

## Chapter 1: TCC Classified Employee Handbook

This handbook outlines the basic human resource policies, practices, and procedures of Tidewater Community College (TCC) as they apply to full-time classified employees.\* It has been prepared to provide guidelines to employment with TCC. This handbook contains general statements of TCC's policies and procedures, but **is not** all-inclusive. TCC policies and procedures are subject to abolishment, creation, or revision prior to the revision of this handbook. Furthermore, deviation from the guidelines outlined in this handbook shall not necessarily void the guidelines. Accordingly, TCC reserves the exclusive right to establish, change, interpret, or revoke TCC's policies and procedures.

This handbook is not a contract, nor is it an invitation to contract. Furthermore, nothing in this handbook shall be construed as creating an express or implied contract or promise concerning the policies or practices that TCC has implemented or will implement in the future.

Employees are encouraged to review the TCC policies and procedures that are the basis for much of the information in this handbook. That material can be reviewed through the Office of Human Resources or upon request to one's supervisor. Information also can be found at the college's web site at [www.tcc.edu](http://www.tcc.edu). Where specific TCC policies do not exist to cover a particular topic, e.g., smoking, personal attire, etc., the information in this handbook shall be the guidelines provided to employees.

This edition is a complete revision of the *TCC Classified Employee Handbook*. Future revisions of a relatively minor nature will be made as page changes, with the date of the effective page indicated in the footer. The Office of Human Resources will maintain a complete file of all changes issued.

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\* Throughout this handbook, the term "employee" refers to full-time classified staff unless otherwise indicated. TCC also employs hourly (wage) employees. This handbook is not applicable to hourly employees, except where indicated, although its provisions, e.g., smoking, standards of conduct, etc., may be used as guidelines for managing hourly employment.

## Chapter 2: Orientation

### ***Orientation***

An orientation program will be conducted for all newly hired employees. The primary purpose of the orientation program is to acquaint new employees with college policies and procedures. This orientation will be accomplished by the supervisor and Office of Human Resources using the following forms:

- Tidewater Community College Checklist for New Employee Orientation, conducted by the employee's supervisor;
- Tidewater Community College Checklist for College Orientation or Payroll Enrollment Session, conducted by a representative designated by the Office of Human Resources.

These completed forms must be signed by new employees and returned to the Office of Human Resources prior to employees being placed on the college payroll.

Each new employee will be given a new employee packet and the assigned copy of this handbook for his/her position.

### ***Your Supervisor And You***

Your immediate supervisor is vitally concerned with your work. In addition to supervising and evaluating your job performance, your supervisor also stands ready to help you with any problems related to your job. Since it is to everyone's advantage that morale be maintained at the highest level possible, you should take any problems you have to your immediate supervisor who should be the first person in position of authority to hear your problems or complaints. In this way, he/she will be given an opportunity to take steps to help you.

Supervisors have full authority to assign duties within the scope of their operation. It is expected that employees will follow their supervisors' instructions.

## **Chapter 3: The College And Its History**

Tidewater Community College (TCC) is the second largest of the 23 community colleges in the Commonwealth of Virginia, enrolling more than 34,000 students annually. It is the 37th largest community college in the nation's 1,600-school network, and among the 50 fastest growing large community colleges. Founded in 1968 as a part of the Virginia Community College System, the college serves the South Hampton Roads region with campuses in Chesapeake, Norfolk, Portsmouth, and Virginia Beach, a regional Visual Arts Center in Olde Towne, Portsmouth, the TCC Jeanne and George Roper Performing Arts Center in the downtown Norfolk theater district, and a regional Advanced Technology Center on the Virginia Beach Campus. Forty-three percent of the region's residents who attended a college or university in Virginia last fall were enrolled at TCC.

The college is committed to meeting the region's education and training needs as it advances the quality of life of the region through an educated, globally aware, and technologically engaged citizenry. It has been nationally recognized for its work in incorporating the best of technological advances into the teaching and learning process, and was recently cited by the American Council on Education as one of eight "Promising Practices" colleges and universities in the country for its work in international education. TCC students do as well as the native university students when they transfer to four-year schools, and area employers consistently register high levels of satisfaction with the performance of their employees who are TCC graduates. In 1999, the college received the inaugural award of the Virginia Community College System for its work as a pacesetter in responding proactively to the needs of business and industry in workforce development.

Tidewater Community College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097; Telephone number 404-679-4501) to award the associate degree.

TCC has grown from a single location to four campuses, administrative offices, and regional visual arts, performing arts, and advanced technology centers. Classes also are offered at off-campus locations.

The Portsmouth Campus, formerly the site of Frederick College, was donated by Frederick W. Beazley and the Beazley Foundation. It opened in the fall of 1968 as the original site of TCC. Overlooking Hampton Roads harbor, the campus is located west of the city of Portsmouth, near Interstate 664. The Frederick W. Beazley Classroom Building houses academic programs, administrative offices, a learning resources center, and student services.

The Virginia Beach Campus was established in temporary quarters on Camp Pendleton, a state military reservation, in 1971. A permanent campus was constructed on land donated by the City of Virginia Beach at the geographical

center of the city and opened in the fall of 1974. The campus now consists of five academic buildings, a learning resources center, and a building housing administrative and student services, all named for the boroughs of Virginia Beach. The college's regional Advanced Technology Center is also located on the Virginia Beach Campus.

The Chesapeake Campus was established in 1973 when the City of Chesapeake purchased the former Chesapeake College. The campus is located between the rapidly growing communities of Great Bridge and Deep Creek. The George B. Pass Building houses academic programs, administration, student services, and a learning resources center. The Marian P. Whitehurst Technology Center contains classrooms, faculty and administrative offices, laboratories, and a conference center.

The Visual Arts Center, TCC at Olde Towne Portsmouth, opened in the spring of 1995 as the site of the college's art programs. As a regional center for the arts, the center contains the Belle B. Goodman Gallery, as well as classroom and studio facilities.

The Norfolk Campus (formally named the Thomas W. Moss, Jr. Campus in Norfolk) opened in January 1997 as a part of the city's redevelopment effort. The Martin Building, donated by the heirs of Alvah H. Martin, contains the campus learning resources center, classrooms, faculty and administrative offices, and training and conference facilities. The Mason C. Andrews Science Building contains student services, laboratories, classrooms, and faculty offices. The Stanley C. Walker Technologies Building houses computer laboratories, classrooms, and faculty offices. The TCC Jeanne and George Roper Performing Arts Center, a regional asset, is located adjacent to the Norfolk Campus and houses classrooms, computer laboratories, and student services areas used by the campus.

The college's District Administration offices are located primarily in Norfolk. These include the offices of the President, the vice presidents for finance, administration, academic and student affairs, and workforce development, as well as the directors of institutional effectiveness, development, and grants and sponsored programs. Also located in Norfolk are the college's Information Center and the offices of Accounting, Human Resources, Payroll, Purchasing, Facilities Management, Facilities Planning & Development, Creative Services, and Printing Services. The Office of Information Systems, the college's warehouse and receiving facility, and its central facilities maintenance shops are located at the Portsmouth Campus.

## Chapter 4: Mission Of The College

Tidewater Community College provides collegiate education and training to adults of all ages and backgrounds, helping them achieve their individual goals and contribute as citizens and workers to the vitality of an increasingly global community.

### COMMITMENTS THAT INFORM THE MISSION:

- *Open access* to high-quality, affordable education to prepare students for transfer to a four-year baccalaureate institution, as well as for entry or advancement in the workforce.
- *Cultural diversity* as a critically important strength for students to meet the changing needs of a pluralistic, democratic society.
- *Lifelong learning* to heighten the awareness of students to multiple paths for achievement while helping them pursue the choices most conducive to their individual needs.
- *Partnerships and proactive responsiveness* to develop cutting-edge programs that meet the changing needs of students and industry, while contributing to the economic, civic, and cultural vitality of the region, the Commonwealth, the nation, and the international community.
- *A comprehensive range of programs and services* recognized for excellence by leaders of business, industry, and government, and by educators in K-12 education and four-year colleges and universities.

Approved by College Board

03/12/02

Approved by VCCS Chancellor

04/24/02

## **Chapter 5: Equal Employment Opportunity**

### ***Equal Employment Opportunity Policy***

TCC is committed to a human resource program that provides equal employment opportunity to all persons on the basis of merit and the knowledge, skills and abilities (KSA's) required to perform assigned duties. It is TCC's policy, in accordance with federal law, the Governor's Executive Order, and Department of Human Resource Management (DHRM) policies and procedures, to provide equal employment opportunities to interested persons. These opportunities are provided without regard to race, color, religion, gender, age, national origin, disability, or political affiliation.

