CITY OF MANASSAS PARK
EMPLOYEE HANDBOOK

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100
The Public Service in Manassas Park

101 General

City of Manassas Park (City) employees provide the local government services needed to sustain our community. Every employee is an ambassador for the City; in other words, singularly and together, we represent the City to the public at large, to our neighbors and friends.

102 At-Will Employment

Employment with the City is *at will* and the guidelines for discipline and termination listed in these policies are not deemed to modify or alter this at-will nature of employment with the City (see definition in Glossary). The City retains its right to dismiss any employee with or without cause.

103 Equal Employment Opportunity

A. The City is committed to a work environment where all individuals are treated with respect and dignity; where relationships are professional, ethical and free of bias, prejudice and harassment.

B. The City bases its hiring and promotional decisions on qualifications for a specific job. The City will not deny employment or promotional opportunities or, conversely, the City will safeguard individuals within the Commonwealth from unlawful discrimination in employment because of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), marital status, disability, genetic information, or status as a veteran, and disability except when physical and mental requirements are a bona fide occupational qualification necessary to perform the essential functions of the job. The City will not violate any further amendment of federal and/or state law or newly established law related to equal employment opportunity.

C. Employees are encouraged to report perceived incidents of discrimination or harassment, as provided for in this policy, and the City will investigate any such complaint.

D. Retaliation against any individual who reports discrimination or harassment or participates in an investigation is prohibited.

104 Organization

A. Governing Body

The Code of Virginia and the Code of the City of Manassas Park, Virginia (the "City Code") establish the decision-making authority and responsibility of the City. The City has a Council-Manager form of government, with a Mayor and six Council Members, together making up the Governing Body. The Governing Body serves as the legislative body for the City, with at-large elections held every two years for staggered four-year terms. The Governing Body appoints the City Clerk, City Attorney and City Manager, and elects the Vice Mayor.

B. City Manager

1. The City Manager acts as Chief Administrative Officer, managing City Department Directors and professional staff to direct City operations and administration.

2. In addition to the fundamental duties of supervising the administrative and operational affairs of the City, Resolution No. 06-1000-1016, dated October 17, 2006, authorizes the City Manager to maintain and revise the City's personnel policy. In addition, the following are decisions authorized by the Governing Body under the purview of the City Manager, without Governing Body approval, effective March 13, 2007:

   a. Organizational restructuring not impacting number of positions;

   b. Salary increases or decreases, provided salaries remain in the range for which the position is classified;

   c. Utilization of temporary employees on a temporary basis to deliver services (typically used in peak seasons or when vacancies exist); and

   d. Employment or separation packages (*i.e.,* negotiated leave or separation packages) within parameters established by the Governing Body.

C. Department Director

The Department Director—also referred to as "Department Head"— serves at the pleasure of the City Manager and administers and manages all departmental functions, including establishing and communicating work expectations; developing operating procedures; scheduling activities and work hours; managing employee performance; determining the methods, means and personnel by which work activities are carried out; and, securing a safe working environment. A Director may be responsible for more than one Department. Department Directors are responsible for managing and supervising the operations of their departments, either directly or through subordinate Supervisors.

D. Supervisor

It is each Supervisor's responsibility to see that the function they are responsible for is operating efficiently and that City residents can expect great customer service. The Supervisor is also responsible to be a role model for employees and to coach, mentor, train and correct employees under their authority.

E. Employee

The City typically hires an employee to work in one department or office. At times, the City may assign one employee to perform work in more than one department or function, as approved by the City Manager. At such times, the Managers or Supervisors of both departments may have a shared and proportionate responsibility for the employee's performance management.

105 Mission Statement and Strategic Goals

A mission statement defines the City's reason for existence. It embodies its philosophies, goals, ambitions and mores. The City's mission statement and the Governing Body's strategic goals will be appended to these policies as a part of *Appendix A*.

106 Vision Statement

The Vision Statement is a declaration of what the City aspires to become in its process of continuous improvement and which, in turn, generates the guiding principles by which the City operations are administered—that is, with the future in mind. The City embodies its Vision Statement, which reads as follows:

The City of Manassas Park will be
The premier Northern Virginia community in which to live, work and raise a family.

107 Organizational Taxonomy

The City's functional organization consists of a hierarchy of functions aligned with levels of responsibility and authority. From time to time, the functions may be identified as departments, divisions, sections, bureaus, offices, business centers, or as may be determined from time to time. The City's most current organizational chart will identify these categories appropriately and can be found in *Appendix B*.

108 Chain of Communication and Command

A. For the City to thrive, productive command and communication must flow vertically through the organization. City matters that require review and/or approval through established levels of authority follow the functional organizational charts of each department of the City, referred to as the "chain of command" and "chain of communication." Examples of daily operational matters requiring chain-of-command approvals include, but are not limited to, all personnel matters; *e.g.,* requests for leave; overtime authorization; performance evaluations; disciplinary actions; as well as, purchases, expenditures, and change orders. The chain of communication is important so that no one who "needs to know" is excluded from the required knowledge.

B. The chain of command will always include the City Manager before, during, or immediately after an event depending on the imminent requirement of the situation at hand. For example, the City Manager will always be notified of a significant fire at a residence; gang activity; an incident at one of the City's facilities, pools or parks; a water main break; a zoning enforcement action for overcrowding; an occurrence of workplace violence; the arrest of an employee; the immediate suspension of an employee for security purposes; the critical medical condition or death, of an employee; electronic network failure; etc.

109 Management Rights

A. The City has the authority to organize and manage its human and material resources in order to provide efficient and effective services to its residents and customers. Nothing in these policies is intended to restrict or change these Management rights, so long as they are not exercised in an arbitrary or capricious manner.

B. Management's rights include, but are not limited to, the ability and responsibility to:

1. Direct the work of employees as well as establish and revise wages, salaries, position classifications and general employee benefits;

2. Hire, promote, transfer, assign and retain or dismiss employees;

3. Maintain the efficiency of City governmental operations;

4. Relieve employees from duties in emergencies; and

5. Determine the methods, means and personnel to accomplish operations.

110 Employee Empowerment

It is the intent of the City that employees at all levels of the organization make decisions at their most appropriate and delegated level.

111 Open Door Policy

The City of Manassas Park promotes an atmosphere where employees can talk freely with members of the Management staff through the proper chain of communication. Employees are encouraged to discuss issues with their Supervisor openly, yet respectfully, so that appropriate action may be taken.

112 Management Practices

The City's Management will engage in performance leadership, conducting business at all levels of the organization with ethical, positive and best management practices. These will exhibit and support:

A. Mutual respect among all employees

B. Compassionate honesty

C. Minimizing of barriers among employees

D. The belief that people want to be successful and be part of a successful organization unless and until proven otherwise

E. The creation and sustenance of a positive employee/employer environment

113 Performance Management Program

A. The City acknowledges that all employees benefit from ongoing communication with their supervisors on goals, expectations, skills, and performance. In addition to continuous informal feedback that occurs throughout the year, the City provides for periodic and annual evaluations in a more formal process within the Performance Management Program.

B. Goals of the Performance Management process include:

1. Linking work of the employee to the objectives of the group and the department;

2. Setting objectives so that expectations are clear;

3. Reviewing objectives at least mid-year for updates, assistance, and recognition;

4. Reinforcing positive work habits and ethics; and

5. Offering the employee information regarding personal professional development.

114 Recognition and Rewards

In support of the belief that people want to succeed and be a part of a successful organization, all employees are eligible to receive performance pay and other premiums where appropriate and when the City's financial condition allows.

The pay range established for each classification in the City's Compensation Plan, and wages paid to an employee, assume an employee's fully satisfactory total performance.

A. Performance Awards

An employee may receive recognition for extraordinary or notable work or actions that have been of critical importance in the accomplishment of the City's goals or in the City's best interest. A team of employees may receive a team award in similar situations. These awards and recognitions may or may not result in monetary incentives, depending on budgetary constraints.

B. Service Awards

The City strives to retain its good employees and recognize their loyalty and dedication through awards for years of service. These recognitions are made annually and may or may not result in monetary incentives, depending on budgetary constraints.

Employee rewards are authorized by City Ordinance No. 11-1700-1915, which is in compliance with Virginia Code §15.2-1508. From time to time, the City Manager may establish other means and methods of employee recognition and will notify employees of relevant criteria.

115 Personal Information Privacy

The City believes in the right to privacy with regard to employees' protected health and other information. The City will only use, disclose, and maintain the minimum amount of protected information that is required for legal compliance, such as the Family and Medical Leave Act; administrative functions, such as payroll; and those performed on behalf of group benefit plans, including enrollments and changes, accounting and billing functions, budgeting, and auditing.

116 Confidentiality by Employees

A. The City intends that all its business be conducted ethically, honestly, honorably and, to the extent possible, transparently. However, certain works in progress and work products are not subject to public scrutiny as proscribed under the Virginia Freedom of Information Act (Va. Code § 2.2-3700 *et seq*).

B. No employee shall, without authority or permission, at any time or in any manner, either directly or indirectly, divulge, disclose, or communicate to any person, firm or corporation in any manner whatsoever any confidential or sensitive information concerning any matters affecting or relating to the business of the City, its employees, its manner of operation or other business matter.

C. Information provided to others by an employee without the authority to do so will constitute a violation of these policies and may result in disciplinary action, up to and including termination.

117 Personal Appearance and Uniforms

A. The City of Manassas Park strives to balance its image with the employee's freedom to make personal appearance choices. The City is committed to maintaining a high public image, while allowing a reasonable degree of freedom in the individual's style, provided it is not a hazard to the employee's health and safety, or offensive to others in the workplace and the public, and in compliance with legal requirements.

B. Employees must be neat, well groomed, appropriately dressed each workday, and exhibit good personal hygiene, according to the nature of their jobs. They will assume an appearance that complements the City's core values and reflects a customer-oriented and professional organization.

C. In some functions, there may be specific requirements for attire or a type of garment or uniform. For field and public activity safety, security, and identification are a major concern; appropriate dress and footwear is required accordingly.

D. Any work time missed by a Non-Exempt employee because of failure to comply with this policy will not be compensated. Repeated violations of this policy will be cause for corrective action, up to and including termination.

E. The City Manager ultimately determines the appropriateness of personal appearance and may make exceptions to the work attire for special days, meeting requirements, or other reasons.

200
Glossary

201 Purpose of Glossary

Unless otherwise specifically provided or unless otherwise clearly required by the context in which such words or phrases are used, the words and phrases defined in this glossary shall have the meaning indicated when used throughout these policies.

202 Definitions

Absent without leave or AWOL: An unauthorized absence during a scheduled work period.

Administrative Leave with Pay or ALWP: Paid leave granted to an employee at the discretion of the City Manager.

Administrative Leave without Pay or ALWOP: Unpaid leave granted to an employee at the discretion of the City Manager, which may be investigative or disciplinary in nature.

Administrative Regulations or ARs: A separate collection of rules established by the City Manager that provide for the efficient administration of the City.

Anniversary Date: The current beginning date of employment as a regular status employee used for leave accrual, performance evaluations, service recognition, employment verifications, etc., or an alternate or secondary date established as a result of a job change.

Appeal: An application or procedure for review of an alleged grievance or conflict submitted in accordance with the City's Grievance Procedure or Conflict Resolution Process.

Appointed City Officers: A City officer appointed by and serve at the pleasure of the Governing Body. The Appointed City Officers in Manassas Park are the City Manager, the City Attorney, and the City Clerk. Unless specified in their employment agreements with the Governing Body, Appointed City Officers are not subject to this Employee Handbook or the City's Grievance Procedure.

Appointment: The offer to and acceptance by a person of a position for employment.

Break in service: Any separation from the City employment whether by resignation, removal, layoff, dismissal, disability, or retirement, when the employee is subsequently reemployed in an organization other than the City of Manassas Park or is absent without leave for 60 days or more. Administrative Leave without Pay does not constitute a break in service.

Business day: The days of Monday through Friday, from the hours of 8:30 a.m. to 5:00 p.m., during which official City business is performed.

City Attorney: Represents the City of Manassas Park and serves as general counsel to the Governing Body, the City Clerk, the City Manager, City staff, and, if authorized by the Governing Body, appointed bodies, the Treasurer, the Commissioner of the Revenue, and the Registrar. Employees in the City Attorney's office are City employees but neither they nor the City Attorney report to the City Manager. Accordingly, references to the "Department Director"

and the "City Manager" in this Employee Handbook and the City's Grievance Procedure are replaced with the "City Attorney" where needed for matters involving employees of the City Attorney's office (*e.g.*, for discipline and promotion; Steps III and IV of the Grievance Procedure).

City Clerk: Provides administrative support to the Governing Body and other appointed bodies by, among other things, working with the City Manager to prepare agendas; keeping records and maintaining archives for posterity; ensuring that decisions of the Governing Body are properly recorded, and minutes of meetings are timely published; handling inquiries from residents, assisting the Governing Body with correspondence; and managing the appointments to various City boards, committees, and commissions. Employees in the City Clerk's office are City employees but neither they nor the City Clerk report to the City Manager. Accordingly, references to the "Department Director" and the "City Manager" in this Employee Handbook and the City's Grievance Procedure are replaced with the "City Clerk" where needed for matters involving employees of the City Clerk's office (*e.g.*, for discipline and promotion; Steps III and IV of the Grievance Procedure).

City Manager: The Chief Administrative Officer for the City. For the purposes of these employment policies, the City Manager may delegate general or specific authority from time to time.

Class or classification: As it relates to classification and compensation, a group of positions that are sufficiently alike in general duties and responsibilities to warrant the use of the same general title, specification and pay range.

Conflict: Within the context of resolving one, a concern or problem regarding working conditions or a decision by the City not covered by the formal Grievance Procedure.

Conflict Resolution: The resolution of a concern or problem arrived at through the City's Conflict Resolution Process.

Constitutional Officer: A City officer elected by and accountable to the citizens of Manassas Park. The Constitutional Officers in Manassas Park are the Treasurer and the Commissioner of the Revenue. Constitutional Officers do not report to the City Manager or to the Governing Body but have agreed to have their employees treated as City employees for the purposes of the City's employment policies, benefits, and Grievance Procedure. Accordingly, references to the "City Manager" and "Department Director" in this Employee Handbook and the City's Grievance Procedure are replaced with the "Treasurer" or the "Commissioner of the Revenue", where needed for matters involving employees of the respective Constitutional Office (*e.g.*, for discipline and promotion; Steps III and IV of the Grievance Procedure).

Demotion: Assignment of an employee to a position with a lower pay range.

Department: An organizational entity specifically established by City or State law.

Department Director: The head of a department of the City. Department Directors report directly to the City Manager, or his or her immediate designee in the chain of command, for operational and administrative matters. As necessary for the effective administration of the policies and practices included in this Employee Handbook, Appointed City Officers, Constitutional Officers, and the Registrar of Voters are considered Department Directors.

Disciplinary action: A formal corrective employment action imposed upon an employee for the purpose of aligning or realigning the employee to the disciplines of the organization. These employment actions may be in response to poor performance, misconduct, violation of laws, regulations, policies and/or procedures, etc.

Dismissal: Separation from City employment for cause; also referred to as "discharge" and included in the definition of the word "termination."

Employee: A person hired to perform work for the City in return for a wage, salary, fee or payment.

Employee, Exempt: Employees who are Exempt from the overtime and minimum wage requirements of the Fair Labor Standards Act (FLSA). Exempt employees include executive, administrative and professional employees, as defined by the specific provisions of the FLSA. They may also include certain other workers, such as employees of certain recreational establishments under certain parameters.

Employee, Non-Exempt: An employee subject to the minimum wage, overtime, and record-keeping requirements of the FLSA.

Employee, non-regular part-time: An employee whose typical work schedule shifts in number of hours worked depending on the City's need and who does not receive City benefits.

Employee, Regular full-time: An employee in a budgeted position in the classification plan, assigned to regularly work 37 hours or more during a workweek and is eligible to receive full City benefits including retirement.

Employee, Regular part-time: An employee in a budgeted position, in the classification plan, assigned to regularly work a schedule of hours no less than 24 hours per workweek and receives some prorated benefits.

Employee, temporary or seasonal: An employee hired to perform a temporary or seasonal job in other-than-regular status who does not accrue City sponsored fringe benefits, such as paid leave, health insurance, and retirement.

Family and Medical Leave Act or FMLA: A federal law which allows eligible employees to receive a total of twelve (12) workweeks of unpaid leave (or a combination of paid and unpaid leave) during a twelve (12) month period to take care of certain family and medical matters, or as amended for specific categories of persons.

Fair Labor Standards Act or FLSA: A federal law administered by the Department of Labor that sets minimum wage, overtime pay, and record-keeping requirements for employees covered by the FLSA and not Exempt from its specific provisions.

Flextime: Any alternate work schedule to the traditional workday, work shift, or workweek.

Governing Body: The legislative body of the City, consisting of the mayor and six councilmembers, upon which all corporate and political powers of the City are vested. Governing Body members are not subject to this Employee Handbook or the Grievance Procedure.

Grievance: A complaint or dispute by an employee regarding an alleged condition that affects the circumstances under which the employee works and that is included in the list of grievable complains in the Grievance Procedure.

Grievance Procedure: A procedure adopted by the Governing Body, as required by Virginia Code § 15.2-1506 and in accordance with Virginia Code § 15.2-1507, which affords an immediate and fair method for the resolution of grievable disputes which may arise between the City's supervisors and employees. The City's Grievance Procedure is codified in the City Code as Article XVII of Chapter 2 (City Code § 2-225 *et seq*.).

Immediate family: An employee's spouse, natural and adopted children, stepchildren, parents, stepparents, siblings, grandparents, and any person residing in the employee's household who qualifies as a dependent for federal or Virginia income tax purposes or, for FMLA purposes, as otherwise defined by the FMLA. This definition is used for both FMLA and the City's Bereavement Policy.

Job Description: A detailed, written description of the essential factors related to a particular employment position. The description generally includes the job title, duties and responsibilities, examples of work performed, and minimum and/or desirable qualifications.

