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INTRODUCTION

The Richmond Regional Planning District Commission is a regional planning agency formed under the Virginia Area Development Act of 1968, later revised as the Regional Cooperation Act of 1995, by a Charter Agreement of the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent and Powhatan, the City of Richmond and the Town of Ashland.

The purpose of this policy manual is to define and describe Commission personnel policies and procedures. These policies and procedures will assist Commission staff in implementing the overall objectives of the Agency and promote the orderly development and enhancement of the District. Nothing in these personnel policies is intended to supersede applicable federal or state law. The terms “he”, “his”, or “him” used herein are used in a general sense and are not intended and should not be interpreted to exclude the feminine gender.
Chapter 1 GENERAL PROVISIONS

The policy-making structure of the agency is determined by the Commission. Comprised of officials appointed from each of its member local governments, the Commission establishes these policies and procedures to:

- provide common terms and definitions for personnel administration,
- provide equitable conditions of employment for Commission employees,
- establish and maintain uniform standards of employment and compensation, and
- aid supervisors in managing personnel issues in a fair and responsible manner.

The Commission retains all policy and procedure determinations except those expressly delegated to others. The Executive Committee determines personnel policies and procedures based on input from the Personnel and Operating Policies Committee. Office management practices and procedures are at the discretion of the executive director who may delegate duties and responsibilities as necessary. The personnel policies set forth in this manual supersede all previous policies, and, having been originally adopted by the RRPDC board, serve as the personnel rules and regulations governing all employees.
Chapter 2 CLASSIFICATION OF POSITIONS

CLASSIFICATION PLAN

The executive director is responsible for the selection, retention, dismissal, assignment, and evaluation of all staff members as specified in this manual. He may assign certain duties to other staff but does not abdicate responsibility. Staff organizational structure is determined by the executive director in support of the agency mission and annual work program.

The current organizational structure is illustrated in Appendix 1. Employment definitions are in Appendix 2. Position descriptions are included in Appendix 3.

All staff positions, however classified, are contingent on the needs of the Commission and the availability of funds.

Classification of the Agency's various staff positions is made according to similarities of responsibilities and qualifications to provide equity for the position within the wage structure.

AMENDMENTS TO THE CLASSIFICATION PLAN

It is intended to periodically review and update the position classifications in order to maintain an equitable system. On occasion, employees may be asked to review and/or complete a description of their assignments. These will be further reviewed by division directors or supervisors and may be used in any evaluation of the position and classification. Reclassification of any employee may result if, following an evaluation, it is determined by the executive director that changes in job content are significant enough to merit changing the employee to another classification. Reclassification review may result in an upgrade, a downgrade, or no change in salary level. An employee who feels that the duties and responsibilities assigned and performed are not accurately described by the current position classification should bring this opinion to the attention of the appropriate division director or supervisor. If the division director or supervisor determines, after consultation with the employee, that an evaluation of the job classification is justified, the assistant executive director should be notified in writing to request such evaluation.
Compensation Plan

There are three types of pay increments that may be awarded to the Commission personnel: a Merit Increment; a General Wage Increment; and an Exceptional Service Increase. Each is awarded by the executive director in accordance with the agency’s compensation plan and annual budget.

The Merit Increment

The merit increment (when approved by the Commission as part of the annual budget review and adoption) is awarded to all regular full-time, non-temporary employees based upon the recommendation of the appropriate supervisor to the executive director through the annual employee job performance evaluation. It is not automatic, nor necessarily an equal percentage across all positions. Merit increases are intended to stimulate a continuing high degree of technical and professional performance from all personnel. The performance of employees influences the selection, advancement, and retention of employees in Commission employment. Merit increments are also contingent upon an adequate Commission budget to fund them. At the discretion of the Commission, merit increases may be frozen until such time as the Board deems it appropriate to allow merit increases again. Employees who do not perform satisfactorily or are deficient cannot expect job protection or merit recognition.

The General Wage Increment

The General Wage Increment is made to all regular full-time employee salaries and provides an adjustment for cost of living changes. It is effective July 1 and is contingent upon an adequate Commission budget to fund it.
The Exceptional Service Increase

The Exceptional Service Increase is based on performance above and beyond the normally expected level. It may be awarded by the executive director. Evaluation for such an award is similar to that for the Merit Increment, but recognizes outstanding performance. This increment can be a maximum increase of 4.6% in addition to any Merit Increase and is usually recommended at the same time as the Merit Increase. Any Exceptional Service Increment must be authorized by the Executive Committee after recommendation of the executive director.

COMPENSATION SCHEDULE

Appendix 4 shows the current compensation schedule of salary ranges for all authorized positions. An employee will be eligible for up to one-half of the 4.6 percent maximum increase in salary after the satisfactory completion of six months of service. Thereafter, an employee is eligible for up to a 4.6 percent increase based on job performance evaluation and availability of funds. New employees having minimum qualifications normally are hired at the lowest pay step. The executive director may fill a position at higher than the entry level based on years of comparable experience, education, other qualifications, responsibility of the candidate and other factors and subject to availability of funds. Thereafter, changes in compensation are related to job performance and agency funding.

OVERTIME PAY AND COMPENSATORY LEAVE

Any time actually worked in excess of 40 hours during a standard work week as defined in Appendix 2 is considered overtime for non-exempt, full-time, regular employees. The following staff is eligible for overtime pay, if authorized in advance by the employee's division director/supervisor and approved by the executive director: secretary/receptionist; administrative secretary; part-time or temporary employee positions. Overtime pay as defined herein shall be at a rate of one and one-half times the eligible employee’s normal hourly base rate of pay. The Commission form entitled "Overtime Authorization Request" (Appendix 5) must be used to approve overtime.
Employees in exempt positions are eligible to earn compensatory leave on an hour-for-hour basis for work authorized in advance by the executive director or his designees. Only a maximum of 80 hours can be accrued. Compensatory leave earned during a pay period and not used within the next 24 pay periods will be forfeited. Employees with any compensatory leave balance at the time of separation will not receive compensation for that leave balance.

**PAY PERIODS AND PAYDAYS**

Employees will be paid on the 15th and last day of each month, except that when those dates occur on a Saturday, Sunday, or Commission Holiday, employees will be paid on the immediately preceding workday.

Time sheets (Appendix 5) are to be completed by the employee and approved by division directors or supervisors and submitted to the assistant executive director by noon of the first business day following payday.

**PAYROLL DEDUCTIONS**

The following payroll deductions are made each pay period from all regular full-time, part-time, and temporary personnel salaries and are paid into the proper benefit account for the employee:

- federal withholding tax in accordance with the exemptions and employee claims and the applicable tax laws,
- Virginia withholding tax in accordance with state laws,
- social security (FICA) based upon employee's salary and the applicable federal formula, and
- Medicare based upon employee's salary and the applicable federal formula.

Regular full-time employees are eligible for and may choose automatic payroll deductions and payments for the following:

- insurance premiums for family or authorized dependent coverage in excess of the basic employee coverage which is underwritten as a fringe benefit by the Commission, and
• voluntary contributions to the annual United Way campaign.

Additional deductions may be authorized if an employee elects to participate in additional benefits that may be offered by the Commission.
Chapter 4 SEPARATIONS

RESIGNATIONS

All employees who voluntarily terminate their employment with the Commission must notify the executive director at least two weeks in advance of the effective resignation date. A written memo must be sent to the executive director, with a copy to the employee's division director or supervisor, stating the effective resignation date and forwarding address for all correspondence.

On notification of termination/resignation of the employee, an inventory will be scheduled, at the direction of the division director or supervisor, to include all agency files, materials, and equipment in possession of the employee. Destruction or unauthorized removal of materials or equipment or unauthorized removal or deletion of electronic data files may be grounds for legal action.

For other aspects of the resignation policy, including benefits, retirement, etc., see the appropriate sections of this manual.

DISMISSALS

A non-probationary employee may be dismissed by the executive director for neglect of duty; incompetence; protracted less than satisfactory performance; unauthorized absences; extended absences; insubordination; gross violation of acceptable behavior; conduct unbecoming to a Commission employee; misuse of Commission funds or property; falsification of information, data, reports, or other records; physical or mental incapacity (subject to the protections provided by the ADA); unlawful discrimination (including sexual harassment); conviction of a felony; change in position requirements; violation of the Commission’s policies on alcohol and drugs, workplace violence, or conflicts of interest; and/or for other good and just causes. Before dismissal, a non-probationary employee must be given an explanation of the evidence justifying the dismissal and the opportunity to present the employee’s response. A non-probationary employee who believes the dismissal was without cause may seek redress through the Commission’s Grievance Procedure. Probationary employees may be dismissed without cause and
are not eligible to use the Commission Grievance Procedure pursuant to state law.

**REDUCTION IN THE WORKFORCE (LAYOFFS)**

The following procedure shall apply to a reduction in the workforce of the Commission caused by adverse economic conditions, reorganization by and within the Commission, lack of sufficient work, abolition of positions or by other related factors. The executive director has the right and obligation to manage personnel in the best interest of the Commission and may require implementation of this reduction in workforce.