While the Governor's Executive Order prohibits employment discrimination on the basis of disability, it does not permit the lowering of bona fide job requirements, performance criteria, or qualifications in order to give preference to any employee or applicant for employment on the basis of the above prohibitions. TCC's policy of equal employment opportunity applies to all positions, including hourly (wage) employees, in all phases of human resource administration. This includes, but is not limited to, recruitment, selection, promotion, demotion, transfer, termination, rates of pay or other forms of compensation, selection for training, the use of all facilities, and participation in all college-sponsored employee activities.

### ***Policy Applies To Workplace Harassment***

TCC has an obligation to maintain a place of employment that is free of harassing, abusive, or disruptive conduct and is committed to taking positive corrective action where the need arises.

The Commonwealth and TCC strictly forbid harassment of any employee, applicant for employment, vendor, contractor, volunteer, or customer—including students—on the basis of an individual's race, color, national origin, age, sex, religion, disability, marital status, or pregnancy. Workplace harassment is defined as:

Any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, color, national origin, age, sex, religion, disability, marital status or pregnancy that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.

## ***Sexual Harassment***

Sexual harassment is a specific form of workplace harassment in violation of Title VII of the Civil Rights Act of 1964, as amended, and will not be tolerated. Sexual harassment is defined as: Any unwelcome sexual advance, request for sexual favors, or verbal, written, or physical conduct of a sexual nature by a manager, supervisor, co-worker, or non-employee (third party).

- ❑ **Quid pro quo**—A form of sexual harassment when a manager/supervisor or a person of authority gives or withholds a work-related benefit in exchange for sexual favors. Typically, the harasser requires sexual favors from the victim, either rewarding or punishing the victim in some way.
- ❑ **Hostile environment**—A form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes, touching, or other conduct of a sexual nature which creates an intimidating or offensive place for employees to work.

### ***Workplace Harassment Should Be Reported***

Individuals who experience harassment in any form, including sexual harassment, should make it clear that such behavior is offensive to them, and upon its occurrence or repetition should bring the matter to their supervisor's attention or to the attention of the Office of Human Resources, the college president, or other TCC officials. **Under no circumstances shall the individual alleging harassment be required to file a complaint with the alleged harasser.** Supervisors or other appropriate officials are to immediately deal with any act of harassment of which they become aware, calling attention to the college's policy regarding such behavior or, if appropriate, applying disciplinary action. Also, employees may contact the Equal Employment Opportunity/Recruitment Manager in the Office of Human Resources, use the State Employee Grievance procedure for relief or remedy for acts of harassment, or may report the activity to the federal Equal Employment Opportunity Commission.

### ***Harassment Could Result In Disciplinary Action***

Violation or misapplication of TCC's policy against harassment may result in disciplinary action being taken against the offender, up to and including termination. TCC's commitment to eliminate harassment from the workplace should not be viewed as a license for employees to engage in unfounded, frivolous, or vindictive actions in violation of the intent of this policy. In dealing with complaints of harassment, the rights of all parties will be protected.

### ***Retaliation Prohibited***

Neither TCC nor the Commonwealth will tolerate any form of retaliation directed against an employee or third party who either complains about harassment or who participates in any investigation concerning harassment. Retaliation is defined as:

Overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under the Commonwealth's policy against workplace harassment.

### ***Policy Applies To Disabled***

The policy of equal employment opportunity applies fully to qualified persons with known mental or physical disabilities where these persons are able to perform the essential functions of their position, with or without reasonable accommodation. TCC has the responsibility to make reasonable accommodation to a person with a disability, if requested, and to aid such a person in performing the essential functions of his/her position, unless it can be demonstrated that such accommodation would impose an undue hardship upon the college.

### ***Persons Invited To Request Accommodation***

Employees and other persons who have disabilities and need assistance in attaining any services from the college are invited to request accommodation. Such requests should be directed to the Office of Human Resources.

### ***Immigration Reform And Control Act Of 1986***

In order to comply with the Immigration Reform and Control Act of 1986, all new employees are required to complete a federal Employment Eligibility Verification I-9 form within three workdays of beginning employment and to provide supporting documents.

### ***Nepotism***

The Code of Virginia does not broadly prohibit the employment of any relative of an existing agency employee within that agency. However, Section 2.2-3106 of the Code does prohibit a State employee from working in the same agency as a member of his/her immediate family (defined for this purpose as a spouse or any other person residing in the same household as the employee, who is a dependent of the employee or of whom the employee is a dependent) unless "the employee does not exercise any control over the employment or the employment activities of the member of his/her immediate family and the employee is not in a position to influence those activities." The term "immediate family" is defined as "(i) a spouse and (ii) any other person residing in the same household as the ...employee, who is a dependent of the ...employee or of whom the ...employee is a dependent."

## Chapter 6: Compensation

### ***Introduction***

In 2000, the Commonwealth introduced a new compensation management system for all classified employees. This system increases organizational flexibility to attract, retain, and reward a high performance workforce and emphasizes career development. This chapter highlights some of the provisions of the program as incorporated into the college's Classified Salary Administration Plan. For further information, contact your supervisor or the Office of Human Resources or review the Department of Human Resource Management's (DHRM) Policy # 3.05, "Compensation" ([www.dhrm.state.va.us](http://www.dhrm.state.va.us)).

### ***Job Organization Structure***

The Commonwealth's job structure is arranged into occupational families, career groups, and roles. These categories are described below.

The **Occupational Family** is a broad grouping that includes jobs that share similar vocational characteristics. The primary criterion for designation to a particular occupational family relates to the nature of work performed. The seven occupational families are listed below.

- ❑ Administrative Services
- ❑ Educational and Media Services
- ❑ Engineering and Technology
- ❑ Health and Human Services
- ❑ Natural Resources and Applied Science
- ❑ Public Safety
- ❑ Trades and Operations

A **Career Group** is a major subgroup of the occupational family that identifies a specific occupational field common to the labor market (e.g., Procurement, Administrative and Office Support, Equipment Service and Repair, Financial Services, Computer Operations, Counseling Services, Library Services, Building Trades, etc.).

A **Role** describes an array of similar positions that represent different levels of work or career progression within a career group. Roles are intended to be very broad, with a single role encompassing several former job classifications. For example, the Accountant (grade 9), Budget Analyst (grade 10), Auditor-Internal (grade 11), and Auditor-External (grade 11) in the former classification system are consolidated into one role. Each role is assigned to a specific pay band within the salary structure.

## **Pay Bands**

The Commonwealth's salary structure consists of nine pay bands with open ranges (i.e., there are no steps within pay bands). The first eight bands have a range spread of approximately 105% between the minimum and maximum salaries. These pay bands have established minimum and maximum salaries. (The ninth pay band is exclusively established for mental health physicians that serve as either Facility Directors or Medical Directors. Their salaries are set to market value.) Although a maximum salary is given for each pay band, employees may not reach that maximum salary.

There are 13 pay factors used for pay determination purposes. They are:

- ❑ Agency business need. This describes the specific activities and organizational, financial, and human resource requirements that are derived from the college's mission. In order to be compensable, changes in an employee's duties, abilities, etc., must be relevant to the agency business need.
- ❑ Budget implications. This refers to the short- and long-term financial consequences of pay decisions and how salary dollars are managed by an agency.
- ❑ Current salary. This takes into consideration the candidate's or incumbent's present base pay compensation.
- ❑ Duties and responsibilities. This describes the primary and essential work functions performed by an employee or group of employees.
- ❑ Internal salary alignment. This is a fairness criterion that takes into consideration the proximity of one employee's salary to the salaries of others who have comparable levels of training and experience; duties and responsibilities; performance; and knowledge, skills, abilities, and competencies.
- ❑ Knowledge, skills, abilities, and competencies. "Knowledge" refers to acquired principles and practices related to a particular job; "skills" refer to acquired psychomotor behaviors; and "abilities" are the talents, observable behaviors, or acquired dexterity. Competencies are behaviors, knowledge, and skills that directly and positively impact the success of the employee.
- ❑ Long-term impact. This considers the strategic and financial effect of anticipated future salary costs, staffing changes, salary alignment among employees, career growth, and salary reference data changes.
- ❑ Market availability. This is the relative availability of suitable, qualified candidates in the general labor market that is subject to the changes in supply and demand.