Layoff: Involuntary separation from employment for non-disciplinary reasons, including lack of funds, lack of work, abolishment of the position, reorganization, reduction in the workforce, or elimination of the workforce.

Leave of Absence without Pay or LWOP: An absence without pay, which has been authorized by the City Manager or designee when an employee has exhausted all appropriate paid leave.

Management: Collectively, all City supervisors, managers, directors, and the City Manager. Also referred to as "Managers" or "Supervisors."

Overtime pay: Compensation paid to an employee for overtime work performed in accordance with the Fair Labor Standards Act.

Pay grade: A level in the Pay Plan with a common pay range for all job classes assigned thereto.

Pay period: A 14-day cycle defined for the purposes of payroll and accrual of leave benefits.

Pay range: A monetary range that includes the minimum and maximum pay rates which determines the compensation for a job class.

Performance Improvement Plan or PIP: Where performance or behavior is below expectations, a written plan indicating the areas required to be improved and a timeline for improvement.

Performance pay: A pay adjustment in accordance with determined levels of compensation related to work performance. The existence of performance pay is dependent on the approval of funding by the Governing Body through the budget process. Pay and/or bonuses may be a one-time payment based on performance.

Position: Any office or job, whether occupied or vacant, full-time or part-time, consisting of duties and responsibilities assigned by an appointing authority.

Progressive and corrective discipline: A due process for dealing with performance or behavior that does not meet expected employer standards. It is corrective, in that the primary purpose for progressive discipline is to notice and assist the employee in understanding that the employee's work performance or behavior is not aligned to the City's work discipline and provides an opportunity for improvement. The process features increasingly formal efforts to provide feedback to the employee so he or she can correct the infraction(s). The City reserves the right to impose even the most severe of employment actions at any time it warrants.

Probationary period, disciplinary: A period of time of up to six (6) months, during which measures are taken to evaluate, under structured supervision, an employee's ability to perform required work duties, when the employee's actions and/or behavior call into question the employee's ability to perform such duties. The disciplinary probationary period may last for a period of up to six (6) months and may be extended by the Department Director by up to six (6) additional months if performance has not yet improved to the desired outcome.

Probationary period, introductory: A period of time, usually consisting of six (6) months from the date of appointment for general and law enforcement employees and 12 months for Fire/EMS and Social Services personnel. During this time, a newly hired employee's ability to perform work duties is evaluated and no employment actions are subject to the City's Grievance Procedure. Introductory probationary periods may be extended by the Department Director for up to six (6) additional months if needed to fully evaluate the employee's performance.

Probationary period, promotional: A period of six (6) months from the date of promotion into a new position during which an employee's ability to perform their new position is evaluated. During this period, an employee may be permitted or suffered to return to their previous job at the previously held rate of pay if the previous position is available. The promotional probationary period may be extended by the Department Director for a period of up to four (4) additional months if needed to fully evaluate the employee's performance in the new position.

Promotion: A change in employment status from one position to another position that requires higher minimum qualifications, more complex duties and responsibilities, and is assigned a higher pay grade.

Qualifications: The skills, knowledge, abilities, educational, experience, and personal requirements that must be met by a person prior to appointment or promotion.

Reprimand, verbal: A discussion between a Supervisor and an employee, during which the Supervisor advises and cautions the employee about unsatisfactory work performance and/or misconduct. A verbal reprimand is typically used as a corrective tool when a violation is initially observed. Notes of the verbal communication remain in the departmental supervisory files and are not, of themselves, subject to grievance.

Reprimand, written: Written documentation of an offense used when a Supervisor determines that an offense, poor performance or misconduct is of such a nature that a record should be placed in the employee's permanent personnel file.

Resignation: Voluntary separation from employment. A minimum of two weeks' notice is expected of all resigning personnel.

Retirement: Voluntary qualifying separation from employment for the purpose of receiving benefits from the State retirement system or other retirement programs established by or approved by the Governing Body.

Straight time: Time worked by an employee as part of the normal work schedule and paid at the employee's regular hourly rate of pay.

Supervisor: An employee who is invested with supervisory authority over another employee. Together with other levels of supervision, may be referred to as Manager or Management.

Suspension: An employment action in which an employee is relieved of their duties for a specific or undefined period, is prohibited from performing those duties, and typically does not receive pay for that time.

Telecommuting: A work arrangement in which employees are permitted flexibility in working location and hours. In other words, the daily commute to a central place of work is replaced by authorized work from home or an alternate location away from the normal place of work, pursuant to Virginia Code § 15.2-1512.3.

Termination: The ending of the employment relationship with the City. Termination may occur through resignation; reduction in force; inability to perform essential duties of the work even with reasonable accommodation; retirement; death; or dismissal.

Transfer: The movement of an employee from one job position to another job position of the same pay grade, either within the same department or to another department.

Work period: A period designated for Fire, EMS and law enforcement personnel for overtime threshold purposes, subject to 29 USC § 207(k) overtime exemption.

Workday: A 24-hour period during which an employee is assigned to work.

Workweek: A seven-day period beginning on Sunday and ending on Saturday.

301 Recruitment and Selection

A. The City Manager has the ultimate decision in whether a vacant City job is backfilled, the manner in which it is filled, and the tasks to be accomplished. The process of recruitment and selection in the City is open and competitive. This helps to achieve the City's efforts in non-discriminatory practices and equal opportunity employment.

B. At the City Manager's discretion, a vacancy may first be announced to City employees to determine if there are qualified candidates in house. Vacancy announcements are available to each department and many outside organizations. Advertisements may also be published on the City's website and recruitment resources. Other methods of sourcing outside recruitment may be used as necessary.

C. The appointment of a person to a City job is contingent on the successful completion of background checks and physical and/or occupational qualifications.

302 Customer Care and Enthusiasm

Like any other business, our customers are the reason the City workforce exists. Unlike the private sector, however, the City's residents typically have no alternate provider to take their business to when we do not treat them well. Simply, our goal is to keep our residents and customers in the City and to attract others to live and do business here as well. The opinion in which the City and its employees are held by the public depends, to a great extent, on the efficiency, courtesy and enthusiasm that we extend to them. Customers, therefore, are to be served promptly, politely and courteously.

303 Veterans Preference in Employment

A. Pursuant to § 15.2-1509, of the Code of Virginia, preference will be afforded to veterans in local government employment. Preference in employment will be given to honorably discharged veterans of the armed forces of the United States, as a part of the City's hiring practices, provided that such veteran meets all of the knowledge, skills and ability requirements for the available position. Additional consideration will be afforded to veterans who have a service-connected disability rating fixed by the United States Veterans Administration.

B. For purposes of this section, "veteran" means any person who has received an honorable discharge and has, (a) provided more than 180 consecutive days of full-time, active-duty service in the armed forces of the United States or reserve components thereof, including the National Guard, or (b) has a service-connected disability rating fixed by the United States Veterans Affairs, in accordance with Virginia Code § 2.2-2903.

D. Any veteran denied employment with the City is entitled, to the extent permitted by law, to request and inspect information regarding the reasons for the denial.

304 Physical and Other Standards

Offers of employment are conditional on an employee's ability to perform the essential functions of the job with or without reasonable accommodation and pass a drug and alcohol test. For certain positions, the City requires successful completion of a medical examination and/or related tests, physical agility, functional capacity, or other occupational tests, provided by a City-appointed physician. Periodic examinations may also be a requirement of those positions for which physical standards must be maintained.

305 Accommodating Individuals with Disabilities

A. In accordance with Title I, of the Americans with Disabilities Act, the City provides equal employment opportunities to qualified individuals with disabilities. Reasonable accommodations will be provided to a qualified employee or job candidate with a disability when that employee or candidate requests an accommodation. A qualified employee or candidate is one who is able to perform the essential functions of the job with or without accommodation. All requests for accommodation will be fully reviewed.

B. If you are an individual with a disability and you need a reasonable accommodation to perform your job, you are encouraged to put your request in writing and provide the request to your supervisor. You are not required to put your request in writing to receive accommodations but, if you are able to put in writing, it will assist the City in understanding your specific needs. A request for accommodation will result in the City initiating an interactive conversation with you about your needs, so that you and the City may work together to develop an effective reasonable accommodation.

C. A request for an accommodation will be denied if the accommodation is not shown to be effective, if it places an undue burden on the City, or if the employee poses a direct threat to the health and safety of themselves or others.

306 Background Investigations

Background investigations, including job experience, driving history, educational and criminal may be conducted at the candidate level, post offer, and also periodically during the course of employment, but will not violate any federal or Commonwealth law.

307 Criminal Convictions

Candidates for some City jobs are required to be vetted for criminal convictions. Nonetheless, the City does not unlawfully discriminate against persons who have been convicted of criminal offenses. The offense of the past conviction will be weighed and considered in relation to the position desired.

308 Falsification of Records

False statements and omissions of facts by an employee in any employment-related record may result in immediate dismissal from City employment. Job candidates who provide false information or omit relevant required information will be subject to disqualification from City employment.

309 Work Authorization

The Immigration Reform and Control Act makes it illegal for employers to employ anyone who is not authorized to work in the United States. The City verifies work authorization before a new employee begins work. Notwithstanding, pursuant to the law, within three days of beginning work, employees must provide official documents that establish their identity and employment eligibility to work in the United States. If the City cannot satisfactorily verify that a person is authorized to work in the United States, that person's employment will be terminated immediately. The Human Resources Department maintains a list of acceptable verification documents as may be modified by the federal government from time to time.

310 Outside or Secondary Employment

A. Employees working a full-time job or regular part-time job with the City will consider their City job as "primary." This means that no other work is authorized during the hours assigned to their City job. Further, no other employment will conflict with working hours, loss of efficiency, or the interests of the City. Conflicting outside employment will be grounds for disciplinary action, up to and including termination. Employees are prohibited from working at outside employment while on approved Sick Leave, FMLA-related leave, or workers' compensation absence.

B. An employee intending to accept outside or secondary employment will notify their supervisor prior to the start of the secondary job in a format as determined by the Human Resources Department. This review is necessary to prevent violations of the City's Conflict of Interest policy.

311 Employment of Relatives

The City does not prohibit the employment of relatives of City employees, except under certain circumstances.

A. Nepotism

1. The City will not employ a relative of an employee without the prior approval of the City Manager. "Relative" means a spouse, sibling, ancestor, or descendant, and includes step relations and in-laws.

2. The City prohibits employees from supervising or reporting to a relative, working in the same functional area as a relative, or participating in the review or evaluation of a relative's performance.

3. For this purpose, the prohibition extends to an individual in a personal relationship with another employee that is equivalent to the relationship between close relatives.

B. Personal Relationships and Fraternization

1. The City discourages dating and romantic relationships between employees of the City. If such a relationship develops, or if two employees marry, the City will not permit such employees to supervise or report to one another, work in the same functional area, work

on the same team, or participate in the review or evaluation of the performance of one another.

2. If a dating, romantic, or marriage relationship develops between persons who supervise or report to one another, work in the same functional area, work on the same team, or participate in the evaluation of the performance of one another, the persons involved in the relationship shall report it to the City Manager. The City Manager will consider suitable and available transfers, reassignments, resignations, or other arrangements in order to comply with this policy, up to and including employment separation.

C. Exceptions

Any exception to this policy must be authorized by the City Manager. An exception may be granted only if the City Manager determines that the exception is in the best interests of the City.

312 New Employee Orientation

New employees attend an orientation by the Human Resources Department and the employee's department. Among topics addressed at orientation are benefits and enrollment requirements, compensation, City standards and expectations, and this Employee Handbook. Also discussed at the department level are departmental work rules and procedures, work schedules, dress requirements, specific job responsibilities and safety requirements, at a minimum. The City Manager also holds a City Orientation meeting with new employees sometime in their first year of employment. The City Manager covers the City's Vision, Values, and Policy Direction (Goals) while also laying out Management Philosophy and Expectations for all employees.

313 Anniversary Date

Generally, an employee's date of employment (or adjusted date of employment, if there is a significant absence without pay) is considered their Anniversary Date for purposes of leave accruals, service recognition and leave payouts on separation of employment, and may be used for performance evaluation and/or pay purposes. A secondary Anniversary Date may be established as a result of promotion or other similar change in job classification.

314 Probationary Period - Introductory

A. Every regular full-time or part-time employee is hired for an introductory probationary period. For general employees, this probationary period is typically six (6) months from the date of appointment.

B. The introductory probationary period provides an opportunity to evaluate the employee's work performance and whether or not the City may continue a longer-term employment relationship. Having passed the introductory probationary period, an employee is deemed to be in "regular" status.

C. For employees of the Department of Social Services, employees serve an introductory probationary period of 12 months in order to be in parity with statewide agency requirements.

D. For police officers, the introductory probationary period commences upon taking the oath of office and continues for six (6) months following completion of the Field Training Program.

E. Fire/EMS personnel serve a one-year introductory probationary period from the date of appointment.

F. A Department Director may extend the introductory probationary period of an employee to properly evaluate the employee's work performance, for an additional six (6) months. In addition, if the employee has been removed from his/her primary duties for more than one week (*e.g.,* placed on light duty), the introductory probationary period, including any extension, will be extended by one day for each day the employee has not performed his/her primary duties.

G. The probationary period, including any extensions, is not to be construed as an employment contract; all employees are at will.

315 Right to Grieve Employment Action

Except as provided by law, employees do not have the right to grieve during the introductory probationary period.

316 Tobacco Use

The use of tobacco products is not permitted in any City facility or in any City vehicle.

317 Emergency Operations

A. In the event of an emergency or disaster affecting the community, the City Manager may determine that some or all City employees hold "essential" status. As such, employees are expected to report to their Supervisors for direction or possible reassignment to other duties during an emergency or disaster, or recovery from these. For more details, please refer to the policy entitled, "*Emergencies and Inclement Weather*".

B. Additionally, certain employees may be required to complete National Incident Management System (NIMS) certifications.

318 Travel Reimbursement

All work-related or official travel must receive prior approval by the employee's Department Director. Travel by Department Directors is subject to approval by the City Manager. Allowable travel expenses may include the cost of food, lodging, transportation, personal vehicle use, registration fees, and reasonable gratuities on behalf of the employee only. The City's Finance Department establishes the procedures for reimbursement, which are published as a part of the City Manager's Administrative Regulations.

All official travel requiring overnight stay is made only on the authorization of the City Manager, and subject to approved funding. Requests to travel will show the purpose of the travel the time and date(s) of the meeting or conference and estimated costs. Where available, a copy of the meeting agenda will accompany the request.

A. Meal Allowances

1. The City will pay applicable daily meal allowances, in amounts pursuant to federal GSA per diem regulations for non-local travel, or as authorized by the Governing Body, which amounts will be noticed to City employees by an Administrative Regulation, as may be amended from time to time.

2. A breakfast meal is reimbursable when travel begins before 6:00 a.m. and the evening meal is reimbursable if the employee is unable to return to headquarters or home by 7:00 p.m.

B. Miscellaneous Expenses

The City may reimburse for miscellaneous items with appropriate justification and receipts, such as:

1. Supplies purchased for official business purposes without a purchase order but with adequate receipt and acceptable justification

2. Telephone and internet costs incurred as a result of official business

3. Meals when a City official takes (an) individual(s) with whom they are conducting City business

C. Claims that Exceed Standard Rates

Claims for reimbursement in excess of the standard rates must be accompanied by detailed itemization, justification, and receipts of transactions.

319 Use of City Vehicles

Some jobs require that a City employee operate a City-owned or City-provided vehicle, or an employee may be allowed to use a City vehicle from time to time for business-related purposes. "Vehicles" include equipment, such as street sweepers, snowplows, and others.

A. An employee who operates a City vehicle must have a valid driver's license in their possession, with appropriate endorsements for the class of vehicle being operated.

B. For the purposes of the City's Alcohol and Controlled Substances Testing policy, each employee who operates a City vehicle as a part of the employee's job will be considered to be employed in a safety-sensitive position for the duration of such use.

C. Employees whose jobs require driving for the City must inform their Supervisor immediately of any changes that may impact their ability to perform their job duties, such as a loss or suspension of driving privileges.

D. City vehicles are to be used only when there is a demonstrated benefit to the City. Such usage should always reflect positively on the public perception of the City; they are not to be used by employees for any purpose other than City-related business, or as authorized by the City Manager.

E. Necessary or incidental stops while on City business using the City vehicle is allowed. For example, if an employee is conducting business using a City vehicle when lunchtime comes, the employee may stop for lunch at a nearby facility using the City vehicle.

F. Only employees may be passengers in City vehicles, with the exception of public safety, Department of Social Services, or recreational programs' clients as determined by the nature of the jobs. Exceptions may be approved by the City Manager when there is a public purpose and benefit.

G. Police Officers and other employees may be authorized to use City vehicles for transportation to and from work if it is determined by the City Manager that such use is in the best interests of the City and the safety of its citizens.

320 Use of Personal Vehicles for City Business

An employee who uses their personal vehicles for City-related business must ensure that the vehicle is currently registered and insured. The insurance policy must meet the requirements of liability for property damage and personal injury coverage; proof of which will be provided to the City as required.

321 Mileage Reimbursement

Employee may be authorized to use their personal vehicle for work-related transportation or to attend training, a conference or other event out of town, when no City vehicle is available or as approved by the Department Director. The employee may be reimbursed on a per-mile basis at the rate set by the Internal Revenue Service, as authorized by Virginia Code § 15.2-1508.1. For reimbursement, the employee must submit appropriate, pre-approved, documentation, along with an official mileage calculator, such as MapQuest, Google, Rand McNally, etc. Additional travel at the destination or vicinity may be reimbursable with the odometer reading. Home-to-work or to-headquarters travel is not reimbursable.