The Commission has provided procedures for the removal of employees for unsatisfactory performance and for disciplinary reasons; therefore, it will be assumed that all employees, unless otherwise noted, are serving in a satisfactory manner. The length of continuous Commission service will provide the basis for determining the order of workforce reduction in order to provide for a uniform, fair, equitable, and effective basis for the determination of layoffs. Extraordinary circumstances may cause other considerations to be the basis for determining order of layoff as approved by the executive director. Such considerations may include, but are not necessarily limited to, past performance and mission-essential expertise.

In all cases where a reduction in the workforce necessitates a layoff of personnel, upon identifying classification(s) to be affected, the order of priority shown below will be followed within the specified classification unless the executive director, with approval of the Executive Committee, grants an exception:

- Temporary or seasonal employees,
- Hourly employees,
- Provisional employees in authorized positions,
- Part-time employees in authorized positions,
- Probationary employees (employed less than six months),
- Regular full-time employees in authorized positions.

Subject to availability of funds, all employees laid off will be provided with a minimum of two weeks pay.
Any employee who may be pursuing another administrative procedure (i.e., grievance, EEO complaint, or disciplinary action) is still covered under this procedure. If such an employee is laid off, he will be entitled to continue to pursue the other administrative procedure if he so chooses.

**Final Settlement**

When an employee terminates, the final paycheck will be written on the next regular payday. Appropriate payment of any leave balances will be calculated and that check will be written on the second payday after separation. Any outstanding financial obligations to the Commission will be deducted from the leave balance check which may be withheld pending return of agency equipment as requested.

**Notice of Payroll Separation and Change**

When an employee is terminated regardless of reason, the division director/supervisor shall inform the assistant executive director as soon as the termination is known, in writing. Complete information surrounding the reasons for separation should be included. The same procedure should be followed to notify the assistant executive director of suspensions and leaves of absence.

**Separation Date**

When an employee separates from Commission service, the effective date must be the last day that such employee is on the job. The Commission will not be liable for matters affecting the employee following his absence from the job. It is not permissible to delay the effective date of termination by any amount of accumulated annual or compensatory leave due the terminated employee.

If an employee is on approved sick leave, worker’s compensation leave, or leave without pay when separated, the effective date of separation will be the actual date of separation as given by the employee, and approved by the executive director and not the last day on the job. When the effective separation date immediately precedes a holiday, the employee shall not be paid for the holiday since he or she is no longer an employee.
**SEPARATION DUE TO ILLNESS OR INJURY**

If an employee leaves the Commission due to an illness or injury that keeps the employee from performing the essential functions of the job, the employee should contact the assistant executive director to discuss disability benefit options. The separation needs to be coordinated with workers’ compensation benefits if the illness or injury is work related and is compensable.
Chapter 5 FILLING VACANCIES

EQUAL EMPLOYMENT/NONDISCRIMINATION POLICY

The Richmond Regional Planning District Commission is an Equal Opportunity Employer. It is committed to the maintenance and promotion of the policy of nondiscrimination by incorporating sound merit principles in all aspects of personnel management, programs, practices, and operations affecting its employees and applicants. Personnel management policies shall be free from such prohibited personnel practices as discrimination, sexual harassment, or any other conduct inconsistent with sound merit principles. It shall provide equal employment opportunity to all employees in the competitive service of the Commission and all applicants for such service on the basis of fitness and job-related qualifications without regard to race, color, religion, national origin, political affiliation, disability, sex, marital status, or age (except where such is a bona fide occupational qualification). The adoption of this plan by the Board is a reaffirmation of adherence to and promotion of the policy of nondiscrimination. The guidelines and objectives contained in this plan are designed to assist the Commission and its employees to adhere to the policy. Any person employed by the Commission who fails to comply with this policy is subject to the Commission disciplinary procedures.

The Richmond Regional Planning District Commission intends to fully comply with the provisions of Titles VI and VII of the 1964 Civil Rights Act, as amended, and with Presidential Executive Order 11246, dealing with equality of opportunity.

The Commission's Equal Employment Opportunity/Nondiscrimination Policy is applicable to all employees of the Commission and all subcontractors. It is intended to promote equal opportunity for selection and promotion. All subcontracts will contain an equal opportunity clause and a certification that they support the policies and practices of Equal Employment Opportunity.

All new employees will be informed of the Equal Employment/Nondiscrimination Policy during the first orientation session.

An Equal Employment Opportunity Officer (EEOO) will be appointed by the executive director from among the Commission staff members. The EEOO will examine records and suggest steps to all division directors or...
supervisors to insure that all aspects of the Commission’s policy are followed with respect to selection, recruitment, training, and placement of employees.

Subcontractors will be requested to submit a copy of their Equal Employment /Nondiscrimination Policy to the Commission for review. Those subcontractors who do not have such plans will be covered under the provisions of their contract.

The Commission will attempt to attract applicants by utilizing appropriate resources such as the Virginia Employment Commission; local newspapers; local consortium personnel offices, community-based organizations; local colleges and universities, and any other modes of communication as deemed appropriate by the executive director. Information may be given periodically to these institutions and organizations as to professional and non-professional needs and career opportunities within the Commission.

**Hiring and Promotion Practices**

It is the responsibility of the appropriate division director/supervisor to report promptly to the executive director any vacancies that may occur. If it is known in advance that a position will become vacant through resignation, retirement, or other cause, the supervisor should send a written notice to the executive director as soon as it is known the incumbent will leave the position.

A notice of all job openings listing the title, qualifications, and a brief description of the position will be posted on Commission bulletin boards so that all Commission employees have an opportunity to apply for transfer or advancement into the vacant position.

A person seeking employment with the Commission may obtain an application from the executive secretary. The executive secretary will log all applicants. A staff member(s) designated by the executive director will review the applications and recommend persons to be interviewed for the vacant position.

It is the responsibility of the executive secretary or division administrative secretary to ensure notification of all qualified applicants and schedule a time and date for any employment interview. Applicants selected for interview may be reimbursed for costs of travel to Richmond. This
reimbursement will be in accordance with staff travel policies at the
direction of the executive director.

If in any case an applicant cannot be contacted or fails to appear for a
scheduled interview, the executive secretary or division administrative
secretary should document this fact. In the case that all applicants chosen
for interview are found to be unacceptable for employment, new
applicants for interview will be selected.

The executive director will manage the interviews and has final
responsibility in selecting and assigning staff members. The division
director or designee must document each employment interview and
record the reasons the applicants were found acceptable or unacceptable.

The executive director will ensure that each applicant who has been
interviewed is informed of the action taken with regard to their application
for employment. The person selected to fill the position will be notified by
the executive director by letter and instructed when and where to report for
employment.

Employment/promotions are not effective until approved by the executive
director and must begin at the beginning of a pay period unless otherwise
approved by the executive director.

**Employment of Relatives**

Immediate family members (as defined in Appendix 2) shall not work in a
supervisor-subordinate relationship or in any configuration of positions
where there may exist a conflict of interest or possibility of collusion
without approval of the Commission.

**Fixing Employment Date**

Employment shall become effective as of the date on which the employee
officially begins the performance of the duties of the position. This shall
include new employee orientation and training. Effective dates shall be
established at the beginning of a regular pay period. Exceptions to this
rule may be made by the executive director.
**PROBATION AND CONDITIONAL STATUS**

All employees hired to fill a regular, full-time position shall serve a probationary period of six months. The probationary period is a span of time during which an employee is evaluated by his or her supervisor on the performance of the duties of the position, and on those qualities which comprise the overall makeup of an employee, including such things as job performance, attendance, tardiness, reliability, trustworthiness, etc. All new employees will be evaluated by their supervisors after six months. Employees will meet with their supervisors to discuss their evaluation at this time. The employee may comment on any evaluation item or comment made in the meeting with his or her supervisor. The supervisor will document all evaluation meetings held with the employee. Both the supervisor and the employee will sign the written evaluation. A copy of the evaluation will be forwarded to the executive director for review and comment, within 10 days of the evaluation meeting, and a copy will be placed in the employee's personnel file. See Appendix 5 for the Employee Performance Evaluation form.

At any time during the probationary period an employee can be terminated without cause and without recourse through the grievance procedure.

If the evaluation, at the end of the employee's probationary period, indicates satisfactory performance, the employee may be retained by the executive director in regular, full-time status. The probationary period should be viewed as a trial period not only by the Commission in evaluating the new employee, but also by the employee in evaluating his or her employment with the Commission.

Employees promoted to a higher classification will be subject to a six-month review period. Unsatisfactory performance will result in demotion to the employee's former position, if still available, and rate without recourse to the grievance procedure. An employee may return to his or her former position and pay rate without prejudice.

Conditional Employee: Independent of the annual performance evaluation, when unsatisfactory performance is noted the immediate supervisor, with concurrence of the executive director, shall provide written notification of such performance to the employee who then is considered a conditional employee. The executive director, immediate supervisor and employee shall meet to discuss the employee's performance and develop an improvement plan and timetable for a follow-up evaluation. If the follow-up evaluation again indicates unsatisfactory performance, the employee will be terminated. Conditional employees are
also those who have received discipline which may include suspension or demotion. Conditional employees have no right to an expectation of continued employment in that position.

**Emergency Hiring**

There may be instances where circumstances and conditions necessitate the hiring of personnel outside of the normal procedure for filling vacancies. No employment under this provision can be permitted prior to the approval of the executive director or Executive Committee in his absence.