- ❑ Performance. This considers previous and/or current work accomplishments or outcomes and behavioral interactions that are assessed as part of the Performance Management Program.
- ❑ Salary reference data. This is a composite of relevant salary information (e.g., average salary range, median salary, weighted average salary, etc.) extracted from available surveys that indicate market pricing for various jobs in the Commonwealth.
- ❑ Total compensation. This includes all forms of cash compensation (e.g., base pay, shift differentials, overtime, on-call pay, bonuses, commission, etc.) and the dollar value of the employer-sponsored benefit package (e.g., health and dental insurance, long- and short-term disability, paid leave, retirement, life insurance, etc.)
- ❑ Training, certification, and license. Training refers to a specialized course of instruction outside the realm of recognized academic degree programs. Certification refers to a specialized course of study resulting in a certificate upon successful completion. License refers to a licensing credential that is required by law to practice one's occupation.
- ❑ Work experience and education. This refers to the relevant employment history and academic qualifications of the employee or applicant.

### ***Pay Practices***

In concert with the job structure, the Commonwealth has developed specific pay practices for setting and changing employee base pay compensation. These practices include Starting Pay, Promotion, Voluntary Demotion, Temporary Pay, Role Change, In-Band Adjustment, Disciplinary or Performance-Related Salary Action, and Competitive Offer. These practices are described briefly below.

**Starting Pay** - this practice is used to attract highly skilled and competent job candidates (new hires or rehires) to the college's workforce. Salary negotiations for starting pay consider the 13 pay factors. Starting pay is negotiable between the minimum of the pay band up to 15% above the applicant's current salary. The negotiated pay rate may result in a decrease from the applicant's current or most recent salary.

**Promotion** - When an employee is promoted to a position in a different role in a higher pay band, the promotional increase is negotiable between the minimum of the new pay band up to 15% above the current salary. Promotional salaries may not be below the pay band minimum, even if this rate exceeds 15% above an employee's current salary. Also, an employee's pay may not exceed the maximum of the new pay band.

**Voluntary Transfer** - There are two types of recognized transfers: competitive and non-competitive. The pay practices for each vary as explained below.

**Voluntary transfer - competitive** - When an employee competes for a different position in the same pay band, the employee's salary is negotiable between the minimum of the pay band up to 15% above the current salary. The position may be in the same or different role; the increase may not exceed the pay band maximum; and, in some situations, the negotiated salary may be less than the employee's current salary.

**Voluntary transfer - non-competitive** - When an employee requests a transfer to a different position in the same pay band, the employee's salary is negotiable between the minimum of the pay band up to 10% above the current salary. Again, the position may be in the same or different role; the increase may not exceed the pay band maximum; and, in some situations, the negotiated salary may be less than the employee's current salary.

**Demotion** - There are three demotion activities: voluntary, performance or disciplinary, and in lieu of layoff. The pay practices for each of these types of demotions are explained below.

**Voluntary** - An employee may initiate a demotion as a result of a competitive (recruitment within the same agency or to a different agency) or non-competitive selection (employee request within the same agency) process. The employee's salary is negotiable from the minimum of the lower pay band up to the employee's current salary. If the employee's current salary exceeds the maximum of the lower pay band, the agency may freeze the salary for up to six months. After six months, the salary must be reduced to the maximum of the new pay band.

**Performance or Disciplinary** - Management may initiate a demotion for discipline or performance reasons (refer to DHRM's Planning, Performance, and Evaluation Policy #1.40 and the Standards of Conduct Policy #1.60). There are two types of demotion that could take place as described below.

Demotion Within the Same Pay Band - The employee may be assigned less responsibility in the same pay band. If this occurs, the college must redefine the duties of the employee to reflect a decrease in the level of responsibility. The employee's salary also must be reduced a minimum of 5%.

Demotion to a Lower Pay Band - The employee may be assigned to a role in a lower pay band. Again, the college must redefine the duties of the employee to reflect a decrease in the level of responsibility. In this case, the employee's salary must be reduced to at least the maximum

of the lower pay band and may be placed at any rate within the lower pay band as long as there is a minimum of 5% reduction in pay.

**In Lieu of Layoff** - Pay practices for this type of demotion are found in DHRM Policy #1.30, Layoff.

**Temporary Pay** - The college may provide temporary pay to an employee who is assigned different duties on an interim basis or because of the need for additional assignments associated with a special time-limited project, in the same or different role, in the same or higher pay band. Temporary pay is a non-competitive, management-initiated practice and is paid solely at the discretion of the college.

**Temporary Pay - Higher Pay Band** - When temporary pay is granted for assuming the duties of a different role in a higher pay band, management may grant 0-15% above the employee's current salary as long as the rate does not exceed the maximum of the higher pay band.

**Temporary Pay - Same Pay Band** - When temporary pay is granted for assuming the duties of the same or different role in the same pay band, management may grant 0-10% above the employee's current salary as long as the rate does not exceed the maximum of the pay band.

**Role Change** - This is a non-competitive action in which a position is changed to a different role in a higher, lower, or same pay band. There is no change in position number. Below are the salary actions that may be taken.

**Upward Role Change** - This occurs when a position is changed to a different role in a higher pay band. Management may grant a 0-10% salary increase. The salary must be increased to at least the minimum of the higher pay band but the new salary may not exceed the maximum of the higher pay band.

**Downward Role Change** - This occurs when a position is changed to a different role in a lower pay band. The employee's salary remains unchanged, unless it exceeds the maximum of the lower pay band. If it does exceed the maximum, the salary is maintained for a six-month period, and then reduced to the maximum of the pay band.

**Lateral Role Change** - This occurs when a position is changed to a different role in the same pay band. Management may grant a 0-10% salary increase. The salary may not exceed the maximum of the pay band. A salary increase due to a lateral role change is considered similar to an in-band adjustment and counts toward the 10% fiscal year maximum for in-band adjustments.

**In-Band Adjustment** - This is a non-competitive pay practice that allows management flexibility to provide salary growth and career progression within a pay band. In-band adjustments range from 0-10%. An employee may receive more than one in-band adjustment (including a lateral role change) within a fiscal year provided the increases do not exceed 10% total. (Each percentage increase is added to the employee's current salary.) The employee's base salary may not exceed the maximum of the assigned pay band and employees who are at the maximum of their assigned pay bands are not eligible for in-band adjustments. Below are reasons for which an in-band adjustment may occur:

**Change in job duties and responsibilities** (affecting at least 25% of the position workload, and incumbent must be successfully performing those new duties and responsibilities for at least 180 days).

**Application of new knowledge, skills, and abilities (KSA's), and competencies from education, certifications, or licensures** - A base pay increase up to \$500 may be awarded to employees obtaining licenses, professional certifications, or completing a college degree.

In order to be considered for compensation once the goal has been attained, the certification, licensure, or degree must be job related, and approved in advance by the employee's supervisor and performance reviewer as indicated by entry in the Employee Development Plan of the Employee Work Profile (Parts III-25 and III-26 of the EWP).

The increase will be provided within the constraints of limited resources available to the college for such actions and will be prioritized based on the application of mission-critical analyses of recruiting and retention issues. Increases will not be provided retroactively to those who possess prior professional certifications, licenses or degrees.

**Retention purposes** - Granted to positions in certain occupations to prevent employees from seeking employment outside the agency. Typically, granted to all employees in a particular functional area or type of position to avoid turnover. Positions typically have high visibility in the labor market when salaries have not been competitive in the marketplace.

**Internal alignment - salary compression and other internal inequities** - May be granted to align an employee's salary more closely with those of other employees' within the college who have comparable levels of training and experience, similar duties and responsibilities, similar performance and expertise, and/or similar knowledge and skills.

**Competitive Offer** - The college may provide competitive salary adjustments to employees who are deemed critical to the college's mission and on-going operations when the employee receives a job offer from another state agency (internal competitive salary offer) or from outside state government or other entities not subject to the Virginia Personnel Act (external competitive salary offer). A competitive offer may not occur within the college itself. When providing a competitive salary adjustment, the college will:

- verify the employment offer; and
- assess the criticality of retaining the employee, the impact on agency operations if the employee separates, and the difficulty in recruiting to replace the employee.

**Internal Competitive Salary Offer** - When an employee receives a higher salary offer in the same or higher pay band from another state agency, there may be only one counter offer from the college. The amount of the competitive offer may not exceed the amount of the job offer from the other agency, or the maximum of the current pay band. The other state agency may not make a second offer in response to the college's counter-offer.

**External Competitive Salary Offer** - When an employee receives a salary offer from an organization external to the Commonwealth (e.g., private, not-for-profit, public non-state agency, or State non-classified), the college may make a competitive offer not to exceed the amount of the job offer, or the maximum of the pay band.

### ***Paydays***

Paydays occur twice a month. When a payday occurs on a State holiday, employees normally are paid the day before the holiday. If a payday occurs on a weekend, employees normally are paid on the Friday before. Payroll checks are not distributed to employees before the date on the paycheck.

### ***Direct Deposit***

TCC participates in the Commonwealth direct deposit system that deposits employee paychecks directly to their personal bank accounts. Every employee is strongly encouraged to participate in direct deposit unless there is a mitigating circumstance that would prevent doing so. In the absence of such mitigating circumstances, all newly hired employees will be automatically enrolled in direct deposit.

