business. Employees who threaten, harass, or abuse any one either at the workplace or from the workplace, may be subject to disciplinary action, up to and including termination.

Employees who become aware of threats or acts of domestic violence that may occur or have occurred in the workplace must immediately inform their supervisor. In addition, employees with Orders of Protection or restraining orders that reference the worksite, must provide their supervisor with a copy of the order.

6-14.3 Employees Who Commit Acts of Domestic Violence

An employee who is found guilty of committing an act of domestic violence in the workplace may be subject to disciplinary action, up to and including termination. Furthermore, if an employee is found to be using any County resources such as work time, workplace phones, fax machines, mail, e-mail or any other means to commit an act of domestic violence they may be subject to disciplinary action, up to and including termination.

6-15 Discipline

It is the policy of the County that all employees are expected to comply with the standards of conduct as set forth in these policies. Any noncompliance with these standards must be remedied and can be subject to one or more disciplinary actions. The supervisor shall consider

the severity of the non-compliance and shall utilize the disciplinary action available in a progressive manner.

6-15.1 Progressive Discipline

In general, the County follows a progressive discipline approach. This will give most employees an opportunity to correct the problem before more serious disciplinary actions are taken.

In addition to the process outlined below, alternate strategies such as performance improvement plans, mediation, conflict resolution and demotions may be used on an individual basis. These actions are to be utilized when it serves the County's best interest to resolve the problem in the least negative and most cost-effective manner.

In the event it becomes necessary to take disciplinary action against an employee the supervisor shall have the following guidelines available. All discipline should be documented by the supervisor on the County Disciplinary Form, and a copy of the signed form sent to Human Resources.

- A. **Verbal Counseling** – Meet with and advise the employee of the nature of the problem and the action necessary to correct the situation. This action is typically informative in nature and should result in immediate correction. The supervisor should document the conversation for reference.
- B. **Verbal Reprimand** – A verbal reprimand of the employee followed by a written entry in the personnel files indicating the actions taken.
- C. **Written Reprimand** – Issue a written reprimand to the employee advising him/her of the facts involved and advising that such action is being recorded in the employee's personnel file.
- D. **Suspension** – Place the employee on administrative leave with or without pay pending completion of any investigation, court action or other such matter that is deemed serious enough to warrant suspension. Employees suspended from work will not accrue or receive any employee benefits during their suspensions. Suspension shall not exceed thirty (30) working days without approval from the County Administrator.
- E. **Termination** – Terminate the employee from his/her employment. This should be a last resort when serious misconduct remains uncorrected or when initial misconduct is so significant that the employment must be terminated. In the event a supervisor recommends termination a complete review will be made by County Administration and/or the Human Resources Director including the facts surrounding the request. If termination is warranted, the employee will be given an intent to terminate letter and

provided with an opportunity to respond to the proposed action prior to a final determination.

6-15.2 Resignation in Lieu of Termination

An employee who wishes to resign during the termination process may do so by submitting a letter of resignation to the department Director. If the letter of resignation is accepted in lieu of termination, the appropriate documentation will be placed in the employee's personnel file.

6-15.3 Appeal

Employees who are eligible to file a grievance may use the grievance process to file an appeal if they believe they have been improperly disciplined.

6-15.4 Notification

No disciplinary action that results in suspension, demotion or dismissal shall occur until the employee has been notified in writing by the supervisor, County Administrator, or Human Resources.

6-15.5 List of Less Serious Offenses

Listed below are some of the infractions which are typically addressed through progressive discipline, however disciplinary action is not limited to the offenses listed. Please note that Bedford County Administration reserves the right to determine how serious the offense and what course of action will be taken.

- A. Rude, abusive, indecent or threatening language or gestures to employees or members of the public;
- B. Failure to attend scheduled meetings or training sessions;
- C. Absences from the work area without approved leave;
- D. Inadequate or unsatisfactory work performance;
- E. Disruptive behavior;
- F. Careless workmanship or negligence of a minor nature;
- G. Violation of a County policy;

- H. Abuse of County property resulting in possible or actual damage;
- I. Violating a safety rule where there is not a threat of bodily harm;
- J. Unsatisfactory attendance or excessive tardiness;
- K. Conviction of a moving traffic violation while using a County-owned vehicle;
- L. Horseplay, pranks or non-work related activities during working hours;
- M. Delay or failure to carry out assigned work or instructions within a reasonable period of time;
- N. Conduct having an adverse effect on the County's interest or on the confidence of the public in County government that does not result in serious consequences;
- O. Inappropriate use of electronic or equipment including the internet, County email or County issued cell phones.