**Provisional Hiring**

A provisional hire is the employment of an individual with certain provisions spelled out as a condition of employment that may or may not adhere strictly to the Commission’s personnel policies regarding employment, classification, and compensation. All employees not serving in a regular full-time capacity and hired into positions where funding is dependent on outside sources, in whole or in part, shall be considered to be hired provisionally and have no right to or expectation of continued employment.

**Temporary Employment Agencies**

There may be times when the Commission has a need for additional staff for short duration. If the executive director determines that this need can best be filled by a temporary employment agency, he may place an order with a qualified temporary agency.
Chapter 6 BENEFITS

HOURS OF WORK

The office is open to the public from 8:00 AM to 4:30 PM. Monday through Friday except for officially designated holidays. Work schedules may vary within a 7:30 AM to 6:00 PM work day with a selected work schedule in effect on a monthly basis. Tardiness is unacceptable office practice and affects performance evaluations. One hour is allowed for lunch. The executive director may require members of the staff to work different hours to facilitate completion of particular assignments.

Other temporary or occasional flexible schedules include some combination of altered work start and stop times to allow employees to have family medical appointments or take care of personal business during business hours and avoid being charged leave.

ATTENDANCE

Each employee shall be responsible for notifying his supervisor and secretarial staff in the event of an unplanned absence. Leave request forms must be completed immediately following an unplanned absence. Each division director or supervisor and the executive director shall be responsible for approving attendance records. An unauthorized absence from the job may result in some form of disciplinary action.

HOLIDAYS

Regular full-time employees of the Commission will receive certain days off with pay as holidays. If a holiday falls in a period of other authorized leave, it will not be counted as leave time. If a holiday falls on a Sunday, it will be observed the following Monday; if it falls on a Saturday, the preceding Friday will be the day off. The following are Commission holidays:
Benefits

- New Year’s Day January 1
- Lee-Jackson Day Friday preceding the third Monday in January
- Martin Luther King Day Third Monday in January
- Washington's Birthday Third Monday in February
- Easter Monday Monday following the Sunday following the first full moon after the vernal equinox
- Memorial Day Last Monday in May
- Independence Day July 4
- Labor Day First Monday in September
- Columbus Day Second Monday in October
- Veteran's Day November 11
- Thanksgiving Fourth Thursday and Friday in November
- Christmas Eve (1/2 Day) December 24
- Christmas Day December 25

Any holidays designated by the Governor in addition to the holidays listed above will be observed by the agency with approval of the Executive Committee or by the Chairman when a regularly scheduled meeting of the Committee falls prior to the Governor’s designation.

**LEAVE**

Regular full-time employees are eligible for paid holidays, annual leave, and sick leave. Employees are required to request annual leave or sick leave and are only authorized such leave if approved by the executive director or his designee. The minimum leave request will be 1/2 hour and shall be in increments of 1/2 hour thereafter. Leave must be earned before it can be used.

All regular full-time employees earn leave benefits from the initial date of employment. However, without special permission from the executive director, leave may not be taken until after a newly hired employee's six-month probationary period.
**Annual Leave**

Annual leave is earned according to length of service as follows:

- Four hours per pay period for each complete pay period employed through the first five years, or a total of 12 days per annum.
- Five hours per pay period for each complete pay period employed from the sixth year through the tenth year of employment, or a total of 15 days per annum.
- Six hours per pay period for each complete pay period employed after the 10th year of employment, or a total of 18 days per annum.

For any partial pay periods of employment, leave will be prorated by the number of business days, including holidays, employed relative to the total number of business days, including holidays, in the pay period.

If employment is terminated prior to six months, no leave is granted.

An employee is not required to use the annual leave earned each year, but no more than twice the amount of leave earned each year may be carried into any new calendar year or be compensated for upon separation from the Commission. All annual leave must be requested from and approved by the appropriate supervisor, and the executive director using the Commission Leave Request Form (Appendix 5). The minimum amount of annual leave that can be authorized is 1/2 hour. Unused annual leave will be paid for on a one for one basis upon termination of employment.

**Personal Sick Leave**

Sick leave is earned at the rate of five hours for each pay period employed, or 15 days per year. There is no limit on the amount of sick leave an employee may accumulate.

For any partial pay periods of employment, leave will be prorated by the number of business days, including holidays, employed relative to the total number of business days, including holidays, in the pay period.

As defined herein in accordance with the Pregnancy Discrimination Act, Public Law 95-555, pregnancy, childbirth, and
related medical conditions will be treated on the same basis as any other medical disability.

Sick leave must be requested and approved in accordance with the Commission Leave Request Form (Appendix 5). A doctor's certificate shall be required if requested by the executive director for any sick leave request of more than 24 consecutive hours of work. The minimum amount of sick leave that can be authorized is one-half hour. Unused accumulated sick leave at the time of retirement will be reimbursed in a lump sum payment on a ratio of one day for three days accumulated unused sick leave, up to a maximum reimbursement of $5,000.00.

**Family Sick Leave**

In the event of an illness in the employee's immediate family, the employee may be granted family sick leave that will be charged to the employee's sick leave balance.

**Family and Medical Leave Act**

The Family and Medical Leave Act of 1993 (FMLA), entitles eligible employees to take up to 12 weeks of paid or unpaid job-protected leave in a 12-month period commencing with the employee’s employment anniversary date for specified family and medical reasons.

The FMLA contains provisions on employer coverage; employee eligibility for benefits; entitlement to leave; maintenance of health benefits during leave; job restoration after leave; notice and certification of the need for leave under the FMLA; and protection for employees who request to take such leave.

An employee who has been employed by the RRPDC for 12 months or more and has actually worked at least 1,250 hours in that 12-month period commencing with the employee’s employment anniversary date may be eligible under the FMLA for up to 12 workweeks of paid or unpaid family and medical leave in the following cases:

- to care for any family member (as defined in the FMLA) who is seriously ill;
to take medical leave (either paid or unpaid) when the employee is unable to work because of a serious health condition;

- for the birth and care of a newborn child of the employee; or

- for placement with the employee of a son or daughter for adoption or foster care.

Leave for birth of and care for a child, or placement for adoption or foster care must conclude within 12 months of the birth or placement.

Once the allowable leave under FMLA is exhausted within the 12-month period commencing with the employee’s employment eligibility date, FMLA coverage ends for that 12-month period.

Under some circumstances, employees may be protected under FMLA intermittently which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- If FMLA is used for birth and care or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.

- Leave associated with FMLA may be taken intermittently whenever medically necessary to care for a seriously ill family member as defined in the FMLA, or because the employee is seriously ill and unable to work.

In the case of illness, a certification from the attending physician or other health care provider will be required. Leave associated with FMLA should be requested 30 days in advance unless there is a medical emergency, or as soon as practical, and the employee must be certified by the executive director as eligible for FMLA. Employees may use any accumulated sick and/or annual leave, when appropriate, before going into a leave without pay status.

Employees may also be required to provide:

- second or third medical opinions (at the employer's expense) and periodic re-certification; and

- periodic reports during FMLA leave regarding the employee's status and intent to return to work.
When intermittent leave is needed to care for a family member as defined in the FMLA or the employee's own serious illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the operation of the RRPDC.

When on unpaid leave under the Family and Medical Leave Act, the employee's health care coverage may continue. The employee is to pay his share of the health care premium to the RRPDC. If the employee fails to return to work, unless it is for a medical disability, the employee is to reimburse the agency for its portion of the premium paid. All other benefits will be treated the same as an employee who is in leave without pay status.

**Bereavement Leave**

In the event of a death in the employee's immediate family the executive director may authorize the granting of a maximum of three days funeral leave.

**Civil Leave**

An employee shall be granted civil leave with full pay for any absence necessary for serving on a jury or being summoned or subpoenaed to appear in any court of law or equity except if the employee is a defendant in such proceedings, or for taking required tests for fitness including required physical exams, recruitment interviews, tests for agency-required certification, and tests associated with promotions, demotions, or transfers within the agency. The employee is required to give reasonable notice to his supervisor in such situations using the Commission’s Leave Request Form (Appendix 5).

**Military Duty Leave**

Two kinds of military leave may be granted. Periods of leave in excess of 15 days will be considered service leave; periods of one to 15 days are considered training leave.

- Training leave must be requested from and approved by the executive director, upon presentation of the employee's military orders. It may be authorized for all regular full-time employees, without loss of pay, but it cannot exceed 15 business days per federal fiscal year or training period. Use of this leave is not charged against other types of accrued leave.
• Service Leave is available to regular full-time employees of the Commission receiving orders to report for military service. The employee should request military leave from the executive director. The employee's name will be removed from active personnel files and placed in a Military Leave File. A certification of accrued benefits and a letter of reinstatement will be issued to the employee upon granting of military leave. No further benefits will accrue. However if the employee's RRPDC salary exceeds the military pay, the RRPDC will pay to the employee the difference between the two contingent on certification by the employee of his military pay.

• Upon discharge from military service, the employee has 90 days in which to apply to the Commission for reinstatement of employment. In the event the Commission has undergone a general reduction in workforce during the period of an employee's military service, the Commission layoff policy then in effect will apply.

• Employees called to active duty are not eligible to continue their health insurance through the RRPDC since health care is provided for them through the federal government. The employee’s dependents that are enrolled under the employer’s plan at the time of leave are eligible to enroll under COBRA for a period determined by that act.