## **Chapter 7: Probationary Period And Performance Evaluations**

### ***Probationary Period***

All employees must serve a probationary period of 12 months from the date of State employment or re-employment. (The 12-month probationary period may be extended for up to 18 months for performance reasons, if an employee is absent for an extended period of time, or if an employee moves to another classified position within the last six months of the 12-month period.) If at any time during the probationary period it is decided by the employee or by the supervisor that the employee is not suited for the job, the employee may be terminated or allowed to resign.

After the first six months on the job, a new employee's supervisor will discuss his/her job performance with him/her and complete a Probationary Progress Review form. If the employee's performance at that time is unsatisfactory, or if it is satisfactory at the time of the review but becomes unsatisfactory before the end of the 12-month probationary period, it may be a basis for termination of employment. Approximately three weeks prior to the completion of the employee's probationary period, the supervisor will again meet with the employee, provide a progress review, and complete the Probationary Progress Review form indicating successful completion of the probationary period.

During the probationary period, an employee is not eligible to use the State Employee Grievance Procedure. All employees, however, are protected against discrimination in any condition of employment because of race, color, religion, gender, age, national origin, disability, or political affiliation. An employee who believes he/she has been discriminated against may file a discrimination complaint with the Office of Human Resources, the Office of Equal Employment Services at the Department of Human Resource Management (DHRM), or with the federal Equal Employment Opportunity Commission (EEOC).

### ***Performance Planning***

At the beginning of employment, a new employee's supervisor will meet with the employee to review the employee's position description, contained in a document entitled Employee Work Profile (EWP) which describes the core responsibilities of the position. Based on the position duties, the supervisor develops a performance plan describing measures or expectations for each core responsibility and is recorded in the EWP. The core responsibilities identify what the employee is expected to do. Measures for core responsibilities tell employees how much, how well, and in what time frames they are expected to perform the duties. Employees receive a copy of their EWP and are asked to sign it acknowledging that they received a copy of it.

## ***Annual Performance Evaluations***

Supervisors are expected to monitor employee performance and discuss performance with their employees regularly throughout the year. Before the performance evaluation effective date (November 1), supervisors will discuss with employees how their performance has met the measures for core responsibilities that were developed for that performance cycle.

Using the previously established core responsibilities and corresponding performance measures, the supervisor makes an evaluation of the employee's performance over the past year. Employees are encouraged to perform a self-evaluation and provide it to their supervisor for consideration in completing the evaluation. Performance of each core responsibility is evaluated by determining the degree to which the employee met each measure. Then the overall performance level is determined. The performance ratings are extraordinary contributor, contributor, and below contributor. A reviewer, usually the supervisor's supervisor, reviews the evaluation to ensure consistency.

When the evaluation is completed and the reviewer's signature is obtained, the supervisor discusses it with the employee. The employee is asked to sign the evaluation to document the review and receives a copy. When the formal evaluation is completed, the Employee Work Profile is reviewed, revised if needed, and signed to establish duties and measures for the new performance cycle.

DHRM policies currently provide that effective December 1 of each year, if funding is allocated, incentive increases will be granted to employees, based on their overall performance. Pay increases depend on funding actions taken by the General Assembly and the Governor each year.

## ***Interim Performance Evaluations***

Supervisors may conduct interim evaluations at any time during the performance cycle. Interim evaluations are intended to apprise employees of their progress toward meeting their measures for core responsibilities during the probationary period or the performance cycle. They also are used to obtain an evaluation from a supervisor who departs during an employee's performance cycle or to provide documentation in support of a disciplinary action under the Standards of Conduct.

Compensation Reform introduced two new forms designed to enhance communication between supervisor and employee about performance. These are the "Acknowledgement of Extraordinary Contribution" and the "Notice of Improvement Needed/Substandard Performance" forms.

The Acknowledgement of Extraordinary Contribution recognizes or commends employees for exemplary accomplishment or performance. Receipt of one or more acknowledgement form does not automatically entitle an employee to the Extraordinary Contributor rating on their annual evaluation. However, an employee

must receive at least one Acknowledgement of Extraordinary Contribution form during the performance cycle to be eligible for an overall Extraordinary Contributor rating on the performance evaluation conducted in the same performance cycle.

The Notice of Improvement Needed/Substandard Performance form is used to communicate the need for immediate improvement in the performance of assigned duties. An employee who receives at least one Improvement Needed form during the performance cycle may receive an overall Below Contributor rating on the performance evaluation conducted in the same performance cycle. Receipt of one or more of these forms does not automatically warrant a Below Contributor rating. However, employees receiving one or more Improvement Needed forms may not receive a rating of Extraordinary Contributor at the conclusion of the same performance cycle.

## **Chapter 8: Work Hours**

### ***Work Hours***

The college's established public service hours are 8:30 a.m. until 5:00 p.m., Monday through Friday. Consideration must be given to assure that all offices are covered during these hours.

The standard workweek for all employees normally will be a five-day, 40-hour week for every seven-day period. At times, employees may be required to work beyond 40 hours in the seven-day pay period.

Employees are expected to work the schedules assigned to their positions. Alternative work schedules must be approved through the Office of Human Resources.

### ***Lunch Breaks***

Employees, for the most part, are entitled to a lunch period that shall not exceed 60 minutes per day. The minimum lunch period permissible is 20 minutes per day. The lunch period shall not be included in the total required hours of work per day except when the lunch break has been designated as part of the work schedule to provide additional staffing.

Employees, at the college's discretion, also may be granted a 15-minute break in the morning and in the afternoon. The break period and the lunch period may not be used to compensate for late arrival or to permit early departure. Additionally, they may not be accumulated nor may they be used to cover time off for other purposes.

Lunch periods and breaks will be scheduled by supervisors to prevent disruption of services to the public.

### ***Fair Labor Standards Act (FLSA) Requirements***

Each non-exempt employee of the college is covered under the federal Fair Labor Standards Act (FLSA). A series of tests is applied to the responsibilities and tasks assigned to the position to determine whether the position is non-exempt under the Fair Labor Standards Act. Contact the Office of Human Resources with questions about the exempt status of a position.

The FLSA governs minimum compensation to be paid employees and the compensation that must be given for hours worked over 40 in a workweek (i.e., overtime hours). All non-exempt employees must submit a time sheet each pay period showing all hours worked. Signed time sheets must be submitted within three workdays of the end of the pay period to the Office of Human Resources.

## ***Inclement Weather/Emergencies***

Employees\* will be paid for authorized closings due to inclement weather or emergencies such as fire, utility failures, or other forced evacuations as specified in the Department of Human Resources Management (DHRM) and college policies. Closing decisions will be made by the college president or designee.

When inclement weather conditions or other emergencies result in an official change in work schedules, such as late openings or early closings, employees will be paid for the period of the authorized closing or emergency, without charge to their personal leave balances, provided they have worked all or part of their work schedule which was not affected by the closing.

When inclement weather conditions create transportation difficulties that result in late arrivals, the lost time does not have to be charged to employees' personal leave balances if, in the judgment of management, the lost time was justifiable in view of the weather conditions.

## ***Holidays***

TCC observes 12 holidays in a calendar year, plus any additional days designated by the Governor. According to DHRM policy, when employees transfer between agencies that observe different holiday schedules, they shall observe the holidays of the agency to which they are transferring. No adjustments may be made for possible holidays lost or gained.

## ***Holidays Falling On Saturday Or Sunday***

Holidays that fall on Saturday will be observed on the preceding Friday, and holidays that fall on Sunday will be observed on the following Monday.

## ***Eligibility For Holiday Pay***

Employees\* are eligible to receive eight-hours of compensation for holidays. However, in order to receive holiday pay, an employee must be on full pay status his/her workday before and workday after the holiday period. If the employee is on leave without pay status for any portion of his/her workday before or after the holiday, he/she will not be entitled to holiday pay.

Example 1 - Thanksgiving is the designated holiday and an employee terminates his employment with the college on the day before, which is the last workday he is on paid status with the college. He is not eligible for holiday pay for Thanksgiving Day.

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\* Note that, as stated in the footnote on page 1-1, the term "employee" in this handbook refers only to full-time classified staff.

Example 2 - An employee has been on extended sick leave starting June 1st. Her sick leave credits are exhausted on July 1st. She is put on non-pay status the 2nd and 3rd of July. She is not eligible for holiday pay on July 4th.

***Holidays Falling During Employee's Vacation***

Paid holidays that fall during an employee's annual leave are not counted as days of annual leave.