322 Safe Driving

The City requires that employees operating vehicles in the course of business or business-related activities operate their vehicles safely. Therefore, it is expected that employees practice proactive safety measures at all times, including:

- Adhering to posted speed limits
- Being patient and courteous at all times
- Observing all road signs
- Keeping headlights on to maintain visibility
- Having all vehicle occupants wear seat belts at all times
- Avoiding all discretionary distractions while operating a vehicle
- Locking the vehicle at all times, especially when off site during any absence from the vehicle
- Securing City or personal property where they cannot be seen by an observer. [NOTE: Whenever possible, valuable items should not be left in the vehicle.]

323 Physical or Mental Impairment

When any physical or mental impairment interferes with the ability to drive safely, the employee will refrain from operating a City vehicle or a personal vehicle on City business. Impairments – even temporary – include those caused by illness, medication, and/or intoxication and must be reported to the Supervisor immediately.

324 Distracted Driving

Distracted driving is dangerous. Except as permitted for official emergency business reasons that require the use of hands-free devices for communication (*e.g.*, public safety) cell phone usage, whether voice communication or texting, is not permitted when vehicles are in motion. The driver must pull off the road and stop in a safe, legal space if there is a need to use a cell phone or other communication medium while the vehicle is in motion.

325 Driving Status and Incidents

The City will verify driver records on a regular basis for those employees who operate City vehicles or equipment as a part of their job. Nevertheless, the City requires that these employees report their driving or incident status to their Supervisor immediately.

A. Employees who operate City vehicles must report any moving traffic violation while on City business, or loss of license for any reason, immediately to their Supervisor. Failure to report is a violation of policy and subject to disciplinary action, up to and including termination.

B. Employees must report any accident, theft, damage, breakdown, or mechanical problem involving a City vehicle or a personal vehicle used on City business, to their Supervisor. Reports are required regardless of the extent of damage or lack of injuries. When a personal vehicle is involved, employees must file a claim with their own personal auto insurance.

C. An employee must submit an incident report to the Supervisor as soon as possible but no later than 48 hours after an incident or accident.

326 Children and Personal Visitors in the Workplace

A. The City of Manassas Park values family and work-life balance. Our employment policies and benefits support our beliefs.

B. The City is sensitive to our employees' personal family circumstances; however, it cannot permit children or other family members to remain in the workplace for extended periods without appropriate justification.

C. This policy is intended to minimize potential liability, risk or harm to children and visitors, and decreased employee productivity due to distractions and disruptions.

D. This is not intended to prohibit children and family members from being in the workplace during City-sponsored events that include an invitation for families, or from being clients and participants of City provided public programs.

E. Exceptions may be allowed under extenuating circumstances, including exceptions to accommodate occasional family emergencies, with prior approval from the Department Director.

F. On occasion, pets may be permitted in the office with prior approval by the City Manager.

401 General

The City of Manassas Park strives to establish and maintain a business environment of ethics, honesty and fairness for our employees, citizens, customers, suppliers and others. The success of our organization is dependent on the trust and confidence we earn from our employees, customers and partners. We gain credibility by adhering to our commitments, displaying honesty and integrity and reaching City goals through honorable conduct.

The City has established standards and attributes that identify the basic requirements for a productive work environment. Management and all employees share the responsibility for complying with and promoting these standards for success throughout the organization.

The provisions are not all-inclusive. The City retains the right to determine what constitutes inappropriate behavior or conduct in all situations, even when not explicitly stated in these policies.

The only way we will maximize trust and credibility is by working every day to build these. Our City is committed to the deterrence, detection and correction of misconduct and dishonesty.

402 Standards of Conduct and City Values

A. Core Values

1. The proper conduct of all employees is necessary to provide for a safe, productive and pleasant working environment. Elsewhere in these policies, you will find the guidelines used to govern improper conduct and the disciplinary consequences thereto.

2. The City Manager and all employees will sustain the City's Core Values – ACT with PRIDE – all of which are equally important:

   - **Accountability:** Having the authority to take action and make decisions appropriate to the job level and accepting full ownership for our actions and decisions.
   - **Community:** Promoting a family-oriented community spirit.
   - **Teamwork:** Promoting teamwork, cooperation, and collaboration with internal and external stakeholders to accomplish great things.

   with

   - **Professionalism:** Responsibly caring for and properly employing all City resources and assets entrusted by the community and holding oneself to a high standard of being a representative of our organization to our community.
   - **Respect:** Treating your teammates and our community members with respect and care.
   - **Integrity:** Doing the right thing at all times – trustworthily.
   - **Diversity:** Seeking ways to best serve our residents and teammates by understanding, valuing, and respecting our community and organization's diversity.

- **Excellence:** Seeking creative solutions that enhance operations and provide positive value in a continuous improvement process.

B. Management Philosophy (Organizational and Expectations (Individual Employee)

1. To ensure effective management of our organization, the City Manager holds the following philosophy for organizational success:

   - **Performance Management**

     - **Shared goals and performance targets -** a top-down bottom-up collaborative approach for setting goals, objectives and tasks for defining and achieving organizational success in line with the vision and mission set forth to us by our elected leaders.
     - **Performance metrics -** defining and monitoring key organizational statistics that help our elected leaders and the public determine whether or not we are achieving success and a return on taxpayer investment.
     - **Reasonable timelines -** ensuring that the goals, objectives, and tasks that we set have actual timelines to ensure accountability. These timelines should be stretch targets: challenging but realistic in order to motivate peak performance.
     - **Follow-up -** managers and supervisors will need to actively monitor performance of our organization including task completion. However, it is also the responsibility of employees to be proactive and update their supervisors and managers on progress. Accomplishing our mission is a shared responsibility.
     - **Organizational learning -** there will be innovations, success stories, and great accomplishments across our organization. It is our collective responsibility to use these successful examples as learning tools for our entire organization.
     - **Publishing performance results for accountability -** ultimately the City will need to report our successes and failures to our elected leaders and our residents to ensure transparency and accountability.

   - **Building Team Environments**

     - **Everyone supports everyone on the team -** you must ensure that you value the success of our teammates and team as much as your own. We are all in this together. Each department must look for opportunities to help their fellow departments and try their very best to provide proactive and reactive support.
     - **The organization can move forward with the loss of any one employee or manager -** cross training and building up and training subordinates is critical to ensuring sustainable success.
     - **Effective cross-organizational coordination and cooperation -** we must identify areas where cross-departmental and cross-organizational (Schools,
     - Prince William County, City of Manassas, Health Department, etc.) coordination and/or cooperation can elevate our performance.

- **Effective Communication**

    - **No information safeguarding -** we must ensure everyone is informed about the mission and critical information needed for effectively performing our tasks.
    - **Expectations are clearly understood -** managers and supervisors need to make their expectations of performance and conduct clear to their teams.
    - **Respect Chain of Command -** do not undermine your supervisor or manager. Follow the proper steps of the chain of command.

2. The following Expectations that Management has for each employee, supervisor, and director is under the direct control of each individual:

    - **Hard-Work and Dedication -** Every employee, supervisor, and manager must give 100% effort every day to ensure that our taxpayers are getting the most out of their investment in us. We must be dedicated to the success of our organization.
    - **Integrity -** We must be honest with ourselves and with each other always. We must never defraud our organization. Supervisors must ensure that procedures are in place to identify and address improper behavior and activities and employees must ensure that this is reported immediately.
    - **Positive Attitude -** Every day that we come to work we must remind ourselves that we work for a great community and with great teammates. We must never create a hostile work environment or treat each other disrespectfully. Keep a positive and cheerful attitude.
    - **Innovation and Problem Solving -** The expectation is not that you will be able to resolve all of our organization's problems, but that you are making an active effort to do so.

C. Employee Conduct

To meet our collective responsibilities and keep to our core values each City employee is expected to comply with the following and other requirements of the City:

- Be at work and attending to work on scheduled workdays at the designated starting time, and remain at the assigned work place during designated work hours unless permission to leave is granted by the Supervisor.
- Observe department break periods without abuse.
- Report to work in appropriate clothing with required tools and equipment, and in a condition that will permit satisfactory performance of assigned duties.
- Comply with proper orders issued by the Supervisor and work to the best of their abilities.
- Refrain from misuse or abuse of City tools, supplies, and equipment.
- Refrain from inappropriately benefiting from the City's property or services.
- Refrain from profanity, disorderly conduct, bullying and harassment.

- Exercise courtesy and tact in dealing with fellow workers and the public.
- Safeguard public information.
- Follow established safety practices and immediately report accidents to the supervisor or the supervisor's designee. Exercise watchfulness in the performance of duties to eliminate potential hazards and protect co-workers.
- Comply with rules governing hours of work, absences, and behavior.
- Report any suspicion of theft or fraudulent activity.
- Report observed incidents of discourtesy of citizens and customers, or harassment toward fellow employees.

D. Management's Responsibility

1. Management has the responsibility of demonstrating, through their individual personal actions, the importance of the City's rules of conduct. In any business, ethical behavior does not simply happen; it is the product of clear and direct communication of behavioral expectations, modeled from the top and demonstrated by example. Ultimately, our actions are what matter.

2. Managers must be responsible for promptly addressing ethical questions or concerns raised by employees and for taking the appropriate steps to deal with such issues. Managers should not consider employees' ethics concerns as threats or challenges to their authority, but rather as another encouraged form of business communication. At the City, we want the ethics dialogue to become a natural part of daily work.

403 Upholding the Law

The City of Manassas Park's commitment to integrity begins with complying with laws and rules. Each of us must have an understanding of the policies, laws, rules and regulations that apply to our specific roles. If we are unsure of whether a contemplated action is permitted by law or City policy, we should seek the advice through our chain of communication and subject-matter experts. We are responsible for preventing violations of law and for speaking up if we see possible violations.

404 Misconduct and Dishonesty Not Tolerated

Misconduct and dishonesty include but are not limited to the following:

- Acts which violate the City's rules of conduct;
- Theft or other misappropriation of assets, including assets of the City, our citizens, customers, suppliers or others;
- Forgery or other alteration of documents;
- Fraud and other unlawful acts; and
- Any similar acts.

405 Suspected Theft and Fraudulent Transactions

A. Fraud is an act characterized by deceit, concealment, or violation of trust perpetrated to obtain money, property or services, to avoid payment or loss of services or to secure personal or business advantage or other benefit.

B. Any employee who has knowledge of an occurrence of work-related fraud or has reason to suspect that a fraudulent action has occurred at work, is required to notify their Department Director, the Human Resources Director, or the City Manager as soon as possible after knowledge of the incident. The employee will not discuss the alleged fraud with anyone other than those in authority.

C. Retaliation against individuals reporting suspected fraud or for cooperating, giving testimony, or participating in any manner in an investigation, proceeding, or hearing will not be tolerated and may result in disciplinary action, up to and including termination.

D. Unfounded or vindictive accusation of others may result in disciplinary action, up to and including termination.

406 Harassment Not Tolerated

A. The City is committed to providing a work environment free from bullying and from harassment, intimidation and/or coercion based on or related to race, color, gender, religion, national origin, citizenship, age, disability, marital status, veteran status, or any other classification protected by applicable law.

B. The City's Equal Employment Opportunity Statement and Anti-Harassment/ Discrimination Policy is attached to this handbook as *Appendix D*. Within 14 days of an employee's start date the employee must, (a) review the policy and sign the acknowledgements, (b) participate in a training session and, (c) sign a training acknowledgement form. City Management may require employees to attend refresher anti-harassment training sessions at any time.

C. Any employee who believes that they are the victim of illegal harassment or other illegal discrimination, or who has witnessed what they believe to be illegal harassment or discrimination, must notify their Supervisor or the Human Resources Director.

D. Additionally, the City does not tolerate any harassment or bullying for any reason by an employee in the workplace or in the course of conducting City business.

E. Pursuant to Virginia Code § 40.1-51.4:5, any employee who, in good faith and reasonable cause and without malice, truthfully reports threatening conduct by a person employed by the City shall be immune from civil liability that might otherwise be incurred as a result of making the report. Threatening conduct is defined as conduct that would place a person in reasonable apprehension of death or bodily injury.

407 Drugs, Narcotics and Alcohol

A. The City of Manassas Park expressly prohibits employees from reporting to work with a measurable quantity of any controlled substance, marijuana or alcohol in the body.

B. The possession, manufacture, distribution, purchase, or sale of illegal drugs, marijuana or alcohol on the job is prohibited. Participating in any of the activities listed is grounds for disciplinary action, up to and including immediate termination of employment.

C. The City's Alcohol and Controlled Substances Testing Policy is attached to this Manual as *Appendix E.* All employees are required to familiarize themselves with its requirements and comply with those.

408 Abuse of Minors

The City does not tolerate the abuse of minors in any City facility or property or by any employee or City contractor or any other member of the public. Any employee who suspects that child abuse has occurred at the hands of any employee or contractor of the City, or any member of the public, and/or in any City facility or on City property, is required to report such abuse immediately to a person of authority through their chain of communication to the Department Director, the Human Resources Director, or the City Manager. The person of authority will document the event and immediately report such to the appropriate enforcement agencies, including law enforcement.

409 Recordings

Recording, by electronic or other means, of any meeting or conversation, including face-to-face meetings, telephone conversations, and video conferences, at which the business of the City is discussed, and which includes Governing Body members and/or City staff members, is strictly prohibited without the stated consent of all participants or, for police matters, authorization of the Chief of Police.

410 Work Product

While employed by the City, any work product made, created, and/or developed by an employee will be and will remain the property of the City. For purposes of this section, "work product" means writings, plans, inventions, products, and other works made for hire by the employee that are related to the work for which the employee was hired, and includes any copyrights, patents, and/or other intellectual property rights pertaining thereto.

500
Classification and Compensation

501 General

The City shall provide fair, equitable, and competitive wages and salaries to its employees, and shall assure equal pay for work of substantially equal value performed under essentially similar conditions. Each job's responsibilities and required skills, knowledge and abilities is detailed in its Job Description.

502 Classification and Pay Plan

The City Manager establishes and maintains a Pay Plan that assures two major issues for City employees: (1) that employees' job responsibilities are appropriately classified and then ranked in relation to other job classifications of the City; and (2) that the pay range assigned to each classification is sufficiently competitive to allow for the recruitment, selection, and retention of competent employees.

The Pay Plan consists of one or more wage and salary schedules that contain a hierarchical series of pay grades. Each pay grade is comprised of the minimum and maximum pay that define the range of that pay grade. Each classification in the City's Pay Plan is assigned to a pay grade within the pay scale. The Governing Body approves the Pay (Compensation) Plan recommended by the City Manager, as amended from time to time.

The City Manager's goal is to ensure City employees' pay compares favorably to the average regional pay of their counterparts in incorporated cities under 50,000 population in Northern Virginia. With that goal in mind, the City Manager will keep the Governing Body informed about any market pay gaps for employees and will present pay plans to the Governing Body at least annually that will strive to close any gap in City employees' pay and the regional average and to thereafter maintain competitive pay for City employees, consistent with financial best practices as determined by the City Manager and Governing Body. The Human Resources Manager and City Manager will update the Pay Plan based on market adjustments approved by the Governing Body.

503 Wage and Salary Scales

A. The City's Pay Plan assigns a pay grade to each job classification after considering criteria, such as:

   1. Level of knowledge, skills, and abilities required for satisfactory work performance;
   2. Complexity and diversity of work including judgment, originality, and initiative required;
   3. Responsibility for and consequence of decisions;
   4. Nature and extent of supervision received and guidelines available; amount of independent judgment and discretion required;
   5. Level, purpose, nature, frequency, and complexity of personal contacts in service to the public ;

6. General work conditions and physical demands required which may include, but not be limited to, work environment, hazards, physical activity, or stressful conditions; and

7. Supervision of others including responsibility for nature of work directed, extent of supervisory authority, and span of control

B. The pay grade assigned to a class of jobs is intended to reflect distinctions between levels of required knowledge, skills, physical and intellectual abilities, responsibilities, and scope of authority for the work performed.

C. Prevailing wages and salaries, as well as benefit levels, for similar positions in the region and industry are considered in order to assure comparability and competitiveness in the labor market.

504 Pay Practices

The following pay practices will be adhered to for all City employees subject to the discretion and final approval of the City Manager.

A Upon Hire

1. The City Manager authorizes a rate of pay for the new employee that is no less than the minimum, nor more than the maximum, of the classification's pay grade as requested by the prospective employee's Department Director and in consultation with the Human Resources Director.

2. The City Manager may authorize a rate of pay for a new employee that is below the minimum of the relevant pay grade, when the candidate does not meet the minimum qualifications for the position, but the City is prepared to invest in the development of the new employee to effectively achieve minimum qualifications.

B. Pay for Performance and Market Adjustments

1. Performance pay increases are based on work standards determined by an annual evaluation of the employee's performance in the year leading up to the performance evaluation, effective on the first day of the pay period following the employee's anniversary.

2. Upon promotion or demotion, the employee's eligibility date for a performance increase will be the first day of the pay period one full year after the date of promotion or demotion.

3. Performance pay will be in increments recommended by the City Manager and established by Governing Body action from time to time, subject to annual funding constraints.

4. The Governing Body may approve cost-of-living or other market adjustments from time to time.

C. Upon Promotion

The City Manager establishes a rate of pay that is either:

1. The minimum of the pay grade of the position into which they are being appointed.

2. In excess of the minimum of the pay grade but not above the maximum, as recommended by the employee's Department Director.

D. Upon Lateral Transfer

The City Manager authorizes a rate of pay equal to the employee's current pay, or as otherwise determined by the City Manager.

E. Upon Demotion

The City Manager authorizes a rate of pay that is typically a decrease in pay that corresponds with the pay range, which will not exceed the maximum of the position to which the employee is demoted.

F. Upon Reclassification to a Higher or the Same Pay Grade

The City Manager authorizes a rate of pay that is:

1. The minimum of the pay grade of the position into which the employee is being reclassified; or

2. In excess of the minimum of the pay grade but not above the maximum, as recommended by the employee's Department Director; or

3. The same pay if the new classification is in the same pay grade as the previous classification.

G. Upon Reclassification to a Lower Pay Grade

The City Manager establishes a rate of pay that is either:

1. The same pay the employee was receiving immediately prior to reclassification, or

2. A decrease in pay corresponding with the pay range, not to exceed the maximum of the position to which the employee is reclassified.