**Leave Without Pay**

The executive director may grant leave without pay for a period not to exceed 60 days where there is insufficient accumulation of annual leave or sick leave to cover an authorized absence. Leave without pay is an approved absence from duty without pay, during which time the employee retains employee status without loss of employment benefits or retains administrative conveniences that normally cease upon termination of employment. Any leave not authorized will be considered leave without pay and is cause for disciplinary action.

**Special Leave**

An extended leave without pay may be granted an employee by the executive director for special reasons such as study, illness, or maternity. No salary will accrue during a special leave, nor will
Benefits to the employee (retirement, social security, health insurance, etc.) be paid or accrued. At the expiration of a special leave, employees may be reinstated to their former staff position in accordance with a written agreement signed by the employee and executive director. Special leave may be granted for no more than one year. It is not intended to supplement nor replace general leave.

Because absence of an employee for more than one month can adversely affect the operations of the Commission, it must be understood that requests for special leave will be carefully reviewed by the executive director.

**Compensatory Leave**

Compensatory leave is leave earned by exempt employees for any time worked in excess of standard hours established by the executive director and approved in advance by the division director/supervisor. It is earned on an hour-for-hour basis with a maximum of 80 hours accumulation, and must be used within 24 pay periods of being earned. Any unused leave at the end of the 24th pay period is forfeited. Time associated with attending overnight conferences, seminars, and other overnight business activities or related travel time is not subject to compensatory leave accrual except under extreme circumstances and at the executive director’s discretion.

Compensatory leave may be granted at the discretion of the division director/executive director. Upon separation, exempt employees shall forfeit all unused compensatory time, and no payment shall be made for unused compensatory time.

**Workers’ Compensation Leave**

All Commission employees are covered under the provisions of the Virginia Workers’ Compensation Act for accidental injuries or occupational diseases that arise out of and in the course of employment. The amount of benefits and other aspects of the coverage are specified in the Act.

Workers’ compensation leave is leave occasioned by an on-the-job injury or occupational disease that arises out of and in the course of employment. It is the responsibility of the executive director to
assess the impact on the Commission’s operations of any employee inactivated by injury or illness.

Until the worker’s compensation claim is approved by the Commission’s insurance carrier, the employee’s absence should be recorded as other - injury leave. Once an approval is obtained, the Commission will be notified. Upon such notification, the assistant executive director will transfer the hours previously charged as other - injury leave to workers’ compensation leave.

If the claim is not approved by the insurance carrier and therefore is not compensable under worker’s compensation, the employee shall be required to pay back time/monies received from the Commission while on other - injury leave. Where the individual has appropriate leave balances (i.e., annual, sick or compensatory) an adjustment shall be submitted to cover the time charged to other - injury leave. Should limited or no leave balances be available, arrangements with the assistant executive director shall be made for reimbursing the Commission.

**Absent Without Leave**

It is understood that from time to time it will be necessary for an employee to be absent due to various reasons. The leave policies and procedures are explained in Chapter 5 of this manual. An employee must notify his or her supervisor, or the executive director, as far in advance as possible, so that work schedules can be adjusted. This should be done even when leave without pay is requested.

If an employee is physically unable to notify the Commission, he or she should have a relative or friend notify the Commission on the employee's behalf.

If an employee is absent without an authorized leave for a period of two business days, and has not contacted the Commission by 4:30 PM of the second day of absence, the supervisor or division director will document this fact immediately in a written memo to the executive director. Commission staff will make every reasonable effort to contact the employee. In the event contact is not made, the employee will be sent a letter to his or her last known home address, by the executive director, indicating that the employee has been dismissed effective as of the last actual day
worked unless an acceptable explanation for the absence is provided and approved by the executive director.

**Leave for Emergency Closing**

In the event of an emergency including severe weather or other disaster, employees are encouraged to call the main office number and listen to the recording regarding closings, delayed openings, or emergency response information. In the event of a power outage or no answer at the office, employees should call their division director or supervisor. If there is widespread power or communications loss, common sense should prevail. Under this policy, the executive director will make the final decision regarding any closings or delays and instruct the assistant executive director to disseminate this information, either by changing the recording on the office telephone system or contacting the executive secretary and the division directors.

In the event that the office is open and the employee believes conditions are such that he cannot safely travel to or from work he may request in writing to be granted paid annual or compensatory leave or leave without pay which will be approved at the discretion of the executive director.

**Insurance and Section 125 Plan**

The Commission offers a comprehensive benefits package to all regular full-time employees. See Appendix 6 for details. Benefit offerings are subject to annual review. Questions regarding the agency’s benefits should be directed to the assistant executive director.

**Health Insurance**

The agency provides at least one group health insurance plan available to all regular full-time employees, their spouses and dependents. The agency pays the premiums for employee-only coverage.

**Dental Insurance**

The agency provides at least one group dental insurance plan available to all regular full-time employees, their spouses and
dependents. The agency pays the premiums for employee-only coverage.

**Retiree Health and Dental Insurance**

Any regular full-time employee who is vested in one of the agency’s retirement plans and who voluntarily retires directly from the agency and begins to collect a retirement benefit is eligible to participate in agency-sponsored health and dental plans until becoming eligible for Medicare. Dependents are also eligible for coverage. The agency and the retiree will share the cost of coverage for the retiree only according to the chart below; retirees shall pay 100% of the premiums for dependent health or dental coverage.

Retirees permanently residing outside plan service areas may not be covered by agency-sponsored health plans and therefore are responsible for acquiring their own health plan coverage, if coverage is desired. The agency will reimburse such retirees for the cost of the health insurance up to the amount of premium the agency would have contributed on behalf of that retiree if the retiree were enrolled in “Retiree Only” coverage. Reimbursement can be arranged on a monthly or quarterly basis. Proper receipts will be required before reimbursement is made. Reimbursement is not available for dependent health or dental coverage.

Duplication of medical benefits under this provision is prohibited. Agency contributions or reimbursement are not available if the retiree’s health insurance coverage has been terminated. Retirees and dependents whose coverage terminates for whatever reason are not eligible to re-enroll in any agency-sponsored plans. Termination of coverage occurs at the earliest of the following events:

- Failure of the retiree to pay required premium contributions;
- Commencement of coverage under another employer’s plan;
- Written notification from the retiree that coverage is no longer desired;
- The retiree dies;
- The plan is terminated by the agency (In this case, the retiree may re-enroll in another agency-sponsored plan);
- The retiree's coverage is terminated for cause as defined by the plan vendor;
- Failure of the retiree to provide appropriate paperwork in a timely manner during open enrollment; or
- Any serious misconduct toward the agency subsequent to the effective date of retirement.

Retirees who opt out of health or dental coverage at either their initial retirement date or during an open enrollment period are ineligible to re-enroll in that agency-sponsored plan. Once a retiree opts-out of health coverage and dental coverage, all coverage terminates, and the retiree then becomes ineligible to re-enroll in any agency health or dental coverage in the future.

Agency contributions toward retiree health and dental premiums are based on length of service with the RRPDC. Retirees with 20 or more years of service receive the same agency contribution for health and dental care as similarly enrolled employees. Retirees with less than 20 years of service receive a five percent reduction in the agency contribution for each year of service less than 20 years as follows:
Continued payment of this benefit is at the discretion of the Commission.

**Group Life Insurance**

The agency provides group term life insurance for all regular full-time employees. The agency pays the premiums for employee-only coverage.

**Voluntary Long-Term Disability Insurance**

The agency provides long-term disability insurance available to all regular full-time employees. The employee is responsible for the premium should this coverage be elected.
Section 125 Premiums Only Plan

The agency provides a program under section 125 of the Internal Revenue Code that permits payment of insurance premiums with pre-tax dollars.

Section 125 Flexible Spending Account

The agency provides a program under section 125 of the Internal Revenue Code that permits payment of certain health care and dependent care expenses with pre-tax dollars on a reimbursable basis.

RETIREMENT AND DEFERRED COMPENSATION

Retirement

The agency provides retirement benefits through ICMA-RC for all employees hired prior to June 14, 2001 and through the Virginia Retirement System for employees hired after that date.

Section 457 Deferred Compensation Program

The agency provides a deferred compensation plan available at the employee’s option. Contributions are paid by the employee.
Chapter 7  EMPLOYEE TRAINING

ORIENTATION OF NEW EMPLOYEES

During a new employee's first month of employment, he or she shall attend an orientation meeting conducted by the division director or supervisor, the assistant executive director and executive director. The orientation meeting will generally provide information on what employees can expect from the Commission, and what the Commission expects from an employee. Also, the benefits to which the Commission employees are entitled will be outlined and a copy of the personnel policies manual will be furnished. All employees are required to read the manual. Each employee is to sign a statement indicating he has read the manual.

Division directors are the employee's main source of information. In accordance with the Commission's "Open Door" policy, an employee is encouraged to discuss his questions and concerns with his supervisor(s). It is the responsibility of the supervisor(s) to help the employee, either by working with him toward solving the problem or by referring him to an appropriate resource.

STAFF DEVELOPMENT

It is the policy of the Commission to require employees to remain current in their professional knowledge, skills, and abilities. Subject to budget constraints the agency seeks to provide opportunities for each staff member to upgrade technical/professional competence through a variety of incentives.