***Holidays Falling On Scheduled Day Off***

Employees whose scheduled day off falls on a holiday and who do not work that day may receive compensatory leave or be paid for the holiday according to college policy. Employees who are required to work on a holiday that also is their day off will receive pay for the work on the holiday and also will be paid for the holiday itself.

## Chapter 9: Leave Benefits

The following section describes leave benefits in general. For further detail on the policies concerning leave, the Department of Human Resource Management's (DHRM) policies and procedures manual should be reviewed at the web site ([www.dhrm.state.va.us](http://www.dhrm.state.va.us), "HR Policy"). Copies of these policies also may be obtained through the Office of Human Resources.

### **Annual Leave**

Employees receive paid annual leave for vacations and other personal needs. Annual leave also may be used to cover other kinds of leave, e.g., sick leave when sick leave balances have been depleted. Annual leave accrues at the end of each completed pay period.

If an employee goes on leave without pay any time during a pay period, no annual leave is accrued for that pay period. The rate at which annual leave is accrued during each semi-monthly pay period depends on length of service. Employees may, if they wish, accumulate annual leave, but only a limited amount can be carried over from year to year, depending on length of service. Additionally, there is a maximum balance of annual leave that can be paid upon separation from state service, as shown below.

Years of Service	AL Hours Accrued Per Pay Period	AL Hours Accrued Per year	Maximum AL Carryover Limits	Maximum AL Payment Limits
Up to 5 years	4 hours	96 hours (12 days)	192 hours (24 days)	192 hours (24 days)
5 years	5 hours	120 hours (15 days)	240 hours (30 days)	240 hours (30 days)
10 years	6 hours	144 hours (18 days)	288 hours (36 days)	288 hours (36 days)
15 years	7 hours	168 hours (21 days)	336 hours (42 days)	288 hours (36 days)
20 years	8 hours	192 hours (24 days)	384 hours (48 days)	336 hours (42 days)
25 years	9 hours	216 hours (27 days)	432 hours (54 days)	336 hours (42 days)

## **Sick Leave**

Employees hired prior to January 1, 1999, had the opportunity to remain under the sick leave program defined in DHRM Policy #4.55, "Sick Leave," or be covered under the Virginia Sickness and Disability Program (VSDP), described later in this chapter. This section describes the sick leave program found in Policy #4.55.

Sick leave is the State's way of protecting employees against loss of pay when they must miss work because of illness or injury. Sick leave is accrued at the rate of five hours for each completed semi-monthly period, regardless of years of service. If an employee is on leave without pay any time during the pay period, no sick leave is accrued. Employees are urged to use sick leave carefully as it is the only type of paid disability leave available to them.

Sick leave may be used for absences due to illness or injury, or for medical appointments, that cannot be scheduled at times other than during work hours.

Sick leave also may be used, up to 24 hours for each event, for an illness or death in the employee's immediate family. Leave for these purposes may not exceed a total of 48 hours in a calendar year. "Immediate family" is defined as the employee's parents/step-parents, spouse, children/step-children/foster children, and siblings/step-siblings. It also includes any other relative living in the employee's home.

Employees also may use 33% of their available sick leave hours during a Family and Medical Leave Act (FMLA)-designated leave period taken for family reasons. Review the Family and Medical Leave section found later in this chapter.

Upon separation from state service, employees with five or more years of state service at the time of separation will be paid 25% of their remaining sick leave balance up to a maximum of \$5,000.

## **Virginia Sickness and Disability Program (VSDP)**

Employees hired on or after January 1, 1999, and employees who chose not to be covered by DHRM Policy #4.55, "Sick Leave," are covered by the Virginia Sickness and Disability Program (VSDP). VSDP provides employees with income protection if they become unable to perform their normal job duties because of an illness or injury, either short term or long term. In addition to disability income, VSDP provides employees with sick leave (not the same as found in Policy #4.55) and family and personal leave that may be taken for short-term absences throughout the year.

When covered under VSDP, employees receive a VSDP handbook. Many of the details of the program are found in the handbook. Additional questions about the program should be directed to the Office of Human Resources.

## ***Leave Without Pay***

There may be occasions in which an employee has exhausted his/her personal leave balances and therefore must be placed on leave without pay status. When leave without pay (other than military leave or family and medical leave) with a guarantee of reinstatement to one's former position does not appear practical because of the college's need to fill the job, the employee may be placed on conditional leave without pay.

Conditional leave without pay allows an employee to retain prior accrued sick, annual, and overtime leave balances, but, if the position has been filled prior to the employee's return, there is no guarantee of reinstatement. Instead, reinstatement must be obtained through the competitive hiring practices of the college. If the employee is unable to attain a position prior to the expiration of the conditional leave without pay period, the employee will be separated.

Leave of absence without pay will not be granted for more than 12 calendar months except for extended illness or injury, for active military service, for specific authorized courses of study, or other reason approved by the college president and the Department of Human Resource Management (DHRM).

A leave without pay for more than 14 consecutive calendar days shall adjust an employee's annual leave accrual date. No annual or sick leave is earned during pay periods when the employee is on leave without pay.

## ***Leave Sharing***

The Commonwealth has a leave sharing policy that permits employees to donate annual leave to other employees who may need additional sick leave as a result of personal illness or accident. The following are the guidelines of the program.

- ❑ Donations may be in the form of annual leave only.
- ❑ Leave may be shared within the Virginia Community College System only, except that family members in two different Executive Branch agencies may share leave with one another within the leave sharing guidelines.
- ❑ Donations are to be made in eight-hour increments.
- ❑ Recipients are not required to reimburse leave hours donated unless they receive compensation from another source (e.g., workers' compensation) for the same period, or unless abuse occurs, in which case the recipient may be required to repay the leave and/or may be subject to disciplinary action.
- ❑ Employees who wish to receive leave must contact the Office of Human Resources. Their identities will not be revealed unless they request it.

- ❑ While receiving shared leave, employees will otherwise be considered to be on leave without pay status (e.g., they will not accrue any leave or be paid for holidays).
- ❑ Shared leave may be used only for an employee's personal medical conditions certified by a physician.

DHRM policies and procedures give complete details on leave sharing and should be reviewed at the agency's web site ([www.dhrm.state.va.us/](http://www.dhrm.state.va.us/)).

### **Other Leaves**

There are other types of leave available to employees that are not deducted from their personal sick, family and personal, or annual leave balances.

#### **Administrative Leave**

Administrative leave may be available to use to appear in court under subpoena or summons or to serve as a jury member, to serve on State boards or councils, to resolve work-related conflicts, and to interview for other State positions. When Administrative Leave is used for court appearances, a copy of the subpoena or summons to appear in court must be provided to the Office of Human Resources at the time such leave is requested.

The college president or designee is authorized to approve up to 80 hours of administrative leave for employees who sustain severe or catastrophic damage to, or loss of, personal property as a result of a natural or technological disaster. This policy applies only to employees who lose their homes or whose damage is otherwise severe, extreme, and catastrophic resulting in a critical need for time away from work for disaster relief and recovery that extends beyond the authorized emergency closing. To be eligible, the event:

- ❑ must have resulted in a formal declaration of a State of Emergency; and
- ❑ the college activated the Commonwealth's Emergency Closings Policy; and
- ❑ the employee's home was located in the officially declared disaster area; and
- ❑ there is formal documentation from a recognized disaster relief organization or insurance company to verify severe, extreme, or catastrophic damage to, or loss of, personal property as a result of the declared emergency where the damage or a required evacuation rendered the employee's home temporarily or permanently uninhabitable. This leave provision is not intended to apply to situations in which damage to personal property is limited to downed-trees, power outages, or structural damage that did not

- render the home temporarily or permanently uninhabitable or in which the employee voluntarily evacuated the area.

### **Disaster Relief Leave**

Employees may be granted paid leave for up to two weeks (without charge to their personal leave balances) to assist areas that have been declared official disaster areas. In order to qualify for this type of paid leave, the situation must meet all of the criteria found in DHRM's policy on Disaster Relief, Policy #1.15. Employees who are called to active duty in the military or National Guard for emergency service will be paid their regular salaries for the time they are under active service orders. Additionally, this time will not count toward the 15 days that these employees are allowed for training per federal fiscal year.

### **Family And Medical Leave**

Paid leave (through use of the employee's appropriate personal leave balances) or unpaid family and medical leave of up to 12 weeks is available to eligible employees. In order to be eligible, an employee must have been employed by the State for a minimum of one year and worked 1,250 hours or more in the 12-month period immediately prior to the request.

Such leave may be granted because of the birth of a child or the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (limited to employee's child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes him/her unable to do his/her job. In either case, management may require medical certification regarding the conditions and circumstances of the serious health condition related to the leave.