6-15.6 List of More Serious Offenses

Listed below are some of the infractions which are typically addressed through more serious discipline, however disciplinary action is not limited to these offenses listed.

- A. Charged and/or convicted of a felony or misdemeanor;
- B. Criminal or illegal activity that adversely affects the safe and effective operation of County business;
- C. Actual or attempted theft or misappropriation of funds or resources;
- D. Dishonesty, deliberate misrepresentation, falsification or concealment of a material of fact in connection with any official documentation or statement;
- E. Unsafe or illegal conduct that could result in endangering oneself, other employees or property, and/or the public;
- F. Threatened or actual physical violence or verbal abuse;
- G. Chronic or habitual absenteeism in excess of three days without proper authorization or a satisfactory reason;

- H. Sleeping, gambling, and disorderly, indecent, or immoral conduct, including, but not limited to lewd and lascivious behavior, while on County property or during work hours;
- I. Insubordination or refusal to follow legitimate instructions of a supervisor;
- J. Any form of harassment, retaliation, or intimidation;
- K. Participating in any kind of slow down or similar concerted interference with County operations;
- L. Gross negligence;
- M. Willfully or negligently damaging or defacing County property;
- N. Theft or unauthorized use or dissemination of County documents, records, or confidential information;
- O. Secretive or surreptitious audio or video recordings of any other County employee without proper authorization;
- P. Making public statements or internet postings that interfere with the County's ability to provide effective and efficient services to the public;
- Q. Willful failure to fulfill the responsibilities of the job to the extent that it impacts departmental operations or causes other harm;
- R. Major violation or disregard for safety rules;
- S. Use, possession, or being under the influence of alcohol or drugs, except medication prescribed by a doctor and taken in accordance with his or her instructions, during working hours or the hours leading up to work resulting in not being fit for duty;
- T. Off duty misconduct of such major significance that the employee is unable to fulfill the job responsibilities, or such significance that there is an adverse effect on County operations;
- U. Use of County property for personal benefit;

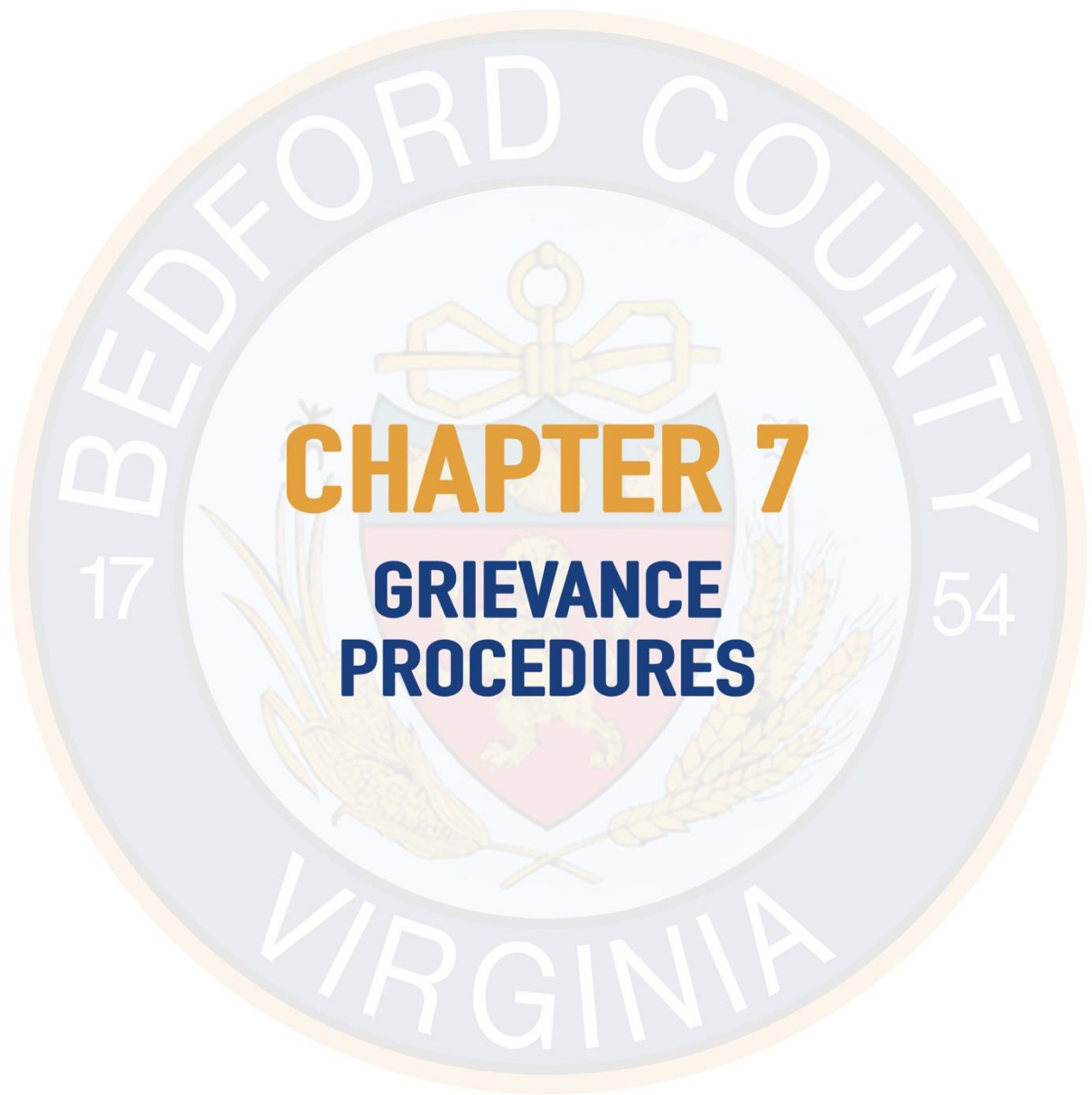
- V. Accepting a gift or favor, whether in the form of service, loan, thing, or promise, from any person, firm, corporation, intended to, or which may, influence him/her in the discharge of his/her duties;
- W. Violation of other County policies of a serious nature.