3. In a reclassification where the employee's existing salary exceeds the maximum of the new pay grade, the City Manager may approve the continuation of the same salary as their former pay ("red circled" over the maximum). This will remain fixed until the pay adjusts through indexing, inflationary or other factors.

H. Upon Reallocation (of the Same Job or Classification)

The City Manager establishes a rate of pay that is:

1. The same pay as in the employee's former pay grade; or

2. The minimum of the pay grade into which the classification is being reallocated, or

3. An increase in pay, which does not exceed the maximum of the pay grade into which their classification is being reallocated, as approved by the employee's Department Director.

4. An employee whose classification is reallocated to a lower pay grade shall continue to receive the same pay as in their former pay grade. This will remain fixed until the pay adjusts through indexing, inflationary or other factors.

5. In a reallocation where the employee's existing salary exceeds the maximum of the new pay grade, the City Manager may approve the continuation of the same salary as their former pay ("red circled" over the maximum). This will remain fixed until the pay adjusts through indexing, inflationary or other factors.

I. Upon Appointment to Acting or Interim Status

When the City Manager appoints an Exempt employee to a position in a higher Pay Grade in a temporary status because of a vacancy or long-term absence, the City may award additional pay during the period of appointment.

1. In applying the pay increase, the City Manager will consider factors including projected length of appointment, level and scope of authority and responsibility, span of control in the Acting or Interim role, and any other condition influencing the temporary appointment.

2. When the Acting or Interim appointment is anticipated to exceed 20 working days, the City Manager may authorize such pay effective the first day of the employee's appointment to the Acting or Interim capacity.

3. Salary increases are not reported to VRS for Acting or Interim positions.

J. Other Authorized Pay – Special Compensation

The City Manager may also authorize shift differentials, callback pay, standby pay, administrative pay, additional duty pay, or any other such special compensation as deemed to be in the best interest of the City's operations, or in times of emergency or other extenuating circumstances.

601 Wages and the Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) is the federal law that regulates minimum wages and overtime compensation. Title 40.1, of the Code of Virginia, governs aspects of labor and employment law but defers to the FLSA for minimum wage and overtime.

The laws do not require or regulate that employers provide for meal periods or work breaks for employees 16 years of age and older. They do not require that employers provide paid Sick Leave, Vacation, Holidays, or Severance. The FLSA does not limit the number of hours per day or per week that employees aged 16 years and older can be required to work.

602 The City's Work Expectation

As an employee of the City, you are hired to work an assigned number of hours and assigned schedule, fixed or not fixed. Except for approved absences, you are expected to be at work, on time ready to work, and attending to work.

603 Record of Hours Worked

Non-Exempt employees must accurately document and report all hours worked and time not worked on the City's official time record. The Supervisor will verify and approve the hours worked and forward the time worked in a designated format to the Payroll Division. Both Exempt and Non-Exempt employees must report hours not worked (*i.e.*, the use of Annual Leave, Sick Leave, Flextime, or other approved leave).

Any changes made to an employee's time record after the employee's signature may not be made without the employee's knowledge.

604 Pay Only for Hours Worked – Non-Exempt

A Non-Exempt employee who works less than the normally assigned work hours in a workweek and has an unauthorized absence or insufficient leave to cover an absence from work will be paid for the hours worked, out of the total number of work hours made available to work in the week.

A regular, Non-Exempt, full-time or regular part-time employee who is tardy without authorization and who does not meet the criteria for the use of Sick or Annual Leave will only be paid for hours worked in that workday.

605 Overtime Requirements

A. The City's overtime policies comply with those established under the Fair Labor Standards Act (FLSA) and the Code of Virginia. The FLSA requires that overtime must be compensated at a rate of not less than one and one-half times a Non-Exempt employee's regular rate of pay for all hours worked in excess of the maximum hours required to be worked in the established work period.

B. The FLSA differentiates between the types of jobs that are subject to these overtime provisions.

606 General Employees

All hours that a Non-Exempt employee is permitted to work are subject to compensation, pursuant to FLSA. Overtime compensation is due for time worked over forty (40) hours during the established seven-day workweek for employees, except where under Section 207(k) of the FLSA or as required by the Code of Virginia.

607 Public Safety

Employees whose primary duty is law enforcement or fire protection provide services seven days a week, 24 hours per day. Non-Exempt employees in these professions may work a special work period of up to 28 days, as permitted by Section 207(k) of the FLSA, before becoming eligible for overtime pay.

A. Fire protection employees must receive overtime pay after 212 hours worked in a 28-day work period. If the work period adopted is less than 28 days, overtime pay is required when the number of hours worked exceeds the number of hours which bear the same relationship to 212 as the number of days in the work period bears to 28.

B. Law enforcement employees must receive overtime pay after 160 hours worked in a 28-day work period. Employees that work a 12-hour shift rotation are scheduled to work 168 hours each 28-day work period and must coordinate with their supervisors to use 8 hours of Flextime to ensure no more than 160 hours are worked during the work period. If an employee is unable to use all or a portion of the 8 hours of Flextime during the work period, the unused Flextime will be compensated as overtime pay or, if approved by the Chief of Police, compensatory time (see Section 605 above for overtime pay provisions and Section 615 below for compensatory time provisions).

608 Wages during Work-Related Travel

A. Normal travel from home to work and back is not considered work or paid time, whether an employee works at one location or many. Travel time between different work sites during the day is considered work time. When a Non-Exempt employee is assigned to work or attend a meeting requiring an overnight stay, only the travel time that falls within the regular scheduled work hours is compensable time, unless the employee is working while traveling, in which case all the hours are compensable.

B. Consistent with the FLSA, time spent on work-related travel on off-days during the employee's regular working hours is compensable time. For example, if an employee typically works on weekdays from 7:00 a.m. to 3:00 p.m., and they travel on Sunday for training or work, they will be paid for the hours of travel during the hours of 7:00 a.m. and 3:00 p.m. on Sunday. If those hours are over the threshold for overtime pursuant to FLSA, the City will compensate those hours at the overtime rate.

C. Travel time outside normal working hours as a passenger in a vehicle or another private or public conveyance is not considered compensable. When traveling as a group in a vehicle, only the employee driving the vehicle is considered to be working, while driving.

609 Meetings and Training Time

Attendance at meetings, training programs and similar activities is not counted as working time if the following criteria are met:

A. Attendance is outside of the employee's regular schedule of work hours;

B. Attendance is voluntary; and

C. The employee does not perform any productive work for the City during such attendance.

610 FLSA Exempt Employee Pay

A. To be classified as "Exempt" from overtime provisions, an employee's duties must comply with the specific categories defined by the Department of Labor.

B. Since Exempt employees are not covered by the overtime rules promulgated by the Fair Labor Standards Act (FLSA), the City is not required to pay overtime to Exempt employees. Exempt employees are generally paid the same salary every pay period, whether they work more, or less than 40 hours in a workweek.

C. According to FLSA rules, an Exempt employee's salary may be reduced when any one of the following criteria are met:

1. The employee is absent from work for one or more full days for personal reasons other than sickness or disability.

2. The employee is absent for one or more full days due to sickness or disability, if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness (*e.g.*, Sick Leave or Annual Leave).

3. To offset amounts employees receive as jury or witness fees or for military pay.

4. For penalties imposed in good faith for infractions of safety rules of major significance.

5. For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

D. The City is not required to pay the full salary to an Exempt employee in the initial or the final week of employment, or for weeks in which an Exempt employee takes unpaid leave under the Family and Medical Leave Act.

611 Hours of Work

The working hours for each department are established to maintain efficiency in providing services to City residents. In the City, Holidays observed and Sick and Annual Leave used during the scheduled work period will count toward an employee's straight time.

612 Hours of Work for Minors

A. The City may employ minors from the ages of 14 to up to 16 in certain legally appropriate jobs.

B. Pursuant to Virginia Code §§ 40.1-5(3) and 40.1-80.1, a minor under 16 years of age is not permitted to work under the following circumstances:

1. During school hours.

2. More than 40 hours in any one week when school is not in session.

3. More than 18 hours in any one week when school is in session.

4. More than eight hours in any one day when school is not in session.

5. More than three hours in any one day when school is in session.

6. Before 7 a.m. or after 7 p.m. except that, from June 1 through Labor Day, a minor may work until 9 p.m.

7. A minor under 16 years of age is not allowed to work for more than five hours continuously without an interval of at least 30 minutes for a lunch period.

8. A lunch period of less than 30 minutes will not be deemed to interrupt a continuous period of work.

613 Record Keeping for Working Minors

Pursuant to Code of Virginia § 40.1-81.1, the time records for minor employees will show the beginning and ending time of work each day, together with the amount of time designated as a free-from-duty meal period, which is deductible from the schedule of work hours.

The preceding 12-month record for each minor employee will be kept on City premises for at least 36 months from the date of the latest work period record for the minor employee.

614 Flextime

In an effort to enhance service to the City's customers, accommodate the needs of employees, increase productivity and customer service, and attract and retain highly motivated employees, Department Directors may implement Flextime schedules at their discretion.

A. Each Department Director will determine if Flextime is appropriate for his/her department's operations or for specific individuals within his/her department. Flextime will not be approved if it hinders operations or diminishes service to the City's customers.

B. Flextime schedules must be approved in advance by an employee's Department Director.

C. Flextime may be considered during a workweek period to provide for a shift in work hours for an employee who has worked extended hours during that workweek.

[Example: Employee A is typically scheduled to work eight hours a day, five days a week. Employee A works 10 hours on Monday of a particular workweek; the Director may "flex" the workweek hours by changing the work hours of another day in the workweek to six, so that the total hours worked in the workweek do not exceed 40. Timesheets must reflect the correct number of hours worked in each workday.]

D. Flextime may be considered in order to expand operational hours within a department in order to improve the level of service to our customers.

[Example: Employee A works 8:00 a.m. to 4:30 p.m.; Employee B works 8:30 a.m. to 5:00 p.m.; Employee C works 9:00 a.m. to 5:30 p.m.]

E. Flextime may be considered when an employee needs time off, but the Department's work needs to be completed.

[Example: Employee has a personal emergency at 3:00 p.m. on Tuesday. The Department Director may consider "flexing" the hours during the week and allowing the employee to work two extra hours during the same workweek. In this case, the hours worked during each day must be shown on the time records on the specific days worked.]

F. When an employee works extra hours and takes time off during the same week in the same amount, it is considered Flextime and not subject to overtime provisions, including Compensatory Time.

G. Flextime may be changed, modified, or suspended at any time by an employee's Department Director or the City Manager.

615 Compensatory Time

A. Non-Exempt Police Department Employees

1. According to the FLSA, when overtime is to be worked by a public sector employee, by mutual agreement, the City may authorize compensatory time in lieu of the payment of overtime.

2. Police Department employees may accrue up to 40 hours of compensatory time to utilize at a later time.

3. Officers may also request compensatory time instead of overtime with prior approval from the Chief of Police. Pursuant to Section 207(k) of the FLSA, the City must provide compensatory time at a rate of not less than one and one-half hours for each overtime hour worked in lieu of cash overtime pay.

B. FLSA Exempt Employees

1. FLSA Exempt employees do not receive payment for time worked in excess of their work period, nor do they typically receive compensatory time. Nonetheless, a Supervisor may adjust the regular work schedule of FLSA Exempt Employees in consideration of having worked abnormally long hours.

2. Compensatory time for Exempt employees is not additional compensation; is not to be afforded on an hourly basis; is not a guaranteed for every time an Exempt employee works more than 40 hours in a workweek; and the adjustment is not shown on the Exempt employee's individual payroll time record.

616 Timeline for Use of Compensatory Time

The employee must request the use of compensatory time so that it is used no later than the earlier of, (a) 60 calendar days after it was earned; or (b) four weeks prior to the effective date of any change in the employee's pay rate. For good cause shown, the City Manager may, in his sole discretion, authorize the use of compensatory time after the deadlines listed above upon the request of the employee.

617 Payout of Unused Compensatory Time – Non-Exempt Employees

Pursuant to FLSA, if not used by either of the deadlines listed in Section 616 above or as otherwise authorized by the City Manager, the employee will be paid for the unused compensatory time on the following scheduled bi-weekly payroll pay date. Compensatory time must be paid at employee's rate of pay at the time of payout.

618 Break Time for Nursing Mothers

A. In compliance with the FLSA, the City will provide reasonable break time—and complete relief from duty—for a Non-Exempt employee to express breast milk for her nursing child for one year after the child's birth each time the employee has need to express the milk. Although not required under FLSA regulations, the same conditions will be afforded to FLSA Exempt employees.

B. Each City facility will provide a place—which may be a temporary accommodation—other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public for such purpose.

C. The time needed by the employee for expressing milk is not required to be compensated, but an employee may use the time generally allotted toward lunches or similar breaks for this purpose, as well as Sick or Annual Leave when available.

619 Telecommuting

Telecommuting offers an alternative work location for persons in jobs where assignments may be performed with minimal supervision from a location remote to the workplace.

A. The incumbent's work history, performance, and behavior are indicative of a successful arrangement for the City and the employee, and are factors for approval.

B. The City may cancel a telecommuting arrangement any time when it is determined that the continuation is not productive, efficient, or is otherwise not in the best interest of the City.

C. A telecommuter whose job may be equally performed onsite as offsite may elect to cease participation in a telecommuting arrangement and be moved on site as soon as accommodations can be made.

D. The City's authorization of telecommuting for one employee does not set a precedent or imply agreement with any other employee.

701 Benefits Package

The City of Manassas Park offers a wide range of benefits to its employees. Regular part-time budgeted employees may be eligible for partial benefits.

The City's health insurance programs require an employee contribution through payroll deductions, with the City bearing a portion of the cost, as budget allows. Actual costs and contributions are subject to change upon renewal of contracts.

Further details regarding benefits administration and restrictions are available from the Human Resources Department

702 Health Insurance

A. The City of Manassas Park offers health insurance to its employees through contracted providers. Information and enrollment forms are available from the Human Resources Department.

B. Payroll deductions for health insurance policies begin during the month the coverage begins. Upon leaving employment, employee coverage continues through the end of the month of termination.

C. The insurance option chosen by an employee remains in effect until "Open Enrollment". Open Enrollment dates may vary from year to year.

1. Dependents may be added or removed outside of the Open Enrollment dates due to a "qualifying event;" *e.g.*, in the event of marriage or divorce, a change in a spouse's employment, or the birth or adoption of a child.

2. Any changes to the coverage must be made within 30 days of the qualifying event. Proof of a qualifying event is required before a change is effected.

D. For new employees who enroll, coverage begins the first day of the month after the employee is hired. For example, for a new employee starting on December 15, insurance coverage would commence on January 1.

703 Retirement

A. All regular full-time employees are required to participate in the Virginia Retirement System (VRS). The City contributes a percentage of each employee's gross salary, as determined by VRS, each month. The employee also pays their share of the contribution. VRS contribution rates for both the City and the employee are actuarially established by the Commonwealth legislature each fiscal year.

B. Benefits, reimbursement and rollovers are subject to the VRS rules and guidelines. Complete information on the retirement plan is included in the VRS Handbook available in the Human Resources Department or online at www.varetire.org.

704 Life Insurance

Through the VRS, all regular full-time employees are insured for twice their annual salary, rounded to the next highest thousand-dollar multiple. The life insurance is funded by the City and the employee at rates determined by VRS and the Virginia legislature.

705 Optional Plans

The following optional plans are available to City employees through payroll deductions. Details may be obtained from the Human Resources Department.

- Additional life insurance through VRS
- Deferred compensation program (457 Plan)

706 Employee Development

It is the intent of the City to have a well-trained, high-performing workforce that allows for a career and succession path, wherever possible. Accordingly, the City encourages employees to seek continuous improvement through internal development and continuing education.

A. Tuition Reimbursement

1. Regular full-time and budgeted regular part-time employees are eligible for educational assistance from the City in accordance with criteria outlined in an Administrative Regulation for the Tuition Reimbursement Program, and subject to the City's ability to fund.

2. An employee who voluntarily terminates employment will be responsible to repay the City for any reimbursements received in the previous 12 months.

B. Development Opportunities

Each department will provide its employees with training and development opportunities advantageous to their positions, as budget allows.

707 Direct Deposit

The City generally deposits employee pay via direct automated deposit to the employee's designated bank account. Direct deposit is mandatory and takes effect a minimum of two pay periods following receipt of an application. Contact the Human Resources Department representative for a direct deposit authorization.

708 Wellness and Recreation

In order to promote a healthy workforce and extend the wellness benefits to employees' household, City employees receive free use and their immediate families (as defined by the Department of Parks & Recreation) receive discounted use of City owned and operated public facilities and recreational and fitness programs

709 Additional Benefits

Additional benefits will be introduced as they become available.

801 Employee Pay Practices

A. Employee Pay

Paychecks are processed in the form of direct bank deposit following the initial prenote. Paychecks are issued every other Friday for 26 pay periods in a year. The pay period begins at 12:00 a.m. on Sunday and ends two weeks later on the following Saturday at 11:59 p.m. Employees receive their paychecks on the Friday following the end of the pay period. The City takes very seriously that every employee's pay is accurate and timely, and will correct any errors without delay.

B. Emergencies

In the event that an emergency precludes the City's issuance or transfer of payroll, the City will make payroll available at the very first opportunity following the emergency, and as legally required.

C. Pay Deductions and Withholdings

The following are standard deductions from employee wages authorized by law. They will be deducted from each employee's pay. The employee may also authorize deductions for savings, deferred compensation, flex spending, and other optional benefits.

1. Federal income tax
2. State income tax
3. Retirement contributions
4. Garnishment/authorized wage withholding
5. Social Security

   [NOTE: City employees are required to participate in the federal Social Security program. As such, taxes are deducted from the employee's pay under the Federal Insurance Contributions Act. This is known as the FICA tax and is accrued to both Social Security and Medicare. The City also contributes a portion of this tax.]