### **Leave To Donate Bone Marrow Or Organs**

Employees may use up to 30 workdays of paid leave in any calendar year, in addition to other paid leave, to donate bone marrow or organs. To be eligible, an employee must be in a non-probationary status and present medical certification supporting his/her intent to donate bone marrow or an organ. Employees who are on disciplinary suspension are not eligible to participate in this program.

### **Leave To Provide Community Service**

The Leave to Provide Community Service Policy provides employees time off with pay for service within their communities. Specifically, leave to provide community service may be used for the following purposes.

- Members of volunteer fire departments and rescue squads, or auxiliary units thereof, may be granted paid leave under this policy to:
  - respond to emergency situations during working hours; or

- arrive after the normal beginning of their work shift if an emergency situation to which they responded outside their normal work hours continues beyond the normal beginning of their shift.
- Employees may be granted paid leave under this policy to provide voluntary “hands-on” services to their communities as a part of an organized community service project sponsored by a community service organization. For example, an employee could be granted community service leave to deliver meals to the elderly or to needy community citizens; however, community service leave is not appropriate to attend a planning meeting or social event for the organization providing these services.
- Employees with children may be granted paid leave under this policy to:
  - meet with a teacher or administrator of a public or private preschool, elementary school, middle school, or high school concerning their children, step-children, or children for whom an employee has legal custody; or
  - attend a school function in which such children are participating.
  - Additionally, any employee may be granted paid leave under this policy to perform volunteer work approved by any teacher or school administrator to assist a public preschool, elementary school, middle school or high school.
- An employee may be granted paid leave under this policy to assist in the education of his/her child, step-child, or child for whom the employee has legal custody in state-approved home education curricula, including meetings with local school board officials and required field trips.

Employees must receive approval from their supervisors prior to using community service leave. Additionally, if response to emergency situations as a member of a volunteer fire department or rescue squad will result in tardiness, employees must notify their supervisor according to college procedures to secure approval. Supervisors may require documentation of the employee’s participation in a community service event.

Community service leave may be used in increments of one hour at a time. A maximum of 16 hours of paid leave per calendar year will be made available to current employees on January 10 of each year and to new employees upon beginning employment.

## ***Military Leave***

Military leave, with and without pay, is used for service in the armed forces of the United States. A copy of the military orders must accompany requests for Military Leave.

*For more information on all the leaves discussed above, the Department of Human Resource Management's policies and procedures should be reviewed at the web site [www.dhrm.state.va.us](http://www.dhrm.state.va.us).*

## ***Reporting Absences***

Whenever possible, absences from work should be scheduled in advance, usually before the end of the last shift or workday preceding the leave, and approved in writing. In the case of sick leave use, this may not always be possible. When sick leave is used and is not approved in accordance with college policy, it is considered as an unscheduled absence.

Employees should check with their supervisors on the correct procedures for reporting absences or tardiness. Failure to report absences as directed and frequent unscheduled absences may result in unapproved leave and disciplinary action, up to and including discharge. Employees must submit leave forms within one workday of their return to work.

## ***Overtime***

Overtime is time worked by a non-exempt employee in excess of 40 hours in the employee's workweek. The time worked over 40 hours is compensated at a time and a half rate.

Permission to work any hours over one's regular schedule must be authorized by the employee's supervisor in advance of the extra time worked if possible.

Exempt employees are not eligible for overtime leave.

## ***Compensatory Leave***

A non-exempt employee shall earn compensatory leave when required by his/her supervisor to work:

1. additional hours in a work week in which the employee had taken a holiday or leave but has not worked more than a total of 40 hours; or
2. on an official office closing day if the employee is designated as an essential employee; or
3. on a holiday; or

4. on a scheduled day off.

Exempt employees shall earn compensatory leave when required by his/her supervisor to work:

1. on an official office closing day if the employee is designated as an essential employee; or
2. on a holiday; or
3. when the employee is required to work more hours in a work week than the supervisor believes is reasonably expected for the accomplishment of a particular, time-sensitive task.

Written authorization by the supervisor and appropriate college vice president, campus provost, or college-wide director is required prior to an employee earning compensatory leave.

## **Chapter 10: Other Benefits**

### ***Group Life Insurance***

TCC employees participate in the group life insurance plan administered by the Virginia Retirement System (VRS). The plan provides life insurance and accidental death and dismemberment coverage during active employment. The coverage amount for natural death is the employee's salary, rounded to the next highest thousand dollars, then doubled. For example, an employee whose salary is \$19,300 per year has \$40,000 in natural death benefits. The accidental death benefit is double the natural death benefit, or, for the example above, \$80,000. In addition, any member of the group life insurance plan is eligible to purchase additional life insurance at a value of up to four-times his/her salary through the State's optional life insurance program and may elect coverage for his/her spouse and children.

### ***Health Insurance***

Employees may select a health insurance plan from the Commonwealth. These include a managed care plan (COVA Care) and, in some geographic areas, health maintenance organizations (HMO's). These programs offer various levels of coverage, co-payment, and deductible provisions.

The State pays a certain amount toward each employee's health insurance premium. Employees may choose employee-only coverage (the lowest-cost option), dual coverage for the employee and one dependent, or family coverage (the highest-cost option). The State pays a portion of the cost of providing coverage for dependents, and the employee pays the remainder.

### ***Flexible Benefits***

Through the Commonwealth's Premium Conversion Program, employees pay their health insurance premiums before their taxes are calculated, resulting in more spendable income.

Employees also may enroll in Medical and Dependent Reimbursement Accounts. These programs allow employees to pay some dependent care and medical care expenses with before-tax dollars, to reduce taxes and increase spendable income. There are important restrictions employees need to understand before enrolling in the reimbursement accounts programs. Employees should contact the Office of Human Resources for election forms and more information on these programs.

## ***Long Term Care***

The Commonwealth of Virginia offers long-term care insurance to eligible state employees. The coverage is at no cost to the employee. The daily benefit is \$75.00 a day not to exceed two years. Under long-term care, individuals receive assistance with normal activities of daily living, such as eating, dressing, and getting in and out of bed. Employees may purchase additional coverage on themselves and certain family members.

## ***Virginia Retirement System (VRS)***

VRS provides monthly retirement benefits to vested employees who have retired. These benefits are in addition to monthly benefit payments from Social Security. VRS also provides disability retirement benefits for employees who are permanently and totally disabled from performing their jobs. The cost of participation in VRS is paid entirely by the State.

## ***Deferred Compensation and Tax Sheltered Annuities***

The Commonwealth's Deferred Compensation Plan (DCP) and tax sheltered annuities (TSA) allows full-time and part-time employees to set aside money each payday. This deferral is deducted from employees' pay before state and federal taxes are withheld, thereby reducing the overall amount of taxable income. Upon withdrawal, each payment that an employee receives from a plan trust is subject to regular federal and state income taxes as it is received.

There also is a cash match provision in the DCP and TSA. Employees can receive a match amount, on a semi-monthly basis, that is 50% of an eligible participant's DCP or TSA deferral or \$20 per payday, whichever is less.

The convenience of payroll deductions, combined with the benefits of tax-deferred savings, make these two plans an ideal way to build a retirement nest egg. The Office of Human Resources can provide additional details of this program.

## ***Payroll Deductions***

Various voluntary and mandatory payroll deductions may be made from employee paychecks. The deductions required by federal and state laws are withholding for state and federal income tax, social security, and Medicare. Voluntary deductions are those approved by the State's Comptroller and made at the direct request of the employee. These include, but are not necessarily limited to, U.S. Savings Bonds, Virginia Credit Union deposits, Commonwealth of Virginia Campaign charitable contributions, and health insurance premiums not covered by the State. Payroll deductions also can be made for tax-sheltered annuities, supplemental insurance, Legal Resources, the Virginia Credit Union, the ODU Credit Union, and the Virginia Governmental Employee Association.

## **Chapter 11: Training and Educational Assistance**

### ***Training***

It is the policy of TCC to provide a positive and meaningful employee organizational training and development program to meet college needs, help employees reach their potential, and better meet public service needs.

Subject to the availability of funds, training may be authorized to help employees perform their jobs more effectively. Training may be provided by a variety of sources. The majority of the training provided will be on-the-job training.

Upon completion of any formal training program, employees should complete a training record form and send it to the Office of Human Resources, so that an up-to-date record of training may be kept for each employee.

### ***Professional Development/Educational Assistance***

The college has programs offered through the Professional Development and Renewal Plan to provide a continuing opportunity for the development and upgrade of skills, knowledge, competence, excellence, and the common goal of developing professionally oriented individuals. Professional development funds, in the college operating budget, are available to employees for participation in these programs. Employees interested in taking courses or in completing or furthering their education, who have completed their probationary period, should contact their supervisor or the Office of Human Resources for more details.