6-16 Separation of Employment

The termination of an employee may be the choice of the employee to either resign or retire, or the choice of the County to reduce the work force or to terminate the individual. Whatever the reason for the separation, this final employee action which closes the entire personnel file, must be documented.

An exit interview will be held between the exiting employee and Human Resources. This interview is encouraged in all voluntary terminations and retirements. During the exit interview, the employee may discuss reasons for leaving and the status of benefits and compensation. This is not intended as a counseling or grievance session.

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CHAPTER 7

GRIEVANCE PROCEDURES

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7-1 Grievance Procedures

The purpose of the Bedford County Grievance Procedure is to afford an immediate and impartial method for the resolution of disputes which may arise between County Administration and its employees.

7-1.1 Coverage of Personnel

Unless otherwise provided by law, all non-probationary full-time and part-time employees are eligible to initiate a grievance under this policy. An employee or person who comes within one or more of the following groups is not eligible to initiate a grievance under this procedure:

- A. Probationary employees – Unless there is a claim of unlawful discrimination or retaliation.
- B. The County Administrator, Deputy County Administrator, Assistant County Administrator, and the County Attorney.
- C. All Department Heads and their equivalents.
- D. Hourly, temporary, limited terms (grants) and seasonal employees.

The County Administrator, or designee, shall determine the employees (by position) excluded from this grievance procedure, and shall maintain in the Human Resources Department a list of such excluded positions.

7-1.2 Grievance Defined

A grievance is a complaint or dispute by an employee relating to his/her employment, including but not necessarily limited to:

- A. Disciplinary actions including demotions, suspensions, and dismissals resulting from formal discipline or unsatisfactory job performance.
- B. The application of personnel policies, procedures, rules and regulations, and the application of ordinances and statutes.
- C. Discrimination based upon an employee's identification or membership within any protected class under Virginia state or federal law (see Section 2-1).

- D. Acts of retaliation taken as the result of utilization of this grievance procedure or the participation in the formal grievance (under this grievance procedure) of another County employee.
- E. Acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth of Virginia, has reported any violation of such law to a governmental authority, has sought any change in law before the United States Congress or the General Assembly of Virginia or has reported an incidence of fraud, abuse, or gross mismanagement.

7-1.3 Local Government Responsibility

The County reserves to itself the right to manage the affairs and operations of Bedford County. Accordingly, complaints involving the following management rights are generally not grievable:

- A. Establishment and revision of wages or salaries, positions, classification, or general benefits.
- B. Work activity accepted by the employee as a condition of employment, or work activity which may reasonably be expected to be a part of the job content.
- C. The content of ordinances, statutes, or established personnel policies, procedures, rules, and regulations.
- D. Failure to promote, except where an employee can show that established promotional policies or procedures were not followed or fairly applied.
- E. The methods, means, and personnel by which work activities are to be carried on, with due regard to safety, legality, and ethics.
- F. The hiring, promotion, transfer, assignment, and retention of employees in positions within the County service.
- G. The relief of employees from duties or taking action as may be necessary to carry out the duties of the County in emergencies.
- H. Direction and evaluation of the work of County employees.