Tuition Reimbursement

Any regular full-time employee who has been employed for at least six months is eligible for reasonable tuition reimbursement at the discretion of the executive director on a course-by-course basis and based on availability of funds. Reimbursement applies to any formal academic courses taken at a local facility for credit or non-credit towards a diploma, certificate, undergraduate or graduate degree, or for any type of course, seminar, workshop, or other program directly related to an individual's job. The procedure for tuition reimbursement is as follows:
Requests should be made in writing to the executive director at least 30 days prior to registration; the executive director acts on all requests for tuition reimbursement.

The employee is responsible for registering and paying for all tuition and expenses. Reimbursement by the Commission may be made after completion of the course, in accordance with the executive director's decision.

Verification of successful completion of the course (an official transcript for formal courses; a certificate, or other indicator for seminars and workshops) with a grade equivalent of "B" or higher plus a copy of the receipt for payment will be required.

For formal academic courses the cost of tuition for up to six credit hours per semester is eligible for reimbursement. The cost of books or other study materials, meals, lodging, transportation, etc. will not be reimbursed by the Commission.

In the case of special seminars and workshops, other expenses may be reimbursed by the Commission at the discretion of the executive director.

Payment for courses or programs which do not have prior approval of the executive director will not be allowed.

Payment may be made in advance under special arrangement with the executive director.

Payment ceilings may be 100% of the credit hour cost but not to exceed six credit hours per semester.

Failure to complete a course successfully may result in the employee repaying the Commission any amount advanced.

**Professional Society Membership**

Commission policies with regard to professional society membership, and attendance at conferences and seminars, shall be as follows:

- The executive director may approve the cost of membership of one professional society affiliation per professional staff member per year provided the cost is within budget limitations. No other
costs associated with society affiliation will be eligible for reimbursement by the Commission.

- Attendance at conferences or seminars by members of the Commission's professional staff will be permitted within limits imposed by the Commission's annual budget. Attendance will be determined by the executive director in accordance with the current needs of the agency for staff training. The Commission will pay all costs associated with attendance at conferences or seminars approved by the executive director within the limits of the Commission’s travel policy.

Training

Each division director/supervisor, in coordination with the assistant executive director and executive director, shall be responsible for developing both on-the-job and off-the-job training programs as required with emphasis on the training of new employees.

Division directors/supervisors shall evaluate periodically the knowledge, skills, and abilities of each employee in terms of the duties and responsibilities of their position and suggest informal or formal programs aimed at improvement or preparing the employee for career opportunities.

Division directors/supervisors may permit or require an employee or group of employees to attend training courses during business hours when such training is in the best interest of the Commission. Should a recommended training program be available only during non-business hours, compensatory time-off will be granted to the exempt employee for the time he attended the training.

Upon completion of training or educational course work, the appropriate information shall be recorded in the employee’s personnel record which is located in the executive secretary’s office. Responsibility rests with the employee and his supervisor in alerting the executive secretary of employee training and educational accomplishments.
**TRAVEL POLICY**

The travel policy applies to travel both within the planning district (local travel) and outside its boundaries (long-distance travel). The following polices apply to all business-related travel by agency employees:

- All travel, except for routine travel to meetings, must be approved in advance by the executive director through a Payment Requisition form (Appendix 5).
- Travel funded under urban transportation planning grants must be approved by the MPO according to VDOT contract requirements and guidelines and the executive director.
- Arrangements for all travel requiring public transportation (air, train, etc.) and/or lodging shall be made by the executive secretary at the direction of the executive director.
- When traveling by automobile, it is preferred that the agency vehicle(s) be used.
- It is preferred that the employee request in advance, using a Payment Requisition form, payments for lodging, transportation, meeting registration and fees that are to be paid directly to the service provider by the agency.
- The employee may pay out-of-pocket for meals and incidental travel expenses and request reimbursement after travel is completed using a Payment Requisition form, or a travel advance may be requested for the estimated cost of these expenses using a Travel Advance Request form. If a travel advance is issued, a Travel Advance Reconciliation form must be submitted after travel is completed. (see Appendix 5 for forms).
- All requests for reimbursements or travel advance reconciliations must be accompanied by receipts with the exception of mileage and per diem meals.
- Any reimbursement or advance is limited to travel expenses incurred by RRPDC employees while conducting official agency business.
- The RRPDC shall follow the per diem and mileage rates that VDOT issues annually with the letter of authorization for urban and rural transportation grants (Appendix 7).
The RRPDC is not required to use the lodging rates published by VDOT. However, these rates represent the maximum that will be reimbursed to the RRPDC under grant programs administered by VDOT and/or VDRPT. Some hotels, travel agencies, and rental agencies offer discounts to government employees. A discount should always be requested.

Local Travel

For local travel, which is defined as travel within the planning district, and for day trips which do not require an overnight stay the following administrative policies apply:

- Use the agency vehicle when it is available.
- Mileage and tolls will not be reimbursed if an employee uses his/her personal vehicle when the agency vehicle is available. Parking fees will be reimbursed if a receipt is provided.
- If an employee uses his/her personal vehicle because the agency vehicle is not available mileage, tolls, and parking fees will be reimbursed. Receipts are required for reimbursement. The agency will follow the mileage reimbursement rate set by VDOT.
- Employees must be covered for at least the state required minimums by a liability policy issued by an agency licensed to do business in Virginia and a valid driver’s license to use personal vehicles for business travel.
- An employee may be reimbursed for meals and related expenses only when attending an authorized breakfast, lunch, or dinner meeting for which the employee pays.

Long Distance Travel

For long-distance travel, which is defined as travel outside the planning district boundaries the following administrative policies apply:

- The most economical and efficient form of transportation should be used, as determined by the nature and urgency of the travel, the number of persons making the trip, the distance to be traveled, and the relative cost of transportation, including time involved.
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- Commercial air travel should be used whenever it is most economical, especially when distance to be traveled is over 250 miles. Coach class accommodations are to be used, except when not available.

- Private automobiles may be used when public transportation is not feasible, or convenient, or the agency vehicle is not available. Reimbursement will be for mileage, at the allowable mileage rate, parking fees, and tolls supported by receipts.

- A rental automobile may be used when appropriate, e.g., when ground transportation costs (taxis, etc.) would exceed the cost of renting an automobile. Actual expenses supported by receipts will be reimbursed. Comprehensive insurance coverage is always to be ordered when renting vehicles.

- Other travel by public transportation may be authorized. A receipt must be presented for reimbursement.

- The cost of lodging based on receipts will be reimbursed for agency personnel when not paid in advance.

- The employee must make a decision to accept the allowable per diem or he/she must retain receipts for all meal expenses in order to be reimbursed.

- Actual expenses for meals supported by receipts, including tips capped at 20 per cent, will be paid for employees on official travel.

- Meal expense claims are subject to approval by the executive director and shall be submitted in accordance with RRPDC administrative policies.

- Incidental expenses such as ferry, bridge, road and tunnel tolls, telephone and other communication charges, and tips and gratuities will be reimbursed at cost when accompanied by receipts.

- Reimbursement is permitted for personal telephone calls at the rate of one 20-minute call for each 24-hour period of travel. A receipt is necessary for reimbursement.

- Authorization for reimbursement of travel expenses is made on a properly filed RRPDC Travel Reimbursement Request form.
- All requests for reimbursement for local travel must be made at the end of each month. Reimbursement for long-distance travel may be requested upon completion of the trip.

- If a travel advance has been made, a Travel Advance Reconciliation form should be completed by the end of the payday following the period of travel.
Chapter 8 EMPLOYEE RELATIONS

OPEN DOOR POLICY

The nature and professional quality of work done by the Commission makes it necessary that open communication exists between employees and the various levels of supervision when disagreement or dissatisfactions arise. It is expected that the open door policy established by the Commission will largely alleviate the need for using a formal grievance procedure.

While the formal organization of positions is necessary to direct the work of the agency, the executive director encourages informal open door communication to facilitate a work environment satisfactory to all employees. Where professional or personal problems affect a staff member's ability to function optimally, staff is encouraged to discuss the problem with their immediate supervisor. It is expected that this informal, open communication policy can effectively reduce the need of the formal grievance procedure established under these policies.

PERFORMANCE EVALUATIONS

A performance evaluation will be conducted for all staff members, including the executive director, who will be evaluated by the Executive Committee, at least once annually in June. New employees shall be evaluated after six months service. Evaluations will be made by the appropriate supervisor, and discussed with the employee, to develop a better understanding of his relationship to the work program and to help the employee develop his effectiveness and usefulness to the organization. The personnel evaluation form found in Appendix 5 should be used to record the results of the evaluation for review of progress at the time of subsequent evaluations. The supervisor should develop a plan for expected improvement.