6. Any other deduction authorized by the City and the employee, such as optional benefits, City-approved charities, City memberships, etc.

D. Pay Vouchers

The voucher of an employee's pay is an official record of pay and leave balances, as well as all authorized deductions. Pay vouchers should be retained by the employee for official personal and business purposes and may be accessed via the City's employee portal.

802 Pay Adjustments

A. Across the Board

When appropriate, after a review of economic indicators, an across-the-board pay adjustment may be awarded to employees, as approved by the Governing Body during the City's budget process. Across-the-board pay adjustments are dependent on the City's ability to fund.

B. Individual Pay for Performance (Merit)

1. The Department of Labor defines merit pay the same as pay for performance; that is, an increase in pay based on a set of performance criteria set by the employer.

2. In the City, funding for performance pay adjustments may be approved annually as part of the budget process. Unlike an across-the-board increase, performance pay is individual to the specific employee's level of total performance on the job in the evaluated year and is the process by which an employee generally moves through the pay range.

3. Performance pay may be in the forms of pay increases or one-time pay incentives; they may be awarded as flat amounts or percentage-of-salary increases.

803 Performance Evaluations

An employee's performance evaluation is used primarily as a developmental tool and as a memorialized formal discussion of past performance and future expectations. It may also be used in determining salary adjustments; as a factor in determining the order of layoff; as a basis for training, promotion, demotion, transfer or dismissal; and for such other purposes as established from time to time.

A. Introductory Probationary Evaluation

1. During the first few weeks of employment, a regular-employee's Supervisor will meet with the employee and discuss the elements on which the employee will be evaluated, including goals, objectives, and action steps.

2. The Supervisor may conduct an interim probationary evaluation midway through the employee's probationary period.

3. As a result of a probationary evaluation, an employee's employment may be terminated or the employee's probationary period may be extended at the discretion of the Department Director in consultation with the Human Resources Manager. An extension may not exceed an additional six (6) months, except when the employee has been removed from his/her primary duties for more than one week (*e.g.,* placed on light duty), in which case the probationary period will be extended by one day for each day the employee has not performed his/her primary duties.

4. No closer than 15 days prior to the employee's sixth month of employment (or 12 months for Department of Social Services and Fire and Rescue personnel), the Supervisor will conduct an evaluation to determine the employee's employment status with the City.

5. The employee will be notified if, (a) the employee's status will immediately become regular; (b) the introductory probationary period will be extended; or, (c) the employee's employment with the City will be terminated

6. The City's probationary period does not imply an employment contract for any defined term. An employee's employment with the City may be terminated at any point of the introductory probationary period.

B. Annual Performance Evaluations

1. An annual performance evaluation is conducted with each employee annually and submitted to the Human Resources Department. The evaluation is a measure of the employee's total performance over the previous year.

2. The performance evaluation will be completed by the employee's immediate Supervisor and reviewed by the Department Director, through the chain of command. The reviewing Supervisor will meet face to face with each employee to review and finalize the performance evaluations.

3. At the evaluation meeting, the Supervisor will discuss with the employee the elements on which the employee will be evaluated during the following year, including goals, objectives, and action steps.

4. The performance evaluation rating is final as approved by the Department Director.

5. An employee who disagrees with an annual performance evaluation rating may respond in writing to the employee's Supervisor adhering to the chain of command. The response will then be appended to the evaluation form in the employee's personnel file.

6. A Supervisory employee leaving his/her position is required to submit performance evaluations on all employees under his/her supervision who have not been evaluated in the previous six months.

804 Promotions/Transfers

The City Manager may authorize internal transfers or promotions at any time in response to the needs of the City. To apply for an available position, an employee must complete an employment application (and resume, if appropriate), and submit it to the Human Resources Department by the closing date indicated on the announcement.

805 Demotions, Non-Disciplinary

A demotion is an assignment of an employee to a position with a lower pay range. There are several reasons for a demotion, including but not limited to the following:

A. An employee may voluntarily demote into an available position of lesser responsibilities and authority.

B. The City Manager may authorize or reassign an employee to an available position in a lower classification because of the current business needs of the City.

C. The City Manager may authorize or reclassify a position because the job has changed and no longer requires the level of responsibilities of the higher position.

D. The City Manager may authorize or reclassify a position as the result of a reorganization.

806 Probationary Period - Promotional, Transfer, and Demotion

Transferred, promoted, or demoted employees are required to serve a probationary period of four (4) months, which may be extended up to another four (4) months.

900
Employment Actions and Termination

901 Due Process

Notwithstanding the at-will status of employees, the City follows a due process in order to ensure that employees of the City are treated equitably and in a non-discriminatory manner.

902 Suspension, Dismissal, Demotion and Probation

A. The Department Director has the authority to suspend, dismiss, demote, withhold performance increases, or place on probation any employee under their immediate supervision at the Manager's discretion, and to dismiss, demote, or place on probation any employee under his or her indirect supervision. The City Manager has the ultimate authority over employment decisions through the Grievance Procedure.

B. Management is responsible for investigating and evaluating allegations of employee misconduct or work deficiency. Disciplinary action will be taken for good cause and to correct problem situations.

C. Nothing in this section is intended to prevent the ability of Supervisors to speak with their employees in order to train, coach, mentor, and provide feedback concerning work performance, behavior, and the City's expectations. These conversations are not considered disciplinary action. For more details, refer to the City's disciplinary policy.

903 Terminations

The word "termination" refers to the ending of the employment relationship with the City. Termination may occur through resignation, reduction in force, job abolishment, inability to perform essential functions of the job even with reasonable accommodation, retirement, death, or dismissal.

904 Resignations

For the City to make appropriate provisions for business continuity, any regular full-time and regular part-time employees are expected to give at least two weeks advance written notice prior to the effective date of a resignation. In some departments or functions, notices of longer duration may be expected. Employees are expected to work throughout the entire resignation period. Unapproved absences during the resignation period may result in Administrative Leave without Pay or early termination.

905 Inability to Perform Essential Functions

A. An employee may be terminated from employment because of mental or physical impairment that prevents the employee from performing the essential functions of the employee's position, even with reasonable accommodation (pursuant to the Americans with Disabilities Act).

B. In the event that the City finds an employee to be unable to perform the essential duties of the employee's position, with or without reasonable accommodation, the City will notify the

employee in writing of its intent to terminate. The City will allow the employee a reasonable window of opportunity to return to work, with or without reasonable accommodation, and will proceed with termination if the employee fails to respond or return. Refer also to the policy regarding Return from FMLA, under Holidays and Leave.

906 Retirement

There is no mandatory retirement age with the City, except where special requirements are imposed upon firefighters and law enforcement officers. The Virginia Retirement System provides a package of benefits for eligible members based on an employee's age at retirement, average final compensation, and years of service. For specific information, employees may contact the Human Resources Department.

907 Return of City Property

A. Employees who leave the City are required to return all City property in their possession to the appropriate department or to Human Resources, including items such as identification cards, keys and key cards, badges, credit cards, uniforms, files and records, authorized weapons, credentials, and tools and equipment. It is the Department Director's responsibility to ensure that the property checklist is completed and submitted to Human Resources along with the employee's final timesheet.

B. By acknowledging these policies, the employee agrees that final pay and payment of accrued leave will be deducted by the value of all City property that has not been returned. Failure to return City property may also result in the City's pursuit of additional legal collection methods.

908 Exit Interview

A. While the City has programs and benefits in place for hiring and retaining a high-performing, satisfied workforce, we also understand when employees wish to leave to pursue other and greater endeavors, to retire from employment, or leave the City's employment for any other reason.

B. Even under involuntary circumstances leading to termination, the City is interested in what an employee has to say about the employment experience with the City. Information derived from exit interviews is used in a continuous improvement effort.

C. Prior to an employee's date of termination, a Human Resources Department representative will invite the employee to participate in an exit interview.

909 Furloughs; Frozen Jobs and Wages; Reductions in Pay or Benefits

A. The City provides a total compensation package to employees that includes competitive pay and generous fringe benefits. When the City's financial position allows, across-the-board pay adjustments and performance pay increases may be a regular part of this package.

B. During times of economic constraint, however, the City may consider cost-cutting measures that impact the workforce. These measures may include furloughs (time off without pay), wage freezes (where no increases will be awarded), pay and benefit reductions, benefit cost-sharing, and hiring freezes (where vacancies remain unfilled), among others.

910 Reduction in Force

The City makes every effort to evaluate the City's staffing level needs on a regular basis. Nonetheless, at times there may be material changes in duties, needs of the organization, or shortages in funding that may result in the City's inability to support levels of programs or services, which could result in a reduction of force.

911 Layoff and Retention

A. In determining those employees to be retained in the organization from a reduction in force, certain criteria will be used in the decision to retain or lay off. Criteria may include:

1. The City's business needs.
2. Impacts on the City's level of service to its customers.
3. Knowledge, skills, and abilities needed to sustain the organization.
4. Sources of funding.
5. Length of service.
6. Performance.
7. Disciplinary history.
8. Veteran status.
9. Skills, knowledge and abilities needed for business continuity.

B. The City's Governing Body may authorize severance pay and other benefits deemed appropriate in a reduction in force. Employees who are laid off will be given at least fourteen (14) calendar days' notice of the anticipated layoff, or two workweeks of compensation in lieu of notice, concurrent with any other consideration(s), if any.

912 Final Pay

In accordance with applicable federal and State laws, final pay is made with scheduled payroll distributions and will not be unreasonably delayed. Exceptions may be made with the approval of the City Manager or his or her designee.

1000
Holidays and Leave

1001 General

The City provides paid Holidays and a Leave package for regular full-time employees. Regular budgeted part-time employees receive Holiday, Sick Leave, and Annual Leave prorated according to the number of hours in their work schedule. The number of Holidays may change from time to time, as adopted by the Governing Body.

1002 Holidays

A. The Governing Body annually determines which days are designated as approved holidays based on input from the City Manager.

B. Paid holidays are considered as productive work hours for overtime purposes.

C. An employee who is absent the day before or after the holiday will not receive holiday pay unless the day was pre-approved by the employee's Supervisor.

D. Employees in an on-call status are to refer to their department's on-call standard operating procedure for Holidays.

1003 Holiday Pay

Non-Exempt employees who are scheduled or authorized to work on a holiday will be paid at the legal and appropriate rate of pay.

1004 Religious Holidays

The City will make reasonable accommodations on a case-by-case basis for an employee's religious holiday needs, unless the accommodation will result in undue hardship to the function of the City. The City will not unreasonably deny a request for time off, which may be charged to Annual Leave, accrued compensatory time, or may be approved as Leave of Absence without Pay.

1005 Exempt Employees – Partial Day Absences

Generally, Exempt employees must receive their full salary for any week in which the employee performs any work without regard to the number of days or hours worked. Exempt employees may be required to work in excess of 40 hours a week to complete work without additional compensation.

A. The City may take deductions from Exempt employees' leave accounts for personal partial day absences without affecting the employees' Exempt status on a limited basis.

B. The City may reduce partial day absences from the Annual or Sick Leave of an Exempt employee, even if the reduction results in the employee having a negative leave balance (from advanced leave), as long as the Exempt employee receives the full guaranteed weekly salary.

C. For any absences under FMLA, the City may reduce the Exempt employee's salary proportionate with the hours lost during the workweek, even for a partial day.

1006 Leave Accruals during Absences

A. Paid Sick Leave, paid Annual Leave and Administrative Leave with Pay are considered productive work hours for the purposes of accruing Annual Leave and Sick Leave.

B. When an employee is absent due to a work-related accident, injury, or illness, they will accrue Annual Leave and Sick Leave to a maximum of one year from the first full day of absence.

C. Employees on Leave of Absence without Pay do not earn Annual or Sick Leave, except for those receiving benefits through workers' compensation.

1007 Annual Leave

Annual Leave is time off for vacation or personal use taken at an employee's request with prior approval. The City strongly encourages employees to take a vacation each year of at least one full week at a time, as relief from work. Employees may be required to take a continuous period of vacation, not to exceed their total accumulated leave each year, as determined by the City Manager or designee.

A. Annual Leave Accrual

1. Annual Leave is accrued based on the years of service and the number of paid hours worked each week.

2. Accrual of Annual Leave for all regular full-time employees is based upon a standard accrual per pay period, depending upon length of service with the City as follows:

General & Police Completed Years of Service	No. Hours Earned Per Pay Period	No. Hours Earned in 12 months of Service
0-2	4	104
3-9	6	156
10 & Over	8	208

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Fire/EMS Completed Years of Service	No. Hours Earned Per Pay Period	No. Hours Earned in 12 months of Service
0-2	4.8	124.8
3-9	7.7	200.2
10 & Over	9.6	249.6

3. The City Manager may approve a modified accrual rate or accrual methodology for an employee as part of their negotiated terms of employment. Any such deviations must be detailed in the conditional employment offer, which will constitute an agreement only as to the benefits outlined in such offer and does not establish a precedent.

4. The City credits Annual Leave to the employee's account at the end of each pay period, at which time it is considered earned and available for use. As far as working conditions will permit, earned leave may be taken in the amount desired with a minimum of and in increments of 15 minutes.

5. Accrual rates may be adjusted depending on employee's alternate work schedule.

B. Annual Leave Carryover

1. An employee on a 40 hours-per-week work schedule may carry over no more than 240 hours (288 hours for Fire/EMS) of annual leave to the following year.

2. Leave in excess of the maximum carryover amounts will be converted to sick leave.

3. If an employee is unable to use their excess Annual Leave because of City operational requirements or other extraordinary circumstance, the City Manager may approve an extension of its timeline for depletion or other method of resolution. The City Manager's decision will be binding.

3. Annual Leave may be used during the probationary period as approved by the employee's Department Director.

C. Annual Leave Use

1. Annual Leave is available only after it has been earned.

2. Annual Leave may be used for absences due to illness or injury when Sick Leave is depleted, as requested by the employee and approved by the Department Director.

3. When an employee's Annual Leave bank is depleted, time not worked may be authorized as Leave of Absence without Pay, pursuant to this policy.

4. Supervisors may deny requests for leave at any time. This may happen for a variety of reasons, including but not limited to impact on departmental operations and service delivery. However, approval for the use of Annual Leave will not be unreasonably withheld.

5. Annual Leave must be approved in advance and in accordance with departmental procedures.

6. Generally, when the need to use Annual Leave is determined outside of work hours, the employee must contact their Supervisor as soon as possible before start of the next workday or shift, as determined by departmental procedures.

7. An employee may be advanced paid Annual Leave only if authorized by the City Manager, following a recommendation by the employee's Department Director. Requests for advance Annual Leave are considered on a case-by-case basis and authorized in exceptional circumstances to employees with a record of responsible use of leave.

8. A negative leave balance will be deducted from that employee's future accrual and/or the employee's final paycheck.

D. Payout upon Separation

When an employee terminates employment with the City, will be paid for all earned Annual Leave, up to but not more than 240 hours (288 hours for Fire/EMS).

1008 Liberal Leave

The City Manager or designee may declare that Liberal Leave is in place. As such, if an employee does not come to work due to inclement weather, and has notified the Supervisor that they are unable to attend work, the Supervisor may authorize Liberal Leave, which may be hours from Annual Leave or Sick Leave, if available, without the required formal advance request. When the employee has no paid Leave balances, the absence may be without pay.

A. If a Non-Exempt employee has insufficient Annual Leave or Compensatory Leave, then the hours will be without pay. Employees are expected to contact their Supervisors ahead of, but no later than one hour after, their normal start time and advise them if they will not be at work because of emergency weather conditions.

B. An Exempt employee's absence because of inclement weather will be addressed in accordance with the requirements of the FLSA.

C. This policy does not apply to certain essential personnel, such as employees needed to perform necessary health, safety and emergency services (*e.g.*, law enforcement, fire suppression, emergency rescue, snow and ice removal).

1009 Sick Leave

Sick Leave is provided as a benefit to employees against loss of income for time lost due to an illness or injury, or for required medical, vision or dental examinations and treatments, or as defined by the FMLA. Sick Leave may be used to care for the illness of immediate family members or when required to accompany immediate family members, as defined in the Glossary, to health care appointments.

A. Sick Leave Accrual

General and Police employees accrue Sick Leave at the rate of four (4) hours for each of 26 pay periods in a year regardless of length of service with the City. Fire and Rescue employees accrue at the rate that is proportionate to the total number of hours worked, as indicated in the table below or as schedules may be amended from time to time. There is no maximum amount of Sick Leave that may be accumulated and sick leave may be used during the employee's probationary period as approved by their Supervisor. Sick Leave is accrued on a pro-rata basis for regular part-time employees, as defined in this manual.

Employee Classification	Hours per Pay Period	Hours per Year
General & Police	4	104
Fire & Rescue	4.8	124.8

B. Notification

1. Anticipated Sick Leave must be requested in advance of its need, in accordance with departmental procedures.

2. An employee who is unable to report to work because of unexpected relevant circumstances must notify their immediate Supervisor as soon as possible, preferably before the employee's use of Sick Leave actually begins.

C. Sick Leave and FMLA

Employees absent on Sick Leave or on any other Leave when the reason is their own illness or the illness of an immediate family member in excess of three consecutive workdays may be deemed to be subject to the provisions of the Family and Medical Leave Act (FMLA). They may be asked to submit documentation as legally proscribed by the Department of Labor and in compliance with the City's policies.

D. Medical Documentation

The employee's Supervisor or Department Director may require medical documentation to verify an absence and may require a detailed return-to-work medical certification at any time they deem necessary.

E. Sick Leave Depletion

When an employee's Sick Leave bank is depleted, time not worked may be requested by the employee and authorized as either Annual Leave or Leave of Absence without Pay, pursuant to this policy.