- I. Termination, layoff, demotion, or suspension from duties because of lack of work, reduction in the workforce, or job abolition, except where such action affects an employee who has been reinstated within the previous six (6) months as the result of the final determination of a grievance.

In any grievance brought under the exception to chapter 7-1.3 item 9, the action shall be upheld upon a showing by the County that (a) there was a valid business reason for the action, and (b) the employee was notified of the reason in writing prior to the effective date of the action.

7-1.4 Determination of Grievability

The issue of grievability may occur at any step of this procedure prior to the panel hearing. However, once the issue is raised, it must be resolved as provided herein before further processing of the grievance.

Decisions regarding grievability will be determined by the County Administrator, or a designee, at the request of the Supervisor or grievant within ten (10) calendar days of the request. A copy of the decision will be sent to the grievant. If the issue of grievability is not resolved prior to the panel hearing, it will be deemed to have been waived and the procedure will move forward.

The decision of the County Administrator may be appealed by the grievant to the Circuit Court for a hearing on the issue of whether the grievance qualifies for a panel hearing. Proceedings for review of the decision of the County Administrator, or the designee, may be instituted by the grievant by filing a notice of appeal with the County Administrator within ten (10) calendar days from the date of receipt of the decision and giving a copy thereof to all parties. Thereafter, within ten (10) calendar days the County Administrator, or the designee, shall transmit to the Clerk of Court to which the appeal is taken, a copy of the decision of the County Administrator, or the designee, shall transmit to the Clerk of the Court to which the appeal is taken, a copy of the decision of the County Administrator, 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, or the designee, to transmit the record shall not prejudice the rights of the grievant.

Within thirty (30) days of receipt of such records by the Clerk, the Court, sitting without a jury, shall hear the appeal on the record transmitted by the County Administrator, or the designee, and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require. The court may affirm the decision of the County Administrator, or the designee, or may reverse or modify the decision. The decision of the Court shall be rendered no later than the fifteenth (15) day from the date of the conclusion of the hearing. The decision of the Court is final and cannot be appealed.

7-1.5 Compliance with Procedures

- A. All stages of the Grievance Procedure beyond the first step shall be in writing on forms supplied by the Human Resources Department.
- B. Personal face-to-face meetings between the grievant and the designated County representative are required at each step of the severance procedure. Both sides may have appropriate witnesses present at Step 2 and beyond.
- C. The grievant is entitled to representation at or beyond the Third Step. Such representation shall be at the grievant's expense and choice.
- D. When the employee expresses his grievance in writing, he shall first obtain the required forms from the Human Resources Department. That office shall thereupon open a file on the grievance and shall assist the grievant, the department head and the County Administrator in ensuring that all papers are transmitted throughout this process in a timely fashion.
- E. If any employee files more than one grievance, the County Administrator may, at any time prior to the panel hearing, consolidate those grievances for joint processing. If the grievances are consolidated, the processing of the first grievance shall be suspended until such time as the last filed grievance proceeds to the same point in this procedure. Once consolidated, the grievances shall be processed at the same time.
- F. After a grievance is committed in writing, 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) work days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the County Administrator or the designee.
- G. The County Administrator or the designee may require a clear written explanation of the basis for just cause extensions or exceptions.
- H. The County Administrator or the designee shall determine compliance issues. Compliance determinations made by the County Administrator are subject to judicial review by filing a petition with the Circuit Court within thirty (30) days of the compliance determination.

7-1.6 First Step – Immediate Supervisor Level

An employee who has a grievance must discuss the problem directly with the immediate supervisor within twenty (20) calendar days after the occurrence which prompts the grievance. The supervisor shall give serious attention to the grievance and must give the employee an answer within three (3) workdays following the meeting. The first step is intended to provide for an informal, initial processing of employee complaints by the immediate supervisor through a non-written, face-to-face discussion format.

If a satisfactory resolution is not reached by this informal process, the employee shall reduce his grievance to writing, identifying specifically and in detail the nature of the grievance and requested remedy.

The written grievance will be presented to the immediate supervisor within three (3) workdays of the date of supervisor's verbal reply to the verbal grievance. The supervisor will reply in writing within three (3) workdays of receipt of the written grievance.