The college also provides leave with and without pay for employees to further their education when courses of study are related to their work or that of the college. Leave may be with full, partial, or no pay.

## **Chapter 12: Employee Assistance Programs**

### ***Employee Assistance Program (EAP)***

The EAP is a confidential assessment and referral service for employees who are experiencing personal problems such as alcohol and substance abuse, marital or family difficulties, financial problems, or medical or mental disorders. In general, the EAP care must be authorized in advance and is available through the employee's health benefits plan.

Magellan Behavioral Health administers the EAP for employees covered by the statewide COVA Care health care plan.

### ***Department Of Employment Dispute Resolution***

The State Department of Employment Dispute Resolution (EDR) assists employees in resolving work-related problems. They provide guidance on the use of the grievance procedure, suggest options for dealing with work-related concerns, provide information on personnel policies and employee rights, sponsor a mediation program, and provide various services to assist in conflict resolution.

### ***Mediation***

Mediation is a process in which employees in conflict, guided by specially trained and experienced mediators, discuss the issues in an open, honest, and confidential forum and arrive at a mutually satisfactory agreement. All State employees, including probationary and non-classified, may use the process to resolve work-related issues.

Participation in mediation is voluntary. Employees cannot be required to participate and, at any time during the process, they are free to stop the process.

Since mediation is an alternative to the grievance procedure, if both parties agree, the clock for the grievance procedure can be stopped pending the outcome of the mediation.

### ***Employee Grievance Procedure***

The General Assembly has mandated that all non-probationary classified State employees must have access to a grievance procedure to resolve certain employment complaints or disputes. Any formal discipline (i.e., written notices and terminations, suspensions, transfers, or assignments issued in conjunction with such written notices) and dismissals for unsatisfactory performance must be qualified for a hearing. In addition, the grievance may be qualified for a hearing if there are facts that may support one or more of the following actions:

1. unfair application or misapplication of policies, procedures, rules, and regulations;
2. discrimination on the basis of race, color, religion, gender, age, national origin, disability, or political affiliation;
3. arbitrary or capricious performance evaluation;
4. retaliation for participating in the grievance process, complying with any law or reporting a violation of such law to a governmental authority, seeking to change any law before Congress or the General Assembly, reporting a violation to the State employee Fraud, Waste and Abuse Hotline, or exercising any right otherwise protected by law; or
5. adverse employment actions -- for example, terminations, transfers, assignments, demotions, and suspensions -- which are not accompanied by formal discipline (a Written Notice) but which are taken for disciplinary reasons.

An employee who has a complaint must initiate a grievance with his/her immediate supervisor within 30 days of the event giving rise to the complaint.

Employees are encouraged to bring their complaints to their immediate supervisor and/or higher levels of college management prior to the initiation of a written grievance. An alternative to initiating a grievance is to request mediation. The Office of Human Resources is available to assist employees in resolving their conflicts.

A copy of the "Grievance Procedure for State Employees" is available from supervisors, the Office of Human Resources, or the Department of Employment Dispute Resolution (EDR). EDR counselors meet with employees in person or may be reached at (804) 786-7994 or toll-free in Virginia at (888) 23-ADVICE.

Mediation, which is independent of any grievance rights employees may have, may be an alternative means of resolving workplace conflicts on complaints, and its use is encouraged. Further details on mediation can be obtained from the Office of Human Resources or EDR.

### ***CommonHealth***

CommonHealth is the State's voluntary wellness program. It offers information on health and safety issues, programs to improve employee health, and a number of exercise and fitness classes in State agencies throughout the Commonwealth. All employees of the State are members of CommonHealth. There are no dues, and typically participation in programs offered by CommonHealth is free to employees.

## Chapter 13: Standards of Conduct

### ***Standards Of Conduct***

It is anticipated that TCC employees will apply themselves fully to their work and the work of the college. Included in this assumption is that employees will report to work punctually as scheduled, perform their work assignments in a timely and professional manner, and follow all TCC and Commonwealth policies, procedures, and practices.

Conduct that interferes with operations will not be tolerated. The Commonwealth of Virginia has a set of rules governing the professional and personal conduct and acceptable standards for work performance of employees. The Standards of Conduct Policy is promulgated by the Department of Human Resource Management (DHRM) and is applicable to all employees.

The Standards of Conduct are designed to be used to correct behavior. For the most part, they follow the principle of progressive discipline, i.e., warnings followed by increasing discipline depending on the type and frequency of offenses. Discipline under the Standards of Conduct will not be based on any employee's race, color, religion, gender, age, national origin, disability, or political affiliation. The standards were developed to protect the well-being and rights of all employees. The standards are intended to be illustrative but not all-inclusive. Accordingly, an offense which, in the judgment of management, although not listed in the policy, seriously undermines the effectiveness of the college's activities or the employee's performance, is to be treated consistent with the provisions of the Standards of Conduct Policy.

A copy of the Standards of Conduct Policy, #1.60, in its entirety, can be obtained from the Office of Human Resources or at the DHRM web site [www.dhrm.state.va.us](http://www.dhrm.state.va.us). To paraphrase from the policy, conduct offenses are broken into three categories (Group I, Group II, and Group III) based on their severity. The list below outlines examples of offenses in each category but, again, is intended to be illustrative and **not** all-inclusive.

### **Group I Offenses**

Group I offenses include types of behaviors least severe in nature but which require correction in the interest of maintaining a productive and well-managed work force. An accumulation of three active Group I notices normally will result in a suspension of up to five workdays. An accumulation of four active Group I notices normally will result in termination. Group I offenses include, but are not limited to:

- (a) unsatisfactory attendance or excessive tardiness;

- (b) abuse of State time, including, for example, unauthorized time away from the work area, use of State time for personal business, and abuse of sick leave;
- (c) use of obscene or abusive language;
- (d) inadequate or unsatisfactory work performance;
- (e) disruptive behavior;
- (f) conviction of a moving traffic violation while using a State-owned or other public-use vehicle; and
- (g) violation of State or college policies on alcohol and other drugs, harassment (including sexual harassment), or equal employment opportunity may be considered a Group I offense depending on the nature of the violation.

### **Group II Offenses**

These offenses include acts and behavior that are more severe in nature and are such that a single Group II offense may result in a suspension of up to 10 workdays and an accumulation of two Group II offenses normally should warrant termination. Group II offenses include, but are not limited to:

- (a) failure to follow a supervisor's instructions, perform assigned work, or otherwise comply with established written policy;
- (b) violating a safety rule where there is not a threat of bodily harm;
- (c) leaving the work site during work hours without permission;
- (d) failure to report to work as scheduled without proper notice to supervisor(s);
- (e) unauthorized use or misuse of State property or records;
- (f) refusal to work overtime hours as required;
- (g) inappropriate/non-therapeutic interaction with client; and
- (h) violation of State or college policies on alcohol and other drugs, harassment (including sexual harassment), or equal employment opportunity may be considered a Group II offense depending on the nature of the violation.

### **Group III Offenses**

These offenses include acts and behavior of such a serious nature that a first occurrence normally should warrant suspension of up to 30 workdays or termination. Group III offenses include, but are not limited to:

- (a) absence in excess of three days without proper authorization or a satisfactory reason;
- (b) falsifying any records, including, but not limited to, vouchers, reports, insurance claims, time records, leave records, or other official State and college documents;
- (c) willfully or negligently damaging or defacing college records, college property, or property of other persons (including, but not limited to, employees, students, supervisors, and visitors);
- (d) theft or unauthorized removal of State and college records, college property, or property of other persons (including, but not limited to, employees, students, supervisors, and visitors);
- (e) gambling on State property or during work hours;
- (f) fighting and/or other acts of physical violence;
- (g) violating safety rules where there is a threat of physical harm;
- (h) sleeping during work hours;
- (i) participating in any kind of work slowdown or similar concerted interference with State operations;
- (j) unauthorized possession or use of firearms, dangerous weapons, or explosives;
- (k) threatening or coercing persons associated with any college department (including, but not limited to, employees, students, supervisors, and visitors);
- (l) criminal convictions for illegal conduct occurring on or off the job that clearly are related to job performance or are of such a nature that to continue employees in their positions could constitute negligence in regard to the college's duties to the public or to other college employees;
- (m) failure of an employee whose job requires carrying a firearm or authorization to carry a firearm to report conviction for a "misdemeanor crime of domestic violence," (refer to DHRM Policy #1.60); and

- (n) violation of State or college policies on alcohol and other drugs, harassment (including sexual harassment), or equal employment opportunity may be considered a Group III offense depending on the nature of the violation

TCC's effectiveness, to a large measure, depends not only on technical expertise, but also on the ethics and standards of professional conduct of its employees. Compliance with the Standards of Conduct Policy not only enhances employee performance, but that of the college as well. Employees should always attempt to ensure that their conduct reflects favorably on themselves and the college in recognition of the public's trust for the care of students and the public's resources.