F. Pay upon Separation

Upon separation, an employee will receive the following payout of earned, unused Sick Leave at the rate of 25% of the Sick Leave balance not to exceed amounts shown in the table below:

Years of Service	Maximum Payout In Hours
5 through 9	100
10 through 19	200
20 + years	300

1010 Leave Accruals for Regular Part-Time Employees

Regular budgeted part-time employees (regularly working 24 hours or more per week) will accrue Annual Leave and Sick Leave under the same criteria (years of service for Annual Leave) as all other regular employees, prorated to the number of hours regularly scheduled per bi-weekly pay period.

Example follows for a regular part-time employee, working 24 hours weekly, who has six years of service:

Bi-Weekly Hours Worked	Percent of 80 hrs.	Annual Leave Accrued	Sick Leave Accrued
48	0.6	3.6	2.4

1011 Leave Donation by One Employee to Another

A. Absence Related to FMLA

1. The City allows employees to donate earned Sick Leave or Annual Leave to other designated employees who have exhausted all forms of paid Leave to which they are entitled and who have an absence pursuant to the Family Medical and Leave Act.

2. The transfer of donated Leave must be approved by both the appropriate Department Director(s) and the Human Resources Director.

3. Employees may not intimidate, threaten, coerce, or promise any benefit for the purpose of interfering with the right to donate/share or receive Sick or Annual Leave.

4. The following leave donation criteria apply:

   a. The donor relinquishes all rights to the donated Leave. The donor cannot recover Leave transferred under this section, once the hours have been transferred to the receiving employee.

   b. The donor employee must have at least 40 hours of accrued Annual and 40 hours of accrued Sick Leave remaining after the donation is made.

   c. An employee may not donate more than 40 hours of either Annual or Sick Leave in any one fiscal year.

   d. An employee may not donate time to their immediate Supervisor or the reviewing authority for performance evaluations.

   e. The election may be effected only by written notice from the employee to the Human Resources Director designating the maximum number of hours to transfer and the employee to be benefited.

   f. Leave transfer will apply only to the limit accrued on the date of the election notice.

   g. The Human Resources Department will transfer donated hours only to the extent required for the Leave recipient to have paid coverage during and through the end of the immediate disability, unless approved otherwise by the City Manager.

   h. Donated hours may not be used for any reason other than for the FMLA event for which they are donated.

i. The receiving employee must have exhausted all Sick, Annual and Compensatory Leave before the donated hours may be transferred.

j. The City will not inform the recipient the name of the donor.

k. No Supervisor may propose to any subordinate that the employee elect such a transfer to any other employee.

B. Absence Related to Military Deployment

1. Annual Leave may be donated to a City employee-in-need when that employee is a member of the National Guard or military reserve unit of the United States Armed Forces who has volunteered or been ordered to active duty pursuant to an order by the President of the United States or Commonwealth authority.

2. The transfer of donated leave must be approved by both the appropriate Department Director and the Human Resources Director.

3. Donation of Annual Leave under this section is subject to the following conditions:

a. The donor relinquishes all rights to the donated Leave once the hours have been transferred to the recipient.

b. Donated Leave may only be used when the employee called to active military duty has reduced their accrued annual and Compensatory Leave to a combined balance of no greater than the equivalent of two weeks.

c. An employee may not donate time to their immediate Supervisor or the reviewing authority for performance evaluations.

1012 Bereavement (Funeral) Leave

All regular full-time and regular part-time employees may be granted Bereavement Leave for a death in the immediate family, as defined in the Glossary. The maximum number of days per occurrence is three (3) for members of the immediate family. Bereavement Leave is not considered time worked for the purpose of computing overtime.

1013 Leave of Absence without Pay (LWOP)

A Leave of Absence without Pay (LWOP) may be granted only after an employee's leave balance of Annual and/or Sick Leave, as appropriate, have been exhausted. Unless specifically provided otherwise in this policy, all requests for LWOP, to a maximum of two workweeks, must be presented in writing to the Department Director. Any request for LWOP in excess of two workweeks, if recommended for approval by the Department Director, must be submitted in writing to the City Manager.

1014 Absent without Leave (AWOL)

An employee who is absent from work without their Supervisor's approval will be deemed to be AWOL and subject to disciplinary action up to and including termination of employment.

1015 Family and Medical Leave Act (FMLA)

E. What is FMLA?

The Family Medical and Leave Act of 1993 (FMLA) is a federal law that allows an eligible employee to receive a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:

1. For the birth and care of a newborn child of the employee

2. For the placement with the employee of a child for adoption or foster care

3. To care for the employee's spouse, child or parent who has a serious health condition

4. For required absences when the employee is unable to work because of a serious health condition

F. Eligibility

1. The FMLA allows an eligible employee to elect, or the City to require an employee, to use accrued Annual Leave and/or Sick Leave for some or all of the FMLA leave period. In the City of Manassas Park, the total of 12 workweeks includes paid time accrued as Sick, Annual Leave, and Compensatory Time as replacement for leave without pay.

2. A City employee is an eligible employee for FMLA purposes if they meet all three of the following criteria:

   a. The employee has been employed by the City for at least 12 months, not necessarily consecutively. Employment periods that occurred prior to a break in service of at least seven years are not counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation.

   b. The employee has worked for the City at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

   c. Whether an employee has worked the minimum of 1,250 hours is determined by counting the actual number of hours the employee has worked in the previous 12-month period. Therefore, paid vacations, Holidays, and Sick Leave are not counted toward the 1,250-hour requirement. Eligibility is determined as of the date the leave actually begins, not when the employee requests the leave.

G. FMLA-Related Leave

1. In compliance with the FMLA, Leave will be granted for a period of up to 12 workweeks within a 12-month period, measured forward from the first use of FMLA in the year. Family and medical leave may be taken intermittently or on a reduced leave schedule under certain circumstances, as certified by a medical practitioner.

2. The minimum increment of FMLA leave when taken on an intermittent or reduced schedule basis is one hour.

3. When a husband and wife are both employed by the City, they are limited to a combined total of 12 workweeks of FMLA leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, and to care for the employee's parent who has a serious health condition.

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

H. Requests for FMLA Leave

1. Requests for FMLA Leave must be in writing and submitted to the employee's Supervisor or Department Director at least 30 calendar days in advance, or as soon as is practicable, with a copy of the request submitted to the Human Resources Director.

2. The City reserves the right to consider an absence to be subject to FMLA provisions, pursuant to law, with or without relevant documentation.

3. The City will measure the 12-month FMLA period as a "rolling" period measured backward from the date an employee uses FMLA Leave. Each time an employee uses FMLA Leave, the City will compute the amount of Leave taken in the preceding 12-month period and subtract it from the twelve weeks of total FMLA Leave, with the balance representing the amount of FMLA Leave still able to be taken.

1016 FMLA and the National Defense Authorization Act

In 2010, the National Defense Authorization Act amended the FMLA to expand coverage for "qualifying exigency" leave to eligible employees with covered family members in the Regular Armed Forces and coverage for "military caregiver leave" to eligible employees who are the spouse, son, daughter, parent, or next of kin of certain veterans with a "serious injury or illness."

A. Qualifying Exigency Leave

Under the FMLA, an eligible employee is able to take up to 12 workweeks of FMLA Leave when the employee's son, daughter, or parent—who is a covered military member; *i.e.*, a member of the Armed Forces, including the National Guard and Reserves, and deployed to any foreign country or in support of contingency operations—is on active duty or call-to-active-duty status for one or more qualifying exigencies. These include:

1. Short notice deployment
2. Military events and related activities
3. Certain childcare and related activities
4. Financial and legal arrangements
5. Counseling rest and recuperation
6. Post-deployment activities
7. Any other event that the City and employee agree constitutes a qualifying exigency

B. Covered Service Member Leave

1. An eligible employee is able to take up to 26 workweeks of FMLA leave in a designated 12-month FMLA leave year—measured forward from the first use of FMLA for this purpose—in order to care for a covered service member who suffered a serious injury or illness in the line of duty and who were (a) undergoing medical treatment, recuperation, or therapy; (b) in an outpatient status; or (c) on a temporary disability retired list, where the employee is the spouse, son, daughter, parent or next of kin of the covered service member, for a period of five years after discharge from the military.

2. The definition of "covered service member" also includes a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces, including the National Guard and Reserves, at any time during the five-year period preceding the date on which the veteran undergoes medical treatment, recuperation or therapy.

3. The definition of a "serious injury or illness" includes an injury or illness that was incurred by the covered service member before the member's active duty and was aggravated by service in the line of duty while on active duty. A serious injury or illness of a veteran is further defined to encompass an injury or illness incurred in the line of duty while on active duty, or which existed prior to active duty but was aggravated by service in the line of duty while on active duty and that manifested itself either before or after the covered service member became a veteran.

1017 Return from FMLA

The City will comply with all Federal and State laws. If or when an employee is unable to return to full duty, with or without reasonable accommodation, after exhausting the allowable period of FMLA Leave, the City may pursue termination of employment. Requests for extensions of an FMLA absence will be considered on a case-by-case basis and will be subject to the business needs of the City, as determined by the City Manager, in compliance with the American Disabilities Act, as amended.

1018 Military Leave and USERRA

A. A military employee will be allowed to take Military Leave in accordance with Virginia Code § 44-93 and the Uniformed Services Employment and Reemployment Act of 1994 (USERRA).

B. For any military employee who has not been recalled to federally funded military duty pursuant to Title 10 of the United States Code or called forth by the Governor of Virginia pursuant to § 44-75.1 or 44-78.1, of the Code of Virginia (*i.e.*, the employee is serving on inactive duty training [IDT], annual training [AT], etc.), a maximum of 15 days of military leave will be provided for each federal fiscal year, in compliance with Virginia Code § 44-93. While on Military Leave, the employee will be paid as if he/she had reported for work.

1019 Recall to Active Duty

A. Activation

A military employee who is recalled to federally funded military duty pursuant to Title 10 of the United States Code or called forth by the Governor of Virginia pursuant to Virginia Code § 44-75.1 or § 44-78.1, will be authorized Annual Leave and/or Leave of Absence without Pay without loss of seniority or Leave accruals while engaged in military duty.

B. Reemployment Rights

1. Upon honorable release from active duty, the military employee will make written application to the City for reemployment within, (a) 14 days of their release from duty or from hospitalization following release if the length of the member's absence by reason of service in the uniformed services does not exceed 180 days; or (b) 90 days of their release from duty or hospitalization following release if the length of absence exceeds 180 days.

2. When released from duty, the employee will be restored to the previous position held with the City or to a position of like seniority, status and pay, or to a comparable vacant position for which the employee is qualified, unless to do so would be unreasonable. This does not apply when the cumulative length of the absence and of all previous absences from a position of employment with the City by reason of military service exceeds five years.

1020 Attendance by Crime Victims at Proceedings

A. Pursuant to Virginia Code § 40.1-28.7, the City shall allow an employee who is a victim of a crime to leave work to be present at all criminal proceedings relating to a crime against the employee, as long as the employee has provided the City with a copy of the form provided to the employee by the appropriate law-enforcement agency and, if applicable, copy of the notice of each scheduled criminal proceeding that is provided to the employee as victim.
B. The City may limit the leave provided if the employee's leave creates an undue hardship to the employer's business.
C. The employee may request the use of Annual Leave for this purpose. If no paid Leave is available to the employee, the employee may be allowed the use of Leave of Absence without Pay.
D. The City will not refuse to hire, will not discharge from employment, or discriminate against an individual in compensation or other terms or conditions because the individual leaves work to attend a criminal proceeding in compliance with law.
E. The City will not dismiss an employee who is a victim of a crime because the employee exercises the right to leave work for this purpose.

1021 Civil Leave

The City provides Civil Leave to employees in order to allow the employee to perform their civic duty, as provided below:

A. Jury Duty

1. An employee summoned to serve on jury duty will be authorized to take Civil Leave in accordance with Virginia Code § 18.2-465.1. An employee who serves on jury duty will be treated the same as if the employee had reported to work.

2. The employee must notify his/her Supervisor promptly upon receipt of a summons to serve on jury duty and provide a copy of the jury summons.

3. After serving, the employee must submit to the City a statement from the Court confirming the employee's jury duty.

4. An employee who is summoned and appears for jury duty for four or more hours, including travel time, in one day shall not be required to start any work shift that begins on or after 5:00 p.m. on the day of the employee's appearance for jury duty or begins before 3:00 a.m. on the day following the day of the employee's appearance for jury duty.

5. Any mileage reimbursement provided by the Court may be retained by the employee.

B. Witness Summons and Subpoenas

1. An employee requested to testify on behalf of the City or the Commonwealth in a court of law or equity will be placed on Civil Leave and will be paid as if the employee had reported for work as scheduled, except when the employee is a defendant in a criminal case, in accordance with Virginia Code §18.2-465.1.

2. The employee must notify his/her Supervisor promptly upon receipt of a subpoena to appear in Court as a witness and provide a copy of subpoena.

3. Civil Leave for witness service will not be authorized when the service is related to a private party and not on behalf of the City or the Commonwealth.

4. After serving, the employee must submit to the City a statement from the Court confirming the employee's witness service.

5. An employee who is summoned and appears for jury duty for four or more hours, including travel time, in one day shall not be required to start any work shift that begins on or after 5:00 p.m. on the day of the employee's appearance for jury duty or begins before 3:00 a.m. on the day following the day of the employee's appearance for jury duty.

6. Any mileage reimbursement provided by the Court may be retained by the employee.

C. Officer of Elections

1. An employee who serves as an officer of elections will be allowed to take Civil Leave in accordance with Virginia Code § 24.2-118.1. In order to take Civil Leave for this purpose, the employee must give reasonable advance notice to the employee's Supervisor.

2. No employee who serves for four or more hours, including travel time, on the day of service shall be required to start any work shift that begins on or after 5:00 p.m. on the day of service or begins before 3:00 a.m. on the day following the day of service.

1021 Maternity and Parental Leave

A. Employees may use Maternity Leave during pregnancy for a period not to exceed 240 hours, during which Sick Leave, Annual Leave, or Leave of Absence without Pay will be used.

B. Full-time employees who have been employed by the City for at least one year will be provided 160 hours of paid Parental Leave starting on the workday following birth or adoption of a child. To use Parental Leave, the employee must notify his/her department director within seven (7) calendar days following the birth or adoption. When an employee is on paid Parental Leave, FMLA and paid Parental Leave will run concurrently.

1100
Security and Workplace Safety

1101 General

The City strives to provide each employee with a safe environment and our customers with a professional business climate. Actions that jeopardize this effort, such as by sharing public facility keys when not authorized, by allowing other persons to enter facilities when and/or where not authorized, or by engaging in or condoning violent or threatening behavior may result in discipline, up to and including dismissal.

1102 Employee Identification, Keys, and Key Cards

A. The City issues an Identification Card (ID) to City employees. Some ID cards may also able to unlock facilities' doors, also referred to as "key cards."

B. The employee ID card must be shown promptly upon request of a member of Management or the Police department.

C. Employees may not lend their ID card, key card, or facilities keys to others.

D. An employee must report the loss of their ID card at once to their Supervisor in order for the City to inactivate and reissue a card.

1103 Maintaining a Secure Workplace

Every Supervisor is responsible to ensure that the following safety guidelines are followed by their employees. Every employee is responsible to report any incident or suspicion that might threaten safety and to follow these guidelines:

A. Be alert to anyone loitering near City premises such as parking areas, walkways, entrances, exits, and service areas.

B. Carefully handle threatening mail or mail that is objectionable in any way. Such correspondence should be isolated and placed in a plastic cover or folder and handled as little as possible.

[NOTE: In the event of a suspicious package or mail, notify your Supervisor or person of authority immediately, who will then notify the proper authorities.]

C. Do not open mail or correspondence labeled "Confidential" unless you are the addressee or their authorized designee.

D. Maintain control over all lockable files and/or cabinets in your use and ensure they are secured at the close of business, or when called away from a work area.

E. Do not leave keys to control items in or around a desk or work area unless secure.

F. Place valuable personal articles in a safe area, not visibly in or around the workstation.

G. Properly secure personal computer and software passwords and protect access to City computers and the network.

H. Properly secure respective work area each day at the close of business and during lunch periods and meetings.

I. All keys, access codes, City records, documents, and all other City property must be returned at separation of employment or at any time the City determines.

1104 Secure Work Records

Most documents held by the City are considered public records available to citizens for review. However, some data including design plans, blueprints, operating procedures, unaudited financial statements, personnel records and others can be used improperly by individuals with malicious intent. Information is to be released by the authority of the custodian of the particular information. Records release is subject to the Virginia Freedom of Information Act (FOIA) (Va. Code § 2.2-3700 *et seq*.).

1105 Workplace Violence

A. The City does not tolerate violence or threats of violence on City property or during work time. Examples of violent behavior include bullying, fighting, threats, harassment, verbal assault, and other aggressive or intimidating acts that place another individual in discomfort or fear for their wellbeing.

B. An employee who feels subjected to violent behavior must inform their Supervisor, rather than respond to violence, in order not to escalate a potentially hostile situation.

C. Every effort will be made to identify possible sources of violence and implement procedures to eliminate or minimize risks.

D. Law enforcement personnel are also governed by policies established on the use of force.

1106 Weapons Prohibited

The City prohibits the presence of firearms or other dangerous weapons on City property, except for those authorized to law enforcement personnel, and/or to the extent allowed by law. Any employee in possession of an unauthorized firearm or other weapon while on City property may face disciplinary action, up to and including termination. To the extent allowed by law, the City prohibits clients or visitors from carrying weapons while on City property.

1107 Lawful Searches

The City reserves the right to inspect bags, parcels, and containers being brought into or removed from its premises. Further, the City reserves the right to inspect the workplace, including lockers, desks, files, and any other property or item.

A search may be conducted of any City or personal equipment used in the scope of employment including computer equipment and files, e-mail, voicemail, and anything else deemed appropriate.

1108 Reporting Incidents of Security Breach

A. Employees are required to report to the immediate Supervisor or any person in authority any suspicious activity or dangerous incidents.

B. The person of authority assesses the situation and, if appropriate, contacts the City Manager and/or local law enforcement.