In the event that the employee's immediate supervisor is the department head, then the grievant shall pass the Second Step of this procedure and proceed immediately to Step Three.

7-1.7 Second Step – Department Head Level

If the first step written response is not a satisfactory resolution of the grievance, the employee may so indicate on Grievance Form A and submit the grievance to his/her department head within five (5) workdays. Within five (5) workdays of such submission, a meeting shall be held with the grievant and the department head to review the grievance. The time may be extended by mutual agreement of the department head and the employee.

At the meeting provided for above, the only persons who may be present are the grievant, one (1) person representing the appropriate management level at which the grievance is being heard, and appropriate witnesses for each side. Witnesses shall be present only while actually providing testimony. The meeting shall be adjourned to another time or place by agreement of the parties. The department head shall provide the employee with a written reply to the grievance within five (5) workdays after the meeting.

7-1.8 Third Step – County Administrator Level

If a satisfactory resolution of the grievance has not been reached at the termination of the Second Step, the employee may submit Grievance Form B to the County Administrator or his designee. Submission to the County Administrator must occur within five (5) workdays following receipt of the response from the department head. The County Administrator shall then meet with the employee within five (5) workdays or indicate that an extension is necessary. The

extension shall not exceed three (3) additional days, except by mutual agreement. The employee, at this option, may have a representative of his/her choice at the Third Step meeting. If the employee is being represented by legal counsel, the County Administrator likewise has the option of being represented by counsel. The County Administrator shall render a written response to the grievance within five (5) workdays following the Third Step meeting. The Human Resources Department shall ensure that an audio recording of such meeting is made and retained in the file for not less than twelve (12) months. The grievant shall be entitled to a copy of the audio recording upon payment of a reasonable fee.

7-1.9 Fourth Step – The Panel Hearing

If a satisfactory resolution to the grievance is not reached at the Third Step, the grievant may submit the grievance to an impartial grievance panel. The request for a hearing before a panel shall be indicated by the grievant on Grievance Form C provided for that purpose by the Human Resources Department and submitted to the County Administrator within five (5) working days of receipt of the Third Step response.

7-1.10 Composition of Grievance Panel

The Grievance Panel shall be composed of three (3) impartial members who will be chosen in the following manner:

- A. One (1) member shall be appointed by the grievant.
- B. One (1) member shall be appointed by the County Administrator.
- C. The first two members shall appoint a third member.

To ensure an impartial 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, persons 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, child, descendants of a child, sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of either the grievance nor a partner, associate, employee or co-employee of such attorney shall serve as a panel member.

Both the grievant and the County Administrator shall select the first and second members of the panel within five (5) workdays after the request for a panel hearing shall have been filed. These members shall, in turn, select the third member within ten (10) workdays after the request for a

panel hearing shall have been filed. In the event that an agreement cannot be reached as to the final panel member, the Chief Judge of the Circuit Court shall select the third panel member.

The third member of the grievance panel shall serve as Chairman, shall set the time for the hearing, and notify the grievant and the County Administrator thereof. The hearing shall be held within twenty (20) workdays after selection of the third panel member. This time limit may be extended by mutual agreement of the grievant and the County.

Both the grievant and the County may call upon appropriate witnesses and be represented by legal counsel or other representatives at the panel hearing. Such representatives may examine, cross-examine, question and present evidence on behalf of the grievant or the County before the panel.

The decision of the panel shall be final and binding and shall be consistent with the provisions of law and written policy.

The question of whether the relief granted by panel is consistent with written policy shall be determined by the County Administrator, or his designee, unless such person has a direct personal involvement with the event or the events giving rise to the grievance, in which case the decision shall be made by the Attorney for the Commonwealth of the jurisdiction in which the grievance is pending.

7-11.1 Rules for Grievance Panel Hearings

- A. A panel's responsibility is to ensure the proper application of County's policies and procedures. Panels do not have the authority to formulate or to change policies or procedures; however, they may consider mitigating circumstances and modify the County's action concerning discipline. Panels do not have the authority to consider matters which the grievance procedure makes non-grievable. A panel by a majority vote may uphold or reverse the action of the County or, in appropriate circumstances, may choose a modified remedy. Panel decisions, however, must be consistent with provisions of law and written policy. Where a panel decision direct reinstatement of an employee, the panel has the authority to award full, partial or no back pay for the period of separation as determined to be appropriate based on the circumstances of the case. In no case does a panel have authority to award damages or attorney fees.
- B. The grievance procedure is an administrative process designed for the resolution of sensitive personnel matters, and the panel hearing is the concluding step of the administrative process. The panel shall have the discretion to determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. However, at the request of either party, the hearing shall be private.