DISCIPLINARY ACTION

The Commission retains a right to take disciplinary action against any employee for just cause (see also, sections on Grievance Procedures and
Equal Employment Opportunity). Any action by an employee which negatively reflects on or discredits the Commission, or is a direct hindrance to effective performance of any employee or the Commission, may result in disciplinary action. Just causes for taking disciplinary action against a Commission employee may include but are not limited to the following:

- offensive and/or abusive language or conduct toward the public, Commission or related officials and employees,
- insubordination (refusal to perform assigned duties or comply with a direct order of a division director or supervisor),
- failure to perform the duties and responsibilities of the position,
- negligence in the care and handling of Commission property,
- willful violation of any provision of the Commission Charter, or of the Commission rules, regulations or procedures including those outlined in the Personnel Policies and Procedures Manual,
- habitual tardiness or absences from the job,
- reporting to work under the influence of alcohol or controlled substances,
- harassment of Commission employees while on the job,
- physical abuse of Commission employees while on the job,
- falsification of information,
- unlawful discrimination,
- protracted and less than satisfactory performance,
- conduct unbecoming a Commission employee, or
- conviction of a felony.

With the exception of any conviction on felonious criminal charges or any criminal drug statute conviction involving the manufacturing, distributing, or dispensing of a controlled substance, the following disciplinary actions are subject to employee appeal through the approved grievance procedure:

- Oral Reprimand: A supervisor may orally reprimand an employee for any cause, as outlined above. All oral reprimands should be
documented, dated, and transmitted to the executive secretary for placement in the employee's personnel folder. All such reprimands will be removed from an employee's personnel folder after 12 months.

- **Written Reprimand:** Written reprimands, for just cause, must be presented to the employee, and a copy transmitted to the executive secretary for placement in the employee's personnel folder.

- **Suspension:** An employee may be suspended, without pay, for up to 10 business days, for just cause. Such action is taken by the executive director, in consultation with the employee's supervisor and the assistant executive director, is documented, and is placed in the employee's personnel file with a copy provided to the employee and to the assistant executive director who shall adjust the employee’s pay accordingly.

  If it is necessary to suspend, without pay, an employee for a second time in a three-month period, that suspension shall be for not less than 10 or more than 20 business days.

  For all suspensions, a written notice, including cause, must be transmitted to the employee within one day of the suspension. Suspensions of more than eight hours will result in loss of the accumulation of sick leave and annual leave for that pay period.

- **Demotion:** An employee may be demoted for just cause by the executive director, in consultation with the employee's supervisor. A written notice of a demotion will be transmitted to the employee within 10 business days of the effective date of the demotion; this notice must specify cause and a copy must be placed in the employee's personnel folder.

- **Discharge:** An employee may be discharged for just cause by the executive director, after consultation with the employee's supervisor. A written notice of dismissal, specifying cause, must be transmitted to the employee within 10 business days of the effective date of discharge. An employee may be suspended without pay pending discharge, in which case the suspension will not be governed by the limitations stated under Suspension but the procedure and notification therein shall be followed.
HARASSMENT AND DISCRIMINATION

It is the policy of the Richmond Regional Planning District Commission that all employees have a right to work in an environment free from discrimination, which includes freedom from harassment – whether that harassment is based on sex, age, race, national origin, religion, sexual orientation, marital status, disability, or membership in other protected groups. The Commission prohibits harassment of its employees in any form – by supervisors, co-workers, customers, or suppliers.

Such conduct may result in disciplinary action up to and including dismissal of the employee who harasses others or the supervisor or division director who tolerates such conduct. Persons who are not employees who engage in offensive and/or harassing behaviors or language will be asked by the supervisor or division director to leave the premises.

No supervisor shall threaten or insinuate either explicitly or implicitly that any employees’ submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee’s employment, performance appraisal, wages, advancement, assigned duties, or any other condition of employment or career development.

Other harassing conduct in the workplace, whether physical or verbal, committed by supervisors or others is also prohibited. This includes: slurs, jokes or degrading comments concerning sex, age, race, national origin, religion, sexual orientation, marital status, disability, or membership in other protected groups; repeated offensive sexual flirtation, advances, or propositions; continual or repeated abuse of a sexual nature; graphic verbal comments about an individual’s body; and the display in the workplace of sexually suggestive objects or pictures.

Employees who have complaints of harassment should report such conduct to their supervisor, division director, the assistant executive director or the executive director. Where investigation confirms the allegations, appropriate corrective action will be taken.
GRIEVANCE PROCEDURE

General Information

A grievance is a complaint or dispute by an employee or a group of employees relating to his employment with the RRPDC, including but not necessarily limited to: the proper application, meaning or interpretation of Commission personnel policies, procedures, or rules and regulations, as they affect each employee; a claim by an employee that unjust supervisory conduct caused him/her to lose his/her job, be disciplined, or lose a benefit to which he/she was entitled; or a claim that acts of reprisal were taken as the result of utilization of the grievance procedure. The RRPDC desires to resolve employee grievances promptly and fairly. All employees who feel they have been treated unfairly because of race, color, religion, sex, national origin, political affiliation, physical handicaps, age, or marital status have the right to submit such grievance for orderly settlement.

The purpose of the formal Grievance Procedure is to obtain a complete understanding and settlement of employee problems related to issues of the fair application of personnel rules and disciplinary actions, as soon as possible, at the lowest supervision level commensurate with an equitable settlement. All problems, complaints, or disputes should be settled with the supervisor. If necessary, there should be no reluctance to carry grievances to the highest level of management. This policy is applicable to all employees who have completed the initial six-month probationary period. In situations where there is a question on the aggrievability of an issue, such determination will be made by the executive director. A Grievance Procedure Timeline form is included in Appendix 5 and is to be used to track and document the grievance procedure.

Procedure

1. The aggrieved employee (grievant) will verbally present the grievance to his immediate supervisor within seven business days of its occurrence. The supervisor will verbally provide an answer within three business days of the employee's presentation of the grievance.
2. If a grievance is not satisfactorily settled verbally as in step 1, the grievant may submit the grievance in writing to the immediate supervisor within five business days of the verbal response; the supervisor must respond with a decision in writing within five business days of receipt of the written grievance.

3. If a grievance is not satisfactorily settled, as in step 2, the grievant may appeal in writing within three business days of the supervisor's decision, to the executive director. The executive director will reply in writing within five business days of receipt of the appeal.

4. If a grievance is not settled as in step 3, the grievant may appeal the decision to the Grievance Review Panel. The decision by the Grievance Review Panel shall be final and binding except, in cases involving expenditures of Commission funds, the decision may be further reviewed by the Executive Committee. Written notification of an employee's intent to appeal to a Grievance Review Panel must be sent by the grievant to the Chairman of the Commission through the executive director within five business days of the executive director's response. This notification shall include a statement of the basis on which the grievant will contend that the executive director's decision should be reversed or modified.

5. The Chairman of the Commission shall arrange a time and place of a hearing and notify all affected parties within three business days of receiving notification of appeal. The hearing shall be scheduled so that at least five and not more than 15 business days are elapsed between the time of party notification and Grievance Review Panel hearing.

The Grievance Review Panel

The Panel will consist of five members, selected as follows:

- The grievant selects one representative from among the employees of the nine local governmental jurisdictions that are members of the Commission.

- The immediate supervisor of the grievant selects one representative from among the employees of the nine local
governmental jurisdictions that are members of the Commission.

- A third member is selected within five business days by the two members chosen by the grievant and his immediate supervisor.

- The Commission executive director selects one representative from among the Chief Administrative Officers of the nine local governmental jurisdictions that are members of the Commission. This member shall chair the Panel.

- The Chairman of the Commission selects one representative from among the membership of the Commission.

- If all members agree to serve, a meeting is scheduled and conducted as described below. If any selected member declines to serve, the person selecting the member selects a replacement as described above.

**Conduct of Grievance Review Panel Hearing**

The Panel will determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing.

The Panel may ask, at the initiation of the hearing, for statements clarifying the issues involved.

Exhibits, including previous correspondence related to appeals and decisions, may be received in evidence marked and made part of the record by the Panel.

The Panel shall afford full and equal opportunity to all parties and witnesses for presentation of facts, evidence, and other relevant material.

The Panel will determine the relevance and materiality of any evidence offered.

All evidence shall be presented in the presence of the Panel and all parties.

The majority decision of the Panel shall be final in all its determinations.

The Chair, upon completion of presentation of all evidence and materials, shall specifically ask all parties whether or not they
have further evidence to offer, or witnesses to be heard. Upon negative replies to the inquiry, the Chair shall declare the hearing closed.

The Panel's decision shall be presented in writing and distributed to all parties within 15 business days of the close of the hearing. The Panel's decision shall be final and binding.

A hearing may be re-opened on the motion of the Panel, or upon written application of any party to the Chairman of the panel, for good cause, prior to the time the Panel's decision is written and distributed.

Grievance Rights and Conditions

A grievant may be accompanied and/or represented by an individual, including legal counsel, of his choice. Any such representation shall be at the expense of the grievant.

Failure by the grievant to process a grievance within the time limits outlined in preceding sections shall constitute termination of the grievance. Failure by a supervisor or the executive director to respond within the time limits outlined in preceding sections, allows the grievant to immediately proceed to the next step. In extenuating circumstances, the executive director may extend the time limits to any party.

The grievance process may be followed by any employee with complete freedom from reprisal, regardless of outcome. This right does not, however, confer the right upon anyone to make slanderous or libelous statements.

The jurisdiction and authority of the Grievance Review Panel shall be confined to judging Commission's action in relation to the existing policies, rules, and regulations of the Commission. The Panel shall have no authority to add to, delete from, or amend, Commission policies, rules, regulations, and procedures.