C. If the situation is imminently dangerous, an employee or the person of authority may contact the Manassas Park Police Department first and without delay, then make contact with other persons in the chain of command.

D. A report of the situation will be submitted to the City Manager. The report should contain all information relating to the details of the incident (*e.g.,* who, what, when, where, why, how).

E. If time is a critical factor, the report should be made first over the telephone and later confirmed in writing.

1200
Conflicts of Interest

1201 General

The City requires that employees comply with the provisions of the Virginia State and Local Government Conflict of Interests Act (Va. Code § 2.2-3100 *et seq*.), and the Virginia Public Procurement Act (Va. Code § 2.2-4300 *et seq*.). Employees must avoid any actions that may create a perception that favorable treatment was sought, received, or given in exchange for personal business courtesies.

1202 Gratuities and Favors

A. Employees shall not solicit or accept directly or indirectly any gift, gratuities, loan, fee, service or any other thing of value arising from or offered because of City employment or which may tend to influence directly or indirectly the actions of such employees or any other employee in any matter of City business.

B. No employee shall make unauthorized use of City resources for personal benefit or for the benefit of any other person. No employee will speculate in materials, supplies, or services regulated or purchased by the City.

C. Any unauthorized gift, gratuity, loan, fee, reward or other items coming into the possession of any employee must be turned over to the employee's Department Director for disposition.

1203 Acceptable Business Courtesies

Pursuant to the State and Local Government Conflict of Interests Act (Va. Code § 2.2-3100 *et seq*.), employees may accept articles of negligible or de minimis value or social courtesies which promote good public relations, provided that no single article, social courtesy, or other gift exceeds $25.00 in value and the cumulative total of such gifts during any calendar year does not exceed $100.00 in value. For example, an employee may accept:

A. Meals, refreshments, entertainment and other gifts of a value not to exceed $25.00 on infrequent occasions in the ordinary course of a luncheon, dinner, or other meeting where an employee may properly be in attendance.

B. Unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal value.

1204 Outside Business Interests

As stewards of the taxpayers' investments, City employees must ensure that any personal business interest does not create a conflict with the City's interests and that they have no personal financial investment in any person or business that furnishes merchandise, supplies property, or provides services to the City.

A. If an employee finds that the City is proposing the purchase of services or otherwise entering into a transaction with an individual or entity with whom the employee holds any financial interest, the employee will immediately disclose the potential conflict to his Supervisor.

B. The Supervisor will report the potential conflict to the City Manager who will either terminate the transaction or establish procedures to document that the transaction is at arm's length and does not involve the affected employee in the decision-making process.

C. The City Manager will report all such transactions to the Governing Body.

D. For rules on secondary employment, refer to the policy entitled, *Outside or Secondary Employment*, in this Manual.

1205 Solicitation

In order to establish a professional working environment and to protect employees from distraction or harassment, the City of Manassas Park prohibits all distribution of literature and solicitation or sale of any kind in the workplace that is not authorized by the City Manager.

A. The distribution of non-City literature, and the solicitation or sale of any kind by City employees during working time is prohibited. "Working time" includes all time when any employee has work tasks to perform. It does not include time while on breaks, such as lunch breaks.

B. Employees may place school and non-profit solicitation materials in common employee-gathering areas, such as lunch or break rooms.

C. The City Manager is authorized to approve and suspend all distribution, solicitation and sale at any time. Nothing contained in this section shall be construed to apply to literature associated with City operations that is distributed by employees as part of their job duties.

1206 Political Activity

A. The City intends that all employees of the City will be protected against any unwarranted infringement of their rights as American citizens to vote as they choose, to express their opinions as private citizens, and to join political organizations. It is the further intent of the Governing Body that City employees be free from political influence in the impartial execution of laws and government programs.

B. No person occupying a position compensated in whole or in part with money appropriated by the Governing Body shall engage in or conduct political activities on City property or during assigned work hours. This policy will be interpreted and enforced by the City Manager. Nothing contained in this policy will be interpreted to apply to members of boards, commissions or advisory committees.

1207 Consequences

Any employee who violates the provisions of this policy may be subject to disciplinary action, up to and including termination, and to such fines and punishment as may be provided by law.

1300
Conflict Resolution

1301 General

It is the policy of the City to provide fair, equitable, and satisfactory working arrangements for its employees. Management will make every effort to resolve employee disputes informally with the least amount of delay following the established chain of command. The City's Conflict Resolution Process is not intended to diminish an employee's right to grieve appropriate and grievable issues nor to interfere with an employee's right to seek legal redress for an infringement of rights protected under federal or state laws.

1302 Conflict (Non-Grievable)

A conflict is defined as a concern regarding working conditions, interpersonal relations, or other employment-related matters not covered by the formal Grievance Procedure.

A. Conflict Resolution Process

The Conflict Resolution Process affords employees a voice in matters that have a potential for adverse or inequitable effect on their employment conditions. Issues may include differences of opinion or judgment, but the City acknowledges the importance of an individual's honest and respectful expression. Pursuing this does not waive the City's right to require an employee to work or complete work as directed, except where a safety hazard exists consistent with the City's safety policies.

B. Procedure

1. An employee wishing to exercise the Conflict Resolution Process may do so in writing to the employee's immediate Supervisor within 14 calendar days after the occurrence or condition that caused the conflict. The Supervisor and any other appropriate Manager must review the issue with the intent of resolving the matter at the most appropriate supervisory level. Every effort will be made to respond to the employee in writing within 14 calendar days of receipt of the concern.

2. If there is no resolution at the supervisory level, the employee and/or the Supervisor may elevate the matter to the next level in the chain of command or the Department Director, as appropriate, within 14 calendar days of the Supervisor's response.

3. If the issue is not resolved within 14 days, the Department Director or the employee may refer the matter to the City Manager. The City Manager may request to meet with the involved parties as a part of the resolution process.

4. The City Manager will render a decision to the employee and others within a reasonable time, which decision will not be unreasonably delayed and shall be final and binding.

5. Management must consult with the Human Resources Director throughout the process in order to facilitate resolution.

1400
Investigations

1401 General

The City of Manassas Park is committed to ensure that all City-initiated investigations are conducted in a fair, impartial, thorough, and thoughtful manner, in compliance with all applicable laws.

Supervisors are required to report any violation of the law or a violation of these or other policies, regulations or rules to the Department Director or the Human Resources Manager, as soon as the violation is known. The City will investigate and determine the facts relative to the circumstances surrounding the alleged violation at the lowest level as deemed appropriate

1402 Public Safety Personnel

Fire & Rescue personnel and sworn law enforcement personnel, subject to investigations included in the definitions of those terms in the Virginia Code, under the Firefighters and Emergency Medical Technicians Procedural Guarantee Act (Va. Code § 9.1-300 *et seq.*) or the Law-Enforcement Officers Procedural Guarantee Act (Va. Code § 9.1-500 *et seq.*) are afforded all rights contained in the applicable Act.

A. Fire & Rescue

1. For Fire and Rescue personnel, the procedural guarantees apply whenever an officer, a firefighter or emergency medical technician (including medics) is subjected to an interrogation that could lead to dismissal, demotion, or suspension for punitive reasons. These procedural guarantees are found in the Firefighters and Emergency Medical Technicians Procedural Guarantee Act.

2. For specific Fire & Rescue guidelines, refer to Fire & Rescue Department Standard Operating Procedures. See also policy entitled *Discipline* in this Manual.

B. Law Enforcement

1. For law enforcement personnel, the procedural guarantees apply to any sworn officer, other than the Chief of Police, who in his official capacity, is authorized by law to make arrests and who is a non-probationary member of the Police Department, whenever an investigation focuses on matters which could lead to the dismissal, demotion, suspension or transfer for punitive reasons. The procedural guarantees provide an alternative to the City Grievance Procedure and are found in the Law-Enforcement Officers Procedural Guarantee Act.

2. For specific law-enforcement procedures, refer to Police Department General Orders.

1403 General Requirements

A. The City may conduct an investigation any time Management has reason to believe a law or a City policy has been violated. Designated personnel will investigate and resolve issues as quickly as possible, whether the issues relate to violent behavior, harassment, drug use, theft, or other wrongful activity.

B. The City may use any lawful method of investigation that, at its sole discretion, it deems reasonable and necessary to determine whether any employee has engaged in conduct warranting disciplinary action.

C. An employee who is subject to an investigation may be placed on Administrative Leave with Pay (ALWP) or Administrative Leave without Pay (ALWOP), as determined by the Department Director, during the course of the investigation. Written justification for placing an employee on ALWOP must be submitted to the Human Resources Department for review and conference with the City Attorney prior to final action being taken.

D. Any employee who has violated the law or the City's policies or practices will be subject to disciplinary action, up to and including dismissal.

1404 Responsibility

A. The Human Resources Manager will coordinate all investigations into allegations set forth in Section 1405 below.

B. If a formal investigation is warranted, the Human Resources Manager will designate a person to direct the City-initiated investigation, which may include a third-party investigator.

C. The City Attorney may assume responsibility for certain investigations, following consultation with the Human Resources Manager, and instruct other City personnel through the City Manager, as appropriate, to act as agents in gathering information.

1405 Types of Allegations

The following list, while not all-inclusive, provides examples of the types of allegations that the City will investigate:

D. Conduct that deprives a City employee of employment rights and/or the rights of a third party (*i.e.*, customer, persons or entities) because of race, color, religion, sex, national origin, age, disability, or other characteristics protected by law.

B. Verbal and/or physical conduct that denigrates or shows hostile feelings towards any individual because of race, color, religion, sex, age, disability, or other characteristics protected by law. This includes, but is not limited to, conduct that has the purpose or effect of creating an intimidating, hostile or offensive work environment or has the purpose or effect of unreasonably interfering with an employee's work performance and/or other conduct that may affect an individual's employment opportunity at the City.

C. Conduct or behavior that violates City policies and/or affects the safety or wellbeing of fellow employees, visitors, operations or other City-related activities. Such conduct includes, but is not limited to, threatening communication; physical injury or potential physical harm to

another; aggressive or hostile action; intentional damage to City property; and unauthorized possession of a weapon.

D. Any and all suspected theft, fraud or fraudulent activity and any conduct that violates City policies or the law.

1406 Employee Cooperation

A. All participants in an internal investigation are expected to cooperate in the investigation and provide truthful responses to all questions asked. Failure to do so may result in disciplinary action, up to and including termination.

B. Notwithstanding the foregoing, public employees are offered protection under the Garrity Rule, which provides constitutional (Fifth Amendment) protection against self-incrimination in a resulting criminal proceeding.

1407 Confidentiality by City

City investigator(s) will inform the complainant(s) and any witnesses that the City-initiated investigation will be handled on a need-to-know basis. Confidentiality will be maintained to the extent allowed by law and by the exigency of conducting a thorough investigation. If information is learned that requires either personnel action or legal action, there is a potential that disclosure of this information may occur in the process.

1408 Confidentiality by Participants

Confidentiality is required in handling allegations and all participants shall keep the details and results of any investigation, as well as the identities of involved employees confidential to the extent permitted by law and by the exigency of conducting a thorough investigation. Information is only to be shared as determined by the City Manager and provided for under "Disclosures" in this policy. Failure to maintain confidentiality may result in disciplinary action, up to and including termination.

1409 Retaliation

A. The City prohibits retaliation, including but not limited to making any threatening communication by verbal, written and/or electronic means, against any individual who reports or provides any information as a result of an investigation.

B. Any employee found engaging in retaliation will be subject to disciplinary action up to and including termination.

1410 Investigative Time Parameters

The City will make all reasonable efforts to initiate an investigation into the allegation(s) and conclude the investigation in a timely fashion, as appropriate.

1411 Documentation of Findings

Based on the investigation, the City investigator(s) determine whether the allegation(s) were founded, unfounded, or inconclusive. This determination will be documented in writing and made part of the investigative report.

A. Allegation Founded

The evidence supports the claim. Where an allegation is founded, the accused will be notified of the finding and the specific or corrective remedial actions that are being taken. The Supervisor will also receive notification, as appropriate.

B. Allegation Unfounded

In this situation, the record will reflect that the City thoroughly investigated the allegation(s) and found that the evidence did not support the claim.

C. Inconclusive Investigation

In some cases, the evidence does not conclusively indicate whether or not the allegation(s) was founded or unfounded. The record will show that the City has been unable to establish either the truth or falsity of the allegation(s). The City will take appropriate steps to ensure that the persons involved understand the requirements of the City's policies and appropriate law, and the City will monitor the situation to ensure compliance in the future.

1412 Retention of Investigative Reports

The City will retain records relative to the City-initiated investigation in accordance with the laws of the Commonwealth.

1413 Release of Investigative Reports

The City will not release any investigative files, including but not limited to interviews and findings, unless required by state law or a court authorized demand (*e.g.* subpoena, court order).

1414 Disclosures

No City employee shall make any disclosure to co-workers or outside parties regarding the particulars of any City-initiated investigation unless prior approval has been received from the City Manager, after conferring with the City Attorney. Violations could lead to disciplinary action up to and including termination of employment.

1500
Discipline

1501 General

Pursuant to City Charter § 3.19, the City Manager has final authority for all disciplinary action taken pursuant to this Employee Handbook. Generally, but not always, this final authority is exercised by the City Manager through the Grievance Procedure.

The City's employment policies provide employees with a general understanding of the City's expectations and the potential consequences of infractions. The disciplinary policy also provides a consistent framework for Supervisors in considering and imposing discipline. It is not possible to list every form of misconduct, but many examples are listed in our policy as a guide and notice to employees. The City does not intend for this policy to alter the at-will nature of its relationship with employees.

1502 Responsibility of Management

It is every manager's responsibility to train, coach, mentor, and correct his/her employees in order to provide for continuity of City operations in a high performing environment. Each manager is expected to approach corrective measures in an objective, non-discriminatory manner and to take steps to ensure that the employee is made aware of the City's policies and rules regarding the specific misconduct.

1503 Corrective and Progressive Process

The City of Manassas Park's disciplinary policy is one that encourages corrective resolution and progressive discipline. While it is the City's policy to encourage employee alignment to the City's expectations, the City reserves the right to administer appropriate employment action up to and including termination for failure to meet any of the City's performance expectations, including behavior, without completing a progressive sequence of disciplinary actions. Each situation is to be handled on an individual basis.

1504 Basis for Disciplinary Action

A. Management is responsible for investigating and evaluating allegations of employee misconduct or work deficiency. Any decision to take disciplinary action will be based on a complete review of all available, relevant facts. Management will also consider an employee's record and years of service.

B. The discipline of FLSA Exempt Employees will be imposed in a manner that does not compromise or threaten their "Exempt" status under the FLSA.

C. The City reserves the right to impose even the most severe disciplinary action where circumstances warrant such action.

1505 Timeline for Discipline

A. Except for extenuating circumstances, discipline shall be initiated within 45 calendar days of the date of the alleged infraction or within 45 calendar days of the date Management learns of the alleged infraction.

B. Where an alleged infraction of federal, state, or local law is involved, there shall be no time limit to initiate appropriate disciplinary action.

1506 Suspension or Administrative Leave Pending Investigation

A. The City intends that any incident leading to potential discipline be dealt with fairly and equitably. For this reason, there may be reported incidents where immediate action must be taken to remove the employee from the work area. These reasons may include real or potential hazards to life and/or property, significant disruption of the City's operations, or that an investigation should be held where it is to be in the best interests of the City and/or the employee that the employee is temporarily relieved of duty. In these cases, the City may suspend an employee from duty.

B. Suspension from duty may be with or without pay depending on the circumstances and particulars of the allegations.

C. If the City deems that the relief of duty should be with pay, the employee's absence will be charged to Administrative Leave with Pay, until such time as the City deems a different action must be taken, about which the employee will be notified, as approved by the City Manager.

D. Where actions or behaviors are believed to be illegal, the City will notify the appropriate law enforcement agency and the City Attorney.

1507 Public Safety

Fire & Rescue personnel and sworn law enforcement personnel who are subject to investigations and covered by the Firefighters and Emergency Medical Technicians Procedural Guarantee Act or the Law-Enforcement Officers Procedural Guarantee Act are afforded all rights contained in the applicable Act. See policy entitled, *Investigations,* for further description on procedural guarantees.

1508 Corrective Action

It is every Supervisor's responsibility to issue corrective action as soon as he/she becomes aware of an employee's need for correction. Corrective action can be in the form of training, coaching, mentoring, counseling and issuing verbal reprimands.

1509 Counseling

A. It is the City's goal that, whenever possible, performance and behavior issues will be resolved through private discussions between the Supervisor and the employee. Counseling sessions provide the ability for a Supervisor to discuss the steps the employee needs to take to improve performance and/or behavior, and the timeline for doing so. Continued rendering of unsatisfactory service, however, may result in official disciplinary steps, up to and including termination.

B. A Supervisor may write details of counseling on an Employee Conference Record form. This record, however, does not constitute a written disciplinary notice. Except where necessary to support subsequent formal disciplinary action(s), the counseling record is to be retained in the Supervisor's files, not in the employee's official personnel file. Counseling is not considered a formal disciplinary action of itself and is not a grievable matter.

1510 Non-Grievable Disciplinary Action – Verbal Reprimands

A. A verbal reprimand or warning may be given for a minor first-time infraction that requires immediate correction or may be a step resulting from unheeded counseling.

B. A verbal reprimand may be recorded on the Employee Conference Record form.

C. Except where necessary to support subsequent formal disciplinary action(s), record of a verbal reprimand is to be retained in the Supervisor's files, not in the employee's personnel file, and is not considered a formal disciplinary action of itself. A verbal reprimand is not a grievable matter.

1511 Grievable Disciplinary Actions

Disciplinary action is imposed in response to an employee's deficient performance, personal misconduct or infraction, and/or violation of laws, regulations, policies and/or procedures, by the employee. Depending on the severity of an offense, one or more forms of disciplinary action may be used and are not restricted to the order set forth. All grievable disciplinary actions must be forwarded to the Human Resources Department for inclusion in the employee's official personnel file. Disciplinary action more severe than a written reprimand must be submitted to the Human Resources Department, together with written justification, for review and conference with the City Attorney prior to final action being taken.