- C. The Human Resources Department shall provide the grievance panel with copies of all documents and records germane to the grievance prior to the hearing and provide the employee with a list of documents furnished to the grievance panel. The employee and his attorney, at least 10 (ten) working days prior to the scheduled panel hearing, shall be allowed access to all relevant documents intended to be used in the grievance proceeding.
- D. The grievance panel has the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence.
- E. All evidence shall be presented in the presence of the grievance panel and the parties, except by mutual consent of the parties.
- F. Documents, exhibits and lists of witnesses shall be exchanged between the parties in advance of the hearing.

7-1.12 Conduct of the Grievance Panel Hearing

The grievance panel shall conduct the hearing as follows:

- A. Opening and closing statements may be made by each party.
- B. In disciplinary actions the County must present its evidence first and must show by a reasonable amount of evidence that the disciplinary action was warranted and appropriate under the circumstances.
- C. With respect to all other actions, the employee must present his or her evidence so that a proper claim is present.
- D. Formal rules of evidence do not apply, however, the panel shall have the authority to determine the admissibility of evidence and to exclude evidence deemed irrelevant, immaterial, repetitive or confidential by law.
- E. Non-party witnesses are not to be present in the hearing except to give testimony and be cross-examined.
- F. Exhibits offered may be received into evidence and made part of the record.
- G. The hearing must be recorded verbatim. The Human Resources Department has the responsibility for arranging for proper recording equipment. The panel is responsible for

the recording and is to preserve the audio recorded as part of the grievance record. Either party may receive a copy of the recording, if requested, for the cost of the reproduction. A court reporter is not required. If a party requests a court reporter, that party is responsible for the cost. If a transcript is ordered, the other party may obtain a copy for cost.

- H. The hearing officer has the authority to determine the propriety of attendance of all persons not having a direct involvement in the hearing including witnesses and spectators.

7-1.13 Decision of Grievance Panel

The panel decision must be in writing and contain the findings of fact and the basis for those findings. The decision shall state in full the reasons for the decision and the remedy to be granted. In granting relief, the panel should be guided, but not bound, by the relief of question in the written grievance. Appropriate relief can include reinstatement to the employee's former position or, if occupied, to an objectively similar position in terms of duties and salary, normally in the same work organizational unit; an award of no, partial, or full back pay; and restoration for benefits, seniority and other legal entitlements. Against an award of full or partial back pay interim earnings are to be deducted. Damages and attorney's fees cannot be awarded.

Appropriate relief may also include an order to create an environment free from discrimination or retaliation or to take corrective action necessary to cure the violation and/or minimize its reoccurrence. Other prospective relief cannot be ordered. The County cannot be ordered to promote, hire or transfer any employee. However, the panel can recommend such action and the County may act upon such recommendation. If the policy has been unfairly applied or misapplied the panel may direct the County to reevaluate the challenged employment action in accordance with applicable policies and procedures.

The Panel may affirm in all respects the decision of the County Administrator or any supervisor of the County.

The majority decision of the panel, acting within the scope of its authority, shall be final and binding, subject to existing policies, procedures and law; the panel decision shall be provided to the County and the employee within fifteen (15) days from the conclusion of the hearing, and the decision shall be effective from the date issued. Within five (5) workdays from receipt of the decision, either party may petition the panel for reconsideration or reopening of the record for good cause shown and stating the basis for such request. Good cause may include newly discovered evidence or evidence of incorrect legal conclusions. The panel has sole authority to grant such requests.

Either party may petition the Circuit Court having jurisdiction in the locality in which the grievant is employed for an order requiring implementation of the panel decision.

7-1.14 Time Frames

For purposes of this regulation the term “calendar days” means a period of time during consecutive calendar days. If a final day for taking action falls on a Saturday, Sunday or legal holiday, the next following business will be the deadline for purposes of this grievance policy.

Reference to “workdays” are the days during which the Human Resources Department of the County are customarily open, from Monday through Fridays, not including holidays observed by the County.

Time frames established under this procedure are intended to be strictly construed and enforced. Time frames may be extended by mutual agreement of the County and the grievant; provided, however, that if the County Administrator consolidates grievances the employee’s consent need not be obtained.

7-1.15 Grievance Procedure

At steps 2, 3, and 4 of this procedure, the grievant must complete and file a Grievance Form, in accordance with the terms of this procedure and in accordance with the instructions contained on the Grievance Form itself. The Grievance Form is available the Human Resources Department.