Nothing in these procedures is intended to circumscribe the right of the Commission to carry out its functions. This policy and procedure is intended to support the right of the Commission to carry out the following:

- direct the work of its employees;
- hire, promote, transfer, assign, and retain employees in positions within the agency;
- demote, dismiss, or suspend employees for just and proper cause;
- maintain the efficiency of Commission operations;
- relieve employees from duties because of lack of work or funds, or for other legitimate reasons;
- take actions that may be necessary to carry out the duties of the agency in emergencies;
- determine the methods, means, and personnel by which the Commission's plans and operations are to be carried out; and establish and review wages, salaries, position classifications, or general benefits.
Chapter 9 MISCELLANEOUS POLICIES

PERSONNEL RECORDS

The following procedure will be observed regarding review of personnel files. These files are under the supervision of the executive secretary. An employee has the right to review his/her own file for any reason. All files will be reviewed in the office and at the convenience of the executive secretary. No files will leave the office of the executive secretary, except to be reviewed by the executive director or the Grievance Review Panel, if a formal grievance is submitted. Employee records will contain the completed application form, personal reference letters, position descriptions, the annual employee evaluation, updated salary information, and other official personnel information discussed in this manual and as authorized by the executive secretary and executive director.

Supervisors may review files on any employees under their supervision in the executive secretary's office. If they wish to review files on employees who desire transfer to their division, they may review only the application and related material pertaining to that position.

PERSONAL INFORMATION

It is the responsibility of the employee to see that the assistant executive director is notified of any changes in his or her personal information in writing. Such information as name, mailing address, telephone number, marital status, disability status, residency, name of person to contact in case of emergency, etc., must be kept up-to-date. If such corrections have not been initiated in writing by the employee and sent to the assistant executive director, any problems occasioned by the Commission’s use of out-of-date information are the responsibility of the employee. (see Appendix 5)

CONFIDENTIALITY

All personnel information, including that relating to applicants, is confidential. All requests for verification of employment and requests for references for current or past employees will be handled by the assistant
executive director and provided if the employee supplies a signed authorization for the assistant executive director to do so.

Division directors/supervisors are not to provide information regarding employees or former employees to other individuals, businesses, or other agencies. Exceptions to this may be approved on a case-by-case basis only by the executive director.

**OUTSIDE EMPLOYMENT**

Employees may participate in other gainful, supplemental jobs, provided the service performed in their regular Commission position is not impaired or compromised. Employees working a second job must notify and have written approval of the executive director. This approval will be noted in the employee's personnel file and is conditional upon the secondary employment not interfering with Commission work.

No employee of the Commission shall engage in or accept other public or private employment, or render services for other interests, when such employment or service may be incompatible with the proper discharge of his independence of judgment, attentiveness, or action in the performance of official Commission duties. Failure to notify the Commission of secondary employment or a determination by the employee's supervisor that secondary employment is interfering with Commission employment may be cause for the executive director to impose a conditional status on the employee.

**SERVICE AWARDS**

The intent of the program is to recognize Commission employees for their dedicated service to the Commission; to impress upon each employee that his service to the Commission plays an important role in achieving the overall goals of the Commission; and to encourage career employment in public service with the Commission.

- Employees in all regular full-time positions are eligible for participation in the program.

- Computation:
  
  Award shall be based on years of service to the Commission.
Service for part-time work will not be credited to an employee’s service date.

Employees will be eligible to receive awards after completion of each five-year interval of service.

- Awards will be determined by the executive director.

Service awards shall be presented during ceremonies sponsored by the Commission and shall be given to any eligible employee who is still in the Commission’s service at the time of the ceremony or who has officially retired from Commission service.

The assistant executive director shall maintain records for those persons eligible to receive service awards. It shall be the responsibility of the division directors/supervisors to keep the assistant executive director timely informed of any conditions affecting an employee’s service credit.

**Political Activity**

All employees are free to engage in political activity to the widest extent consistent with the restrictions imposed by law. Because the agency receives federal funds, the Hatch Act as amended is recognized as Commission policy. According to a summary of the Hatch Act for state and local governments:

The Hatch Act applies to the political activity of certain state and local government employees. Covered employees under the act are persons principally employed by state or local executive agencies in connection with programs financed in whole or in part by federal loans or grants. The act does not apply to the political activity of persons employed by educational or research institutions or agencies supported in whole or part by (a) states or their political subdivisions, or (b) religious, philanthropic or cultural organizations.

It should be noted that some statutes make Hatch Act provisions applicable to other categories of individuals, e.g., persons employed by private, non-profit organizations that plan, develop, and coordinate Head Start and certain other types of federal assistance.

Covered state and local employees may-

- run for public office in nonpartisan elections
- campaign for and hold office in political clubs and organizations
actively campaign for candidates for public office in partisan and nonpartisan elections

contribute money to political organizations and attend political fundraising functions

Covered state and local employees may not-

be candidates for public office in a partisan election

use official authority or influence to interfere with or affect the results of an election or nomination

directly or indirectly coerce contributions from subordinates in support of a political party or candidate

**ALCOHOL AND DRUGS**

Pursuant to the Federal Drug-Free Workplace Act of 1988 (P.L. 100-690, Title V, Subtitle D), the unlawful manufacture, distribution, possession, or use of a controlled substance is prohibited in the Commission's workplace. In addition, reporting to work under the influence of alcohol or controlled substances is prohibited. Violations of these prohibitions will result in appropriate personnel action against an employee up to and including termination, or the requirement that such employee satisfactorily participate in a drug-abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

All employees, as a condition of employment with the Commission, shall abide by the terms of this policy and shall notify the Commission of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The Commission shall maintain a drug-free awareness program to inform employees about the following:

- the dangers of drug abuse in the workplace;
- the Commission's policy of maintaining a drug-free workplace;
- drug counseling, rehabilitation, and employee assistance; and
- penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
The Commission will obtain pamphlets, brochures, or other appropriate informational materials from area United Way Agencies, local government Community Services Boards, or other social service agencies, as part of the Commission's orientation program. In any event, employees are obligated to be aware of, and abide by, all laws and policies related to drug abuse. Omission of any specific drug abuse provision from materials provided by the Commission does not absolve any employee from obligation to conform to the law.

The executive director and employee's supervisor are authorized to require any employee to submit to professionally administered drug/alcohol testing if an employee's behavior and performance on the job is indicative of reasonable suspicion of a substance abuse problem.

All employees and applicants who drive a Commission vehicle in the course of their duties as a condition of employment and continued employment are subject to professionally administered random drug/alcohol testing. Testing may occur under the following conditions:

- pre-employment,
- random,
- post-accident,
- reasonable suspicion, or
- return to work after testing positive and follow-up

In all cases, a refusal to submit immediately to a drug or alcohol test when requested, including failure to appear for testing, without prior notice acceptable to the executive director or a verified positive test finding of alcohol or illegal drug use will subject the employee to the full range of disciplinary action up to and including dismissal; or in the case of an applicant, the withdrawal of a conditional offer of employment.

The Commission’s drug and alcohol testing program will be administered in accordance with the US Department of Transportation Regulations 49 CFR Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing and the Drug-Free Workplace Act of 1988.

All drug-testing information specifically relating to employees and applicants is confidential and should be treated as such by anyone authorized to review such information. The assistant executive director shall maintain all applicable records in accordance with applicable laws and regulations.
All records and information of any personnel actions involving an employee with verified positive test results shall be maintained in confidential and secured files in the executive secretary’s office and disseminated only to authorized individuals on a confirmed “Need to Know” basis as determined by the executive director in accordance with applicable laws and regulations.

An employee shall be required to submit to a drug and/or alcohol test when there is reasonable suspicion to believe the employee has used or is under the influence of drugs or alcohol. A supervisor will make this decision based on “specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, and/or body odors of the employee”. When a supervisor, in his or her judgment, has reason to believe that an employee has used or is under the influence of drugs or alcohol, the supervisor should ask the executive director or his designee to corroborate the observations. The following examples, alone or in combination, may comprise reasonable suspicion. This list is intended to be illustrative and not all-inclusive.

- unexplained inability to perform normal job functions
- slurred speech
- smell of alcohol or drugs on breath
- any unusual lack of physical coordination or loss of equilibrium
- unexplained hyperactivity or depression or withdrawal
- unexplained inability to think or reason at the employee’s normal level
- unusual or bizarre behavior

During normal business hours if reasonable suspicion is determined, the supervisor shall contact the executive director, or his designee, to discuss observations and to determine the appropriate course of action. If the employee is to be tested, arrangements will be made with a designated collection center for the necessary drug or alcohol tests. The employee will be transported to the testing site during normal business hours. For purposes of these guidelines, normal business hours are considered 7:30 a.m. to 6:00 p.m. A written report of the observations leading to the reasonable suspicion test, signed by the supervisor who made the observation, is to be done within 24 hours of the observed behavior or before the results of the controlled substances test are released, whichever
is earlier. All records should immediately be sent to the assistant executive director.

If the employee refuses to be tested, the employee shall be immediately suspended from duty and transported home. Further, such refusal shall be the basis for discipline, up to and including dismissal.

For purposes of maintaining a workplace free of drugs and alcohol, the Commission reserves the right to search all Commission workplaces, including but not limited to offices, desks, and file cabinets.