A. Written Reprimand

1. Department Directors and Supervisors may issue formal written reprimands as warranted, with or without previous counseling or verbal reprimand for employees in their chain of command. Before receiving a written reprimand, an employee will be allowed to provide an explanation for the alleged misconduct or poor job performance.

2. A written reprimand is to be memorialized using the City's Disciplinary Action form. The Supervisor will provide the employee a copy of the reprimand and will send the original to the Human Resources Department. Written reprimands are appealable by using the City's Grievance Procedure.

3. Written reprimands not appealed within the time limits specified in the Grievance Procedure will become part of the employee's official personnel file.

4. No written reprimand may be relied upon as a basis for further disciplinary action unless it has been documented in writing with a copy of such documentation forwarded to the Human Resources Department for inclusion in the employee's official personnel file.

B. Suspension with and without Pay

1. Department Directors impose disciplinary suspension with our without pay for employees in their respective departments.

2. A Supervisor may send an employee home pending imposition of suspension. The "send-home" will be considered Administrative Leave with Pay for the remainder of the day(s) not to exceed 24 hours

3. Imposition of Administrative Leave without Pay is not disciplinary and is therefore not grievable.

C. Withholding of a Performance Pay Increase

Department Directors may withhold performance pay for employees in their respective departments.

D. Probation

1. Department Directors may place employees in their respective departments on probation as a consequence of a disciplinary violation or performance related issues. The probationary period may last up to six (6) months. At the end of the 6-month disciplinary probationary period, the Department Director may extend the probationary period an additional six (6) months if performance has not yet improved to the desired outcome. If all outcomes have been achieved, the Department Director may then release the employee from probationary status.

2. One or more additional disciplinary violations or performance related issues during a disciplinary probationary period may result in further disciplinary action, up to and including termination.

E. Demotion

A Department Director may impose disciplinary demotion when an employee has displayed an inability to meet the essential job functions or leadership requirements of the current position. The employee may be assigned to a position in a lower pay grade, provided that the employee can perform the essential job functions, with or without reasonable accommodation, and a position is available.

F. Dismissal

A Department Director may dismiss a City employee in his/her respective department for cause.

1512 Notification to Employee

A. Discipline Up to but Not Including Dismissal

The City will make every effort to verbally notify the employee to expect correspondence detailing the disciplinary action. Written notice shall then be hand-delivered or mailed by

certified mail or other receipted form to the employee at his/her last known address, with a copy to the official personnel file. The notice shall include the following:

1. A statement of the action being taken, the reason(s) for the disciplinary action, and the length of its duration, if appropriate.

2. If the action is less than a dismissal, a statement reminding the employee that he/she may be subject to other forms of disciplinary action, up to and including termination.

3. A statement of the employee's right to appeal in accordance with the City's Grievance Procedure.

B. Dismissal

The City will make every effort to verbally notify the employee to expect correspondence detailing the disciplinary action. Written notice will then be hand-delivered or mailed by certified mail or other receipted form to the employee at their last known address, with a copy to the official personnel file. The notice shall include the following:

1. The specific violations or reasons for the dismissal.

2. The anticipated effective date of the dismissal.

3. A statement of the employee's right to appeal in accordance with the City's Grievance Procedure.

C. Receipt of Notice

The date of the employee's receipt of the City's notice will be the same day if hand-delivered, the next day if sent by overnight mail, or the date of deposit with the U.S. Postal Service plus three (3) calendar days for certified or registered mail. If the letter is unclaimed or refused, the intended discipline will be imposed immediately.

1513 Reasons for Disciplinary Action – Examples

Although not all-inclusive, the following examples of infractions are established violations of this Employee Handbook and may lead to disciplinary action, up to and including discharge (these are not in any order of gravity):

A. Insubordination, failing or refusing to take action or perform tasks properly assigned by a person in authority.

B. Incompetence or rendering of unsatisfactory service after instruction.

C. Neglect of duty or serious failure to perform assigned duties; sleeping while on duty.

D. Inability to perform the essential functions of a position even with reasonable accommodation.

E. Absence without leave, failure to give proper notice of absence, or failure to return to duty at the end of an authorized absence.

F. Excessive tardiness or absence from work.

G. Prohibited activity regarding alcoholic beverages or controlled and illegal substances or impairment of an employee's ability to effectively perform their job duties due to the use thereof

H. Falsifying any document related to employment including, but not limited to, the employee's application for employment and/or promotion, time sheets, or any other City document(s)

I. Failing to maintain competence, qualifications, or legal capacity to perform duties.

J. Conviction or entry of a plea of guilty or *nolo contendere* (no contest) of a felony or of a misdemeanor charge that may impact the employee's job.

K. Being convicted of a crime and/or engaging in criminal or dishonest conduct prejudicial to the City.

L. Theft, conversion of, willful or careless waste or damage of, or unauthorized personal use of City property, equipment, or staff

M. Unauthorized possession of firearms, explosives, or other weapons.

N. Dispensing special favors or privileges to anyone or accepting favors which might be construed by reasonable persons as influencing the performance of City duties

O. Making any private and/or unauthorized promise binding upon the duties of the position to which the employee is assigned; or soliciting or accepting anything of value in return for performing an official act.

P. Using any information received as a means of making private profit, using or disclosing confidential and/or proprietary information, or disclosing work information or product without authorization or authority to do so.

Q. Attempting to induce another employee to participate in practices contrary to the City's rules and values.

R. Accepting outside employment or entering into a business venture or occupation without first having received approval of the Supervisor.

S. Degrading the City's reputation, service, or products.

T. Engaging in excessive personal activities unrelated to City employment during work hours.

U. Refusing or failing to cooperate in any investigation related to City business and/or retaliation toward any employee who has reported or cooperated with any City investigation.

V. Using insulting, inflammatory or abusive language, or exhibiting harassment or brutality toward other City employees or toward members of the public during work hours, unless lawfully necessary in the course of duty, in self-defense, or to protect the lives of others.

W. Fighting, horseplay, unsafe conduct or misconduct while on duty or on City property or at City business events.

X. Discrimination or harassment against any person because of sex, color, age, physical or mental impairment, race, national origin, citizenship status, or any other non-performance factor.

Y. Off-duty misconduct that adversely affects the employee's job performance, adversely affects the performance of fellow workers, or that is detrimental to the reputation of the City or its workforce.

Z. Violating City policies and procedures, department or work unit rules, or applicable federal, State or local laws and regulations governing public employees.

AA. Action or conduct which adversely affects the interests of the City.

1600
Grievances

1601 Policy

It is the policy of the City of Manassas Park to provide fair, equitable, and satisfactory working arrangements for its employees. Every effort will be made to resolve employee concerns informally, promptly, and equitably. Accordingly, employees are encouraged to take their concerns through the City's chain of communication, as defined in these employment policies. (See also policy entitled, *Conflict Resolution*). The City's Grievance Procedure lists who can grieve and what can be grieved. For example, Department Directors and above are not covered by the Grievance Procedure.

The Grievance Procedure sets forth the general procedures for the administration and resolution of all grievable employment disputes.

An employee whose complaint results from work situations that are grievable, as defined in the Grievance Procedure, has the right to submit such grievance for orderly resolution with freedom from discrimination, coercion, recrimination, or retaliation, pursuant to Virginia Code § 15.2-1507.

An employee wishing to file a grievance shall have the right to follow all steps in the Grievance Procedure with complete freedom from retaliation.

1602 Management Rights

Pursuant to Virginia Code § 15.2-1507.A.2, the City retains the exclusive right to manage its affairs and operations, more specifically addressed in the policy entitled *Management Rights.*

1603 Employee's Right to Grieve

Eligible City employees have the right to grieve matters related to their employment, as defined by state law and as defined in the Grievance Procedure.

1604 Law Enforcement Officers

A law enforcement officer may file a grievance under either the Grievance Procedure or, alternatively, the Law-Enforcement Officers Procedural Guarantee Act, but not both. Procedural guarantees are found in Virginia Code § 9.1-500 et *seq.* and the Police Department's General Orders.

1700
Emergencies and Inclement Weather

1701 General

The City makes every effort to be open for business at regular hours, regardless of weather conditions.

1702 Inclement Weather Procedures

A. During inclement weather conditions and the City is open for business, employees who arrive no later than sixty (60) minutes after the scheduled start time of their shifts will not be charged Leave and will be compensated as if they worked the entire shift.

B. When a natural or manmade emergency impacts employees' work schedules and a state of emergency is declared, or City business functions are suspended, the City Manager may grant emergency Administrative Leave to employees working their regular shifts or provide for Liberal Leave (see policy on Holidays and Leave). Administrative Leave may be with pay and may be authorized in anticipation of, during, and/or after a disaster.

C. When the City Manager declares an emergency, every City employee is considered essential. No one is excused from work until the City Manager, through Department Directors, authorizes such action (even if a public service announcement has been issued of office closure or suspension of services). A needs assessment will be made and employees will be given instructions based on their designation of essential or non-essential status.

D. At the time that the City Manager determines that an emergency exists and directs the implementation of emergency duty, provisions of the Employment Policies will cease to the extent that no State or federal law is violated. Atypical temporary work schedules, assignments and other situational practices may be established.

E. Employees that have the ability to work remotely when the City is closed or on a delayed opening due to inclement weather are expected to work their regularly assigned workday as scheduled.

F. Any unauthorized absence during a state of emergency may be considered sufficient cause for discharge.

G. When the City Manager determines that an emergency no longer exists and directs the emergency duty to be suspended, the provisions of the Employment Policies will resume immediately. The City Manager will notify all employees through their chain of communication to immediately resume regular work schedules.

H. Employees are to stay tuned to local media outlets, the City's website, and the Emergency Phone number provided for closure/Liberal Leave information.

I. For the purposes of this policy, employees needed to perform necessary health, safety and emergency services (*e.g.*, police, emergency communications, fire, water and sewer, street cleanup, snow and ice removal) and Department Directors are determined to be essential at all times.

J. Non-Exempt hourly employees that have been deemed essential personnel that report to work when the City has officially announced a closure or a delayed opening will be paid an overtime rate of time and a half for the hours worked when the City is closed due to inclement weather conditions.

1800
Health and Safety

1801 General

The City of Manassas Park strives to provide a safe and healthy working environment for all employees by providing the necessary safety education and training. Employees must follow all prescribed safety procedures when performing their daily activities and must further exercise all reasonable and prudent judgment to ensure safety.

1802 Safe Workplace Requires Safe Acts

A. Every City employee is entitled to work under the safest conditions possible. All Managers and employees are responsible for supporting safe work practices and a safe work environment. While general safety rules apply throughout the workplace, each City department may have the need for specific rules that address safety issues unique to their functions.

B. The City will make reasonable efforts to promptly investigate and address health and safety issues, not require employees to perform tasks that are dangerous to their health and safety without adequate training and safety equipment, and make information on hazardous materials readily available.

C. Employees are required to familiarize themselves and comply with all safety rules that apply to their workplace; attend required training; use appropriate safety devices and personal protective equipment; maintain their workplace in a safe manner; and report accidents, defective equipment, and unsafe working conditions to their Supervisor promptly.

D. Employees who refuse a work assignment because of a reasonable and bona fide belief that to perform such work would endanger their physical safety beyond the normal hazards of the occupation or violates a safety standard will be permitted to present their concern through the Conflict Resolution Process.

E. Employees will not be required to resume the disputed work until a found hazard is resolved, the Conflict Resolution Process is concluded, or a determination made by a qualified person affirming the work is not unsafe or dangerous beyond the normal hazards of the occupation. No employee who refuses to perform work in accordance with this policy will be disciplined or retaliated against or lose their right to perform the work once the hazardous condition is corrected.

Please refer to the City's Employee Safety Manual for additional and specific information.

1803 Consequences of Negligence or Unsafe Acts

Accidents or injuries resulting from the negligent or unsafe work performance of an employee may result in disciplinary action, up to and including termination.

Violations of the City's health and safety rules and standards may result in disciplinary action up to and including termination.

1804 Workers' Compensation

A. Workers' Compensation is designed to protect employees who are hurt or disabled due to a job-related accident or illness. In the event of a compensable injury, defined as an "accident arising out of and in the course of the employment," an employee is entitled to certain compensation under the Virginia Workers' Compensation Act (Title 65.2 of the Code of Virginia).

B. In accordance with Virginia Code § 65.2-520, entitled *Voluntary payment by employer*, any payments made by the City to an injured employee or to their dependents during the period of disability, which by the terms of the Workers' Compensation Act were not due and payable when made may, subject to the approval of the Virginia Workers' Compensation Commission, be deducted from the amount to be paid as compensation.

C. An employee entitled to Workers' Compensation will accrue Annual and Sick Leave at the normal rate until such time as employment with the City is terminated, not to exceed 12 months from the date of injury or accident report.

D. Pursuant to State law, no compensation shall be awarded to the employee or his dependents for an injury or death caused by:

1. The employee's willful misconduct or intentional self-inflicted injury;

2. The employee's attempt to injure another;

3. The employee's intoxication;

4. The employee's willful failure or refusal to use a safety appliance or perform a duty required by statute;

5. The employee's willful breach of any reasonable rule or regulation adopted by the employer and brought, prior to the accident, to the knowledge of the employee; or

6. The employee's use of a non-prescribed controlled substance identified as such in the Drug Control Act (Va. Code § 54.1-3400 *et seq.).*

1805 Work-Related Incident/Accident Reporting

An employee who is injured while performing their job, must report the incident immediately to the Supervisor or Department Director, who will make sure that the employee receives appropriate medical attention and that the Human Resources Department is notified appropriately. This is not intended to preclude an employee from getting immediate medical attention in the event of an emergency, but the Supervisor must be notified concurrently or as soon as is possible.

On a regular basis, the Human Resources Department will provide City employees specific procedures for reporting injuries and obtaining medical care.

1806 Lost Time and FMLA

If the work-related injury results in time lost from work, the employee will be placed on FMLA status effective the day after the injury, pursuant to the law. While qualified employees are temporarily partially disabled, all work time lost due to the injury will continue to accrue toward fulfillment of FMLA requirements, provided the condition meets FMLA-qualifying criteria. (See *FMLA* policy, under *Holidays and Leave*.)

Employees on a reduced workweek schedule will have the difference in number of hours of the regular workweek and the reduced workweek count toward fulfillment of FMLA requirements.

1807 Return to Work and Alternate ("Light") Duty

The City encourages employees injured on the job to return to their work routine as soon as the medical provider allows and will assist in their re-integration into the workplace. The City, however, will not create unnecessary work to accomplish a return to work.

A. As soon as a physician certifies that an injured employee has partial ability to return to work, the City will make every effort to provide temporary alternate work, where and when available.

B. Every Supervisor will facilitate, whenever possible, the finding of a temporary alternate, modified-duty assignment for an injured employee who, (1) is temporarily partially disabled; and (2) has been released to work with restrictions.

C. Any temporary alternate duty assignment will be for a period not to exceed 30 calendar days. A time extension may be considered in collaboration with appropriate department Managers, Human Resources, and the assigned physician's evaluation and prognosis.

1808 Initial Steps for Return to Work

A. The injured employee is to stay in contact with their Supervisor and advise their Supervisor when the assigned physician allows them to return to work, even with restrictions.

B. The employee's Supervisor or Department Director will attempt to locate a suitable function for the injured employee within the employee's "home" department. Department Directors and Human Resources will collaborate to locate alternate work in another City department, if the employee's department is unable to provide temporary modified or alternative duty.

C. An employee temporarily reassigned to another department for alternate duty continues to receive their regular rate of pay and funding comes from the employee's "home" department's budget.

1809 Employee's Responsibility

A. If offered temporary alternate duty, the employee must report for duty and fulfill alternate assignments during temporary partial disablement.

B. This assignment must be taken unless otherwise determined by the Workers' Compensation physician.

C. An employee on alternate-duty assignment may use accrued leave in accordance with City policies. However, the employee may not use accrued leave in order to avoid an alternate duty assignment.

D. Refusal by an able employee to return to work as authorized by the physician with or without reasonable accommodation may result in disciplinary action, up to and including termination.

1810 Inability to Return to Work from FMLA

In the event an employee is not released to full duty in their normal position by the physician, with or without reasonable accommodation, and FMLA expires, the employee may be subject to termination of employment, in accordance with the City's policies regarding FMLA, and the employee's inability to perform essential functions, in compliance with ADA.

1900
Use of Electronic Communication Services

1901 General

Every City employee is required to read and acknowledge the City's Acceptable Use Policy, which provides the guidelines for appropriate utilization of the City's electronic resources.

Electronic communications services are provided by the City of Manassas Park to support open communications and research and to provide the opportunity for collaborative government-related work.

1902 Property Rights

The City's electronic communications systems are the property of the City of Manassas Park government and are intended for carrying out City business. The City retains all personal property and intellectual property rights in any matter created, received, or sent via the City's electronic communications systems; such matter is not the property of employees or officers of the City.

1903 City's Access to All Communication

The contents of electronic communications, including emails and texts, may be disclosed to authorized individuals without the permission of the sender or recipient. Employees 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 City, not employees. The City shall have access to the entire network and to any and all business and personal communication through any provider while using the City's equipment.

1904 Social Networking

The use of personal electronic devices and the activity of non-work-related social networking, either on City-provided or personal equipment, is not permitted, unless approved by the City Manager or his/her designee.

1905 Consequences

Breach of the City's Acceptable Use Policy, as described herein and in relevant Administrative Regulations, may result in disciplinary action, up to and including termination.

2000
Severability Clause

If any clause, sentence, paragraph or part of this policy manual shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid such judgment, order or decree shall not affect, impair, or invalidate the remainder of said manual, but shall be confined in its operation to the clause, paragraph or part thereof directly involved in the controversy in which said judgment, order or decree shall have been ordered.