Grievance Form A: This form will be initiated by the grievant upon completion of Step 2 and will constitute a statement of the grievance at Step 4 of the Grievance Procedure.

Grievance Form B: This form will be initiated by the grievant upon completion of Step 3 and will constitute a statement of the grievance at Step 4 of the Grievance Procedure.

Grievance Form C: This form will be initiated by either grievant or supervisor when the question of grievability is an issue.

Employee Grievance Form A

This form is to be initiated by the grievant upon completion of Step 2.

Grievant's Name: _____ Position: _____

Date of Occurrence Which Prompted Grievance: _____ Date Submitted: _____

Nature of grievance: *Explain in your own words the nature of your grievance and the event (s) which prompted your original complaint*

Specify remedy expected:

Please explain why Step 1 was unacceptable to you:

Signature of Grievant: _____ Date: _____

Department Head Response:

Signature of Department Head: _____

Employee Grievance Form B

This form is to be initiated by the grievant upon completion of Step 3.

Grievant's Name: _____ Date: _____

Date Step 2 Decision was received: _____

Explain why the Step 2 response is unacceptable to you.

Re-state the remedy expected:

Signature of Grievant: _____ Date: _____

Do you have representation? Yes No

If yes, what is their name? _____ Is this an attorney? Yes No

County Administrator or designee response:

Signature of County Administrator or designee: _____

Employee Grievance Form C

This form is to be initiated by either grievant or supervisor.

Grievant's Name: _____ Date: _____

Date Step 3 decision was received: _____

Explain why Step 3 response is unacceptable to you:

Re-state the remedy expected:

Signature of Grievant: _____ Date: _____

Date of Hearing: _____ Time of Hearing: _____

Location of Hearing: _____

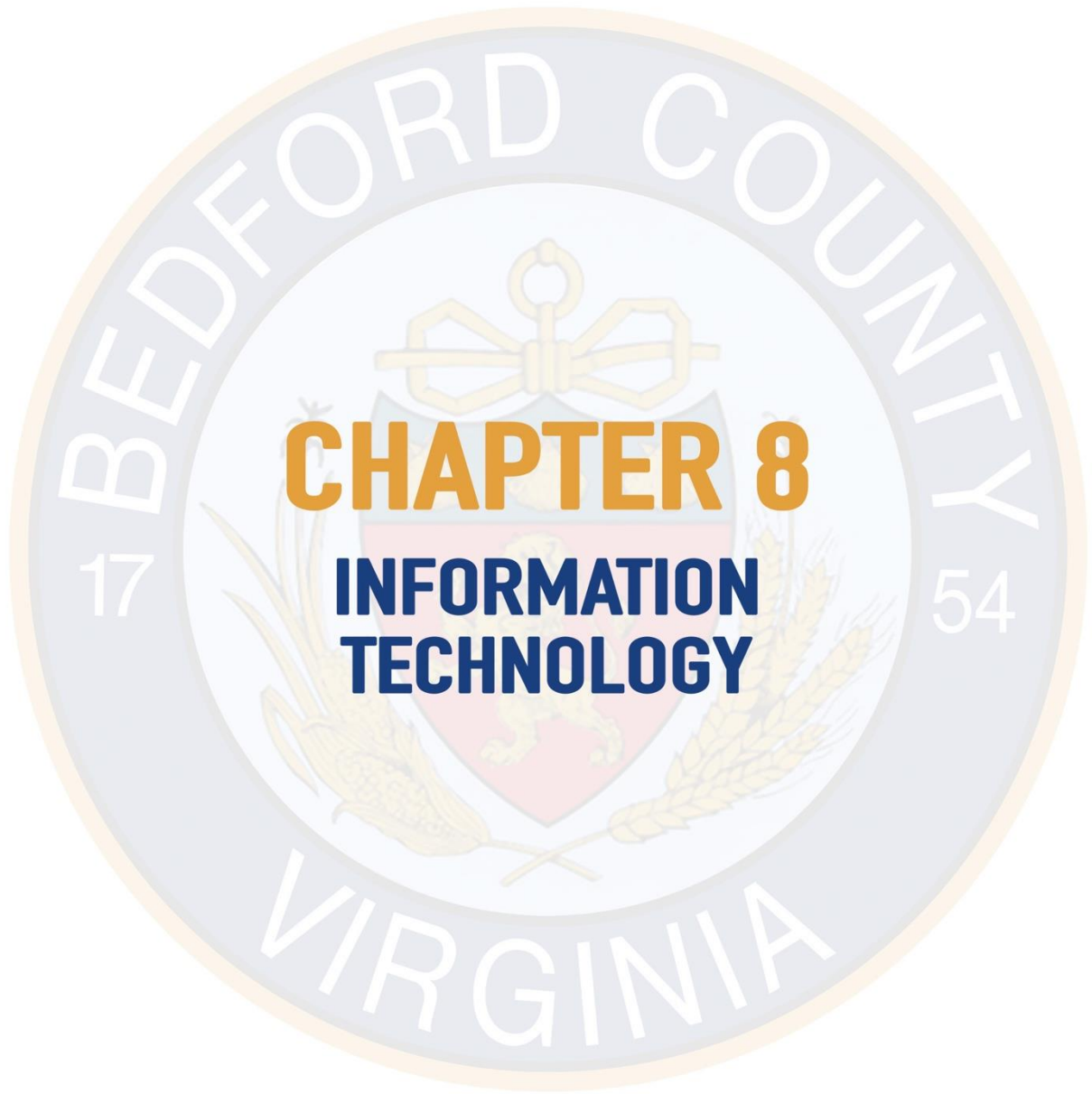
Panel Decision:

Signature of Panel Members: _____ Date: _____

_____ Date: _____

_____ Date: _____

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8-1 Acceptable Use

Bedford County, VA systems, networks, e-mail, equipment, telephone, and internet connectivity are provided for business use. All county employees shall be required to comply with acceptable use standards.

By accessing County technology systems, users shall agree to the clauses listed in this policy and agree these clauses represent a minimum framework defining the mindset of secure cyber hygiene practices and not an all-inclusive list.

See the applicable use IT Policy on the Bedford County Website:

<https://www.bedfordcountyva.gov/home/showpublisheddocument/10141/638188770580500000>

8-1.1 Incidental Use

Individuals should refrain from using computer systems, e-mail, and the internet for personal reasons except as permitted by the Acceptable Use IT Policy

With supervisor approval, incidental and personal use is allowed if usage complies with applicable County policies and does not:

- Result in the hinderance of a user's ability to complete official duties
- Result in any incremental cost to the County or results in an incremental cost small enough as to make accounting for it unreasonable or administratively impracticable, to include the value of employee's hours
- Create or increase security risk
- Create or increase legal liability for the County
- Create or increase likelihood that IT support services may be required

While using County technology resources, users are prohibited from:

- Usage that may impair the quality or productivity of the employee or other employees
- Storing personal / non-work-related music, videos, photos
- Gaming, gambling, non-work-related streaming media, social media, bandwidth intensive or other high-risk activity.

- Installing hardware or software without permission from the IT Department.
- Promoting a political or private cause.
- Accessing, uploading, downloading, transmitting, receiving, or distributing pornographic, obscene, abusive, or sexually explicit, harassing or discriminatory materials or language.
- Violating any local, state, or federal law or engaging in any type of illegal activities including violation of any copyright, trademark, or intellectual property laws, use of pirated or otherwise unlawful or unauthorized software.
- Accessing and/or retrieving materials related to controlled substances, products or paraphernalia or any type of violence, vandalism or illegal activity.
- Using County technology systems for direct or indirect personal gain.

The County may exercise its right to monitor, inspect, or retrieve data stored, accessed, processed, or transmitted by or through its technology systems without advance notice to any user. While using County technology systems, this policy shall be considered notice that users have no right to expect privacy related to any data created, accessed, stored, or transmitted through County technology systems. Department heads and supervisors have access to review usage history to assess the professionalism, timeliness, and effectiveness of communications, similar to reviewing copies of correspondence in a file.

8-1.2 E-mail Correspondence

E-mail should be used no differently from County letterhead. All e-mail communications are considered County documents and are subject to subpoena. All e-mail correspondence should be complete and accurate in content. E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or non-business matters. Users of e-mail cannot assume privacy of the transmission. Users of e-mail and all other computer or internet resources waive any right to privacy in these communications and content to the access and disclosure by authorized County employees. The County reserves the right to read and preserve the contents of all files or messages created, transmitted, or stored using County resources.

8-1.3 Use of Licensed Software

Employees may only use software on our networks according to the software license agreement that was purchased and installed by the IT Department. The County maintains and supports hardware, software, and network services for business use. Employees should only use the software and hardware provided. County policy prohibits the loading of files and software or the altering of software setup and configuration without authorization from the IT Department.

Revised August 1, 2024