**CONFLICT OF INTERESTS**

All employees shall comply with Chapter 31 of Title 2.2 of the Code of Virginia, as amended, the State and Local Government Conflict of Interest Act. Questions concerning interpretation or the application of the Act should be directed to the executive director. He may, at his discretion, seek the advice of the Commission’s legal counsel or the Office of the Commonwealth’s Attorney.

**WORKPLACE VIOLENCE**

The purpose of this policy is to educate employees, and to reduce the risk of violence.

Violence, threatened violence, or inappropriate behavior conducive to violence is prohibited. Prohibited acts include aggression or threatened aggression, which may be verbal or physical, and which may include harassment, name-calling, swearing, inappropriate or excessive displays of anger, verbal or physical intimidation, and physical attack directed towards persons or property.

The Richmond Regional Planning District Commission will not tolerate violence or threatened violence in the workplace in any form, whether directed at another person or displayed at random. Employees shall immediately report any behavior or language which threatens their safety or that of others to the supervisor, division director or executive director.

Any Commission division director/supervisor who receives a complaint or has knowledge of violence or threatened violence occurring in the workplace shall ensure that the matter is investigated appropriately. In instances where criminal laws may have been violated, the police
department shall be notified. Substantiated instances of inappropriate behavior shall result in appropriate disciplinary action, up to and including termination.

**FELONY CONVICTIONS**

All Commission employees, regardless of position title or status, are required to report all felony convictions to the executive director within five (5) calendar days of the conviction date. Failure to report the conviction may result in appropriate disciplinary action, up to and including termination.

**DRESS**

The RRPDC is a professional organization with a public image and we must convey respect to our customers and member jurisdictions and respect for ourselves. All employees should come to work dressed professionally and neatly groomed. This includes wearing ties, jackets, suits, coordinated pantsuits, and dresses as required for meetings with the public and others from outside the organization. Fridays have been designated as casual business attire day. Jeans, shorts, stretch pants, athletic apparel, t-shirts, or other casual attire is unacceptable. RRPDC polo shirts are acceptable for business casual dress. In times of extreme weather conditions, common sense should prevail.

**ETHICS**

The following policy is to establish the limits of ethical conduct for all Commission employees by setting forth those acts or actions that are considered to be incompatible with the best interests of the Commission, and directing disclosure by employees of any private financial or other interests which may directly or indirectly adversely affect the Commission. The Commission will take disciplinary action up to and including dismissal if an employee’s behavior exhibits a lack of integrity or ethics.
Gratuities and/or Gifts to Employees

No employee shall accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Commission; nor shall any employee, (1) accept any gift, favor, or thing of value that may tend to influence him or her in the discharge of his or her duties, or (2) grant, in the discharge of his or her duties, any improper favor, service or thing of value, or (3) misuse any Commission equipment; nor shall any employee fail to report any action of a person, firm or corporation which to his/her knowledge may have an adverse effect upon the Commission.

Employee Behavior

A priority of the Commission is to provide a working environment where trust is valued. To achieve this trust, the Commission requires truthfulness and integrity among fellow employees. Employees have a responsibility to encourage honesty, integrity, and ethics. The following types of behavior are considered unethical and will result in disciplinary action:

- lying, cheating, and stealing;
- deceiving others by misrepresenting or withholding information;
- putting pressure on another employee to act unethically;
- failing to accept responsibility for actions by passing blame to others or allowing others to unfairly take blame;
- failing to honestly abide by agreements or promises;
- undermining group decisions through action or inaction;
- feigning lack of memory or understanding to avoid following group decisions;
- using a position of authority in an unfairly coercive manner;
- failing to follow internal procedures or rules in order to achieve a self-need rather than a group need; and
- compromising public authority or trust.

Other behaviors may be unethical, and this list of behaviors is not intended to be all-inclusive.
USE OF COMPUTERS AND ELECTRONIC COMMUNICATIONS SYSTEMS

General Principles

Electronic communications services and computers are provided by the RRPDC to support open communications and research through the exchange of information and to provide the opportunity for collaborative government-related work. The RRPDC encourages the use of electronic communications by its employees.

The RRPDC’s electronic communications systems are the property of the RRPDC and are intended for use in carrying out government business. The RRPDC retains all personal property rights in any matter created, received, or sent via the RRPDC’s electronic communications systems, and such matter is not the property of the employees. The contents of electronic mail may be disclosed to authorized individuals within the organization without the permission of the sender or recipient. Persons using electronic communications services must not assume that messages are confidential because a private password is used. The use of passwords to gain access to the electronic communications systems is for the protection of the RRPDC, not the employees. The RRPDC must have access to the entire network. The RRPDC performs regular backups on all computer systems to facilitate recovery in case of system failure or disaster.

Electronic communications are official records under both the Virginia Freedom of Information Act and the Virginia Privacy Protection Act. As a result, electronic communications are potentially subject to disclosure under either or both acts.

Although access to information and information technology is essential to the missions of government agencies and their users, use of electronic communications services is a revocable privilege. Conformance with acceptable use, as expressed in this policy, is required.

Policy

This policy applies to all electronic and telephonic communications systems and all communications and information transmitted by, received from, or stored in these systems. These systems are the property of the RRPDC, and as such, are to be used for work-related communications.
While in the performance of work-related functions, while on the job, or while using publicly owned or publicly provided information processing resources, employees are expected to use these resources (including telephone, pager, fax, electronic mail, Internet) responsibly and professionally and shall make no intentional use of these resources for any unlawful purpose. Employees may make reasonable personal use of publicly owned or provided resources as long as:

- there is no cost to the RRPDC,
- there is no negative impact on employee performance of public duties, or
- no other provision in this policy is violated, including that which prohibits intentional use of resources for an unlawful purpose.

Division directors or their designated representatives are responsible for disseminating and enforcing employee compliance with the provisions of this policy and for investigating non-compliance. When an instance of non-compliance with this policy is discovered or suspected, the agency shall proceed in accordance with RRPDC personnel policies. Suspension of service to users may occur when deemed necessary to maintain the operations and integrity of RRPDC information systems. User access, accounts, passwords, software, and hardware may be withdrawn without notice if a user is suspected of violating this acceptable use policy. Discipline may be appropriate in cases of non-compliance with this policy. Criminal or civil action against users may be appropriate where laws or rights are violated.

Users should remember that all RRPDC rules, regulations, and guidelines, as they presently exist and as they may be amended in the future, on ethical behavior of RRPDC employees and the appropriate use of RRPDC resources apply to the use of all electronic communications.

Specifically Acceptable Uses:

- Communication and information exchange directly related to the mission or work tasks of the RRPDC.
- Communication and information exchange for professional development, to maintain currency of training or education, or to discuss issues related to the user’s division activities.
Applying for or administering grants or contracts for RRPDC research or programs.

Advisory, standards, research, analysis, and professional society activities related to the RRPDC work tasks and duties.

Announcement of new laws, procedures, policies, rules, services, programs, information, or activities.

Specifically Unacceptable Uses:

- Purposes that violate the laws of the U.S., the Commonwealth of Virginia, or any locality.
- For-profit or commercial activities unless specific to the mission or duties of the RRPDC.
- The intentional copying of any software, electronic file, program, or data using RRPDC provided electronic communications services without a prior, good faith determination that such copying is, in fact, permissible. Any efforts to obtain permission from the owner of such information should be adequately documented.
- Users intentionally representing themselves electronically as others, either on the RRPDC networks or elsewhere unless explicitly authorized to do so. Users shall not circumvent established policies defining eligibility for access to information networks and systems.
- Intentionally developing programs designated to harass other users or to infiltrate a computer, computing system, or communications network and/or damage or alter the data, software or hardware components of it.
- Fund-raising or public relations or political activities not specifically related to RRPDC activities.

Other Policy Requirements:

- Software—only RRPDC approved software, either downloaded from or over the Internet or loaded from portable media storage devices, may be installed on any electronic device. All software
so obtained must be checked for viruses prior to installation and use.

- **System Security**—authorized users must use passwords associated with an RRPDC information system only on that system.

- **Confidentiality**—employees shall disclose messages or information only to persons who are authorized to receive such information. Requests by the public for messages or information shall be treated as a request under the Virginia Freedom of Information Act. In drafting electronic communications, employees should use the same approach they would if they were writing a hard copy memorandum. Employees should not, as a matter of course, transmit information that is made confidential by law. If there is a business need to do so, such messages should be clearly labeled as containing confidential information. Electronic messages should not be left on screens when the user leaves the computer. Hard copies of messages should not be left in the open.

- **Personal Web Sites**—personal web sites are not permitted to be run from RRPDC electronic communications equipment.

- **Conduct**—when using electronic communications services provided by the RRPDC, users must remember that they are representing the RRPDC and should conduct themselves as RRPDC representatives at all times.

- **Passwords**—all passwords and the file paths they protect must be provided to the respective division director and the Director of Planning and Information Systems. Working files may not be password protected or saved in a form that prohibits editing and sharing by other staff.

- **File Naming and Storage**—files should be named and stored in a manner that generally follows the organization of the agency work program and paper filing system. Filenames should be a logical extension of the work assignment and should be filed in such a manner as to be relatively easy to find by other staff.