## **Chapter 14: Other Information and Responsibilities**

### ***Alcohol And Other Drugs Policy***

Federal law and Department of Human Resource Management (DHRM) policy prohibit the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol or other drugs in the workplace. These policies also prohibit employee impairment on the job due to the use of alcohol and other drugs. Policy allows the Commonwealth to discipline employees who are convicted of violating any criminal drug law, and certain alcoholic beverage control laws governing driving while intoxicated.

### ***Alcohol And Other Drugs Testing***

TCC adheres to the procedures for administering regulations for commercial motor vehicle carriers promulgated by the U.S. Department of Transportation and the Federal Highway Administration, under the Code of Federal Regulations, for employees who hold commercial driver's licenses (CDLs). Employees wishing to review these procedures should contact the Office of Human Resources.

### ***Conflict Of Interest***

In keeping with the Conflict of Interest Act of the Code of Virginia of 1950, as amended, TCC employees are prohibited from using information gained while performing their job to influence or further their own personal interests.

### ***Confidentiality Of Records***

Many TCC employees will work in capacities where confidential information concerning the college or its employees or students will be handled. It is of great importance that employees not discuss such information with persons not authorized to have access to it. If there is a question as to whether the information may be released, the inquiry should be referred to the college president or his/her designee. Information released to the print and electronic media should follow policy established by the college.

### ***Employment Outside The College***

No employee shall engage in any other paid employment, public or private, without prior written approval of the college president, or his/her designee, unless authorized by law. Every employee is under a continuing obligation to seek prior approval in writing of any employment outside the college. Prior approval of outside employment must be obtained for each particular employment opportunity. Approval of the employment opportunity will be given for the duration of the employment period, not to exceed one year, at which time the employee may request that the approval be renewed.

Requests for outside employment will not be approved if the outside employment will involve any of the following:

- work during any hours the employee is expected to work for the college;
- interference with the employee's ability to devote the expected time and attention to work or performance of duties with the college;
- use of annual or other leave at a time when such leave would not be otherwise approved;
- use of property belonging to or under contract with the college; or
- violation of the State and Local Government Conflict of Interests Act, including any of the following:
  - contracting or subcontracting with the Commonwealth or having an interest exceeding \$500 annually in any contract or subcontract with any State agency in violation of the Act.;
  - performing work that relates to the employee's specific paid duties for the college or that enables the employee to receive additional payment for college job duties; or
  - purchasing goods or services provided by the college.

Approval of outside employment may be rescinded if any of the above circumstances arise during the course of the outside employment. Failure to request and obtain prior written approval of outside employment as required by college policy may result in disciplinary action, up to and including termination. Employees may review this policy in its entirety upon request to their supervisor or the Office of Human Resources.

### ***Employment Verification***

The Office of Human Resources handles employment verifications. Employment verification forms should be addressed to the Office of Human Resources. Information conveyed as a result of employment verification requests will be based on the limits and obligations outlined in the Freedom of Information and Personnel Records Disclosure Acts.

### ***Employee Suggestion Program***

TCC encourages the use of employee suggestions to improve the success of its operations and to share the benefits of these ideas with the employee making the suggestion. The Employee Suggestion Program, or ESP, is a way to share ideas with people who can act upon them. Employees' ideas will be evaluated and, if appropriate, implemented. Ingenuity in developing a successful suggestion will be

recognized and employees may receive awards of money or extra time off from work. Employees wishing to submit their suggestions should do so through the Office of Human Resources.

### ***Gifts, Gratuities, Or Rewards***

TCC employees are in a position of public trust and, therefore, may not accept gifts, gratuities, favors, or rewards for any services they provide in connection with their employment. It also is unlawful for employees to solicit, offer, or accept any money or any thing of value in exchange for an appointment, selection for a position at a higher salary grade, or special privilege with any State agency. Employees who violate this policy may be subject to disciplinary action, up to and including termination.

### ***Intellectual Properties***

The VCCS Intellectual Property Policy and Procedures determine ownership rights and responsibilities regarding intellectual property produced by a student and/or an employee of a Virginia community college. The relevant policy and procedures policy may be found in Section 12 of the *VCCS Policy Manual*, which may be accessed at [www.vccs.edu/policypdf/index.htm](http://www.vccs.edu/policypdf/index.htm).

### ***Personal Appearance***

TCC's employees are the college's representatives to the public and their appearance has an impact on the public's image of the college.

Employees' dress, grooming, and personal hygiene should be appropriate to the work situation. Employees are expected to dress in a manner that is presentable in a business environment. Employees are encouraged to talk with their supervisors when they have questions.

### ***Political Activity***

Political activities of employees in State agencies that are funded in whole or in part by federal loans or grants are subject to the provisions of the Hatch Act, a federal law limiting political activities of government employees. Employees should check with the Office of Human Resources to determine whether or not they are covered by this Act. Whether an employee is subject to the restrictions of the Hatch Act or not, he/she may not campaign for himself or herself, or anyone else during the hours when he/she is employed to work.

### ***Resignations***

Employees resigning their position should give at least two weeks advance notice to their supervisor. Failure to give proper notice will be considered abandonment of position and may cause an employee to be ineligible for rehire.

TCC strives to hold an exit interview with all employees who terminate employment with the college for any reason, other than retirement. The Office of Human Resources will coordinate exit interviews.

### ***Smoking***

Smoking on TCC property is permitted only within designated smoking areas. All other college areas will be no-smoking areas where smoking is prohibited. Supervisors should not prohibit or restrict employees from leaving their offices or work areas at reasonable intervals to go to a designated smoking area for a reasonable period of time.

### ***Telephone Usage***

If personal telephone calls are necessary during the workday, whether local or long distance, they should be limited in number and be as brief as possible. State policy prohibits charges to its telephones for long distance calls not involving State business. Employees may not charge personal long distance calls to the State. If they must make personal long distance calls while at work, employees must have the call charged to their home telephone number, use a personal telephone credit card, or locate a pay phone to use.

Official State long distance telephone calls should be kept as brief as possible. Routine telephone calls typically should be limited to five minutes or less. Employees should answer calls promptly and be expeditious when transfers or holds are necessary.

### ***Use Of College Equipment***

No employee shall be permitted to use college materials, equipment, supplies, tools or transportation for personal use unless prior written permission is obtained from his/her department head.

### ***Statement of Economic Interests***

Section 2.2-3114 of the Code of Virginia requires that certain employees of state government complete a Statement of Economic Interests as a condition of employment. The Secretary of the Commonwealth shall provide the disclosure form to each employee so designated not later than November 30<sup>th</sup> of each year. Employees shall file a disclosure form of their personal interests and such other information as specified on the form and thereafter shall file such form annually on or before January 15<sup>th</sup>. The Office of Human Resources will notify those employees who are required to complete the form upon hire with the college.

## **Chapter 15: Workplace Violence**

### ***Zero Tolerance***

TCC has zero tolerance for violence. If an employee displays any violence in the workplace or threatens violence in the workplace, the employee is subject to immediate discipline, up to and including termination and criminal charges. No talk of violence or joking about violence will be tolerated.

TCC defines violence to include physically harming another, shoving, pushing, harassment, intimidation, coercion, brandishing weapons, and threats or talk of violence.

### ***Reporting Workplace Violence***

It is everyone's business to prevent violence in the workplace. Employees can help by reporting what they see in the workplace that could indicate that a coworker is in trouble. Employees often are in a better position to know what is happening with those with whom they work than supervisors are.

Employees are encouraged to report any incident that may involve a violation of the college's violence in the workplace policy. Concerns may be presented to the employee's supervisor, the Office of Human Resources, or the college president.

### ***Security Measures***

The college is committed to providing a safe environment for employees, students, and visitors. In order to provide a safe workplace, TCC requires that access to all facilities be limited to those with a legitimate business interest. Employees, on occasions, may be requested to provide appropriate identification.

### ***Weapons Banned***

TCC will not tolerate employee possession of any weapons on college property, including weapons transported in employee vehicles, unless the possession of a weapon is part of the job description. In addition, when working outside TCC's premises in their capacity as a college employee, employees are prohibited from carrying or transporting weapons.

Weapons include guns, knives, explosives, or other items used to threaten or inflict harm on another person. Appropriate disciplinary action, up to and including termination, will be taken against any employee who is in violation of this policy.

### ***Inspections***

Information obtained and disseminated in the workplace is the property of TCC and may not be released except after approval through appropriate channels.

Desks, telephones, lockers, and computers are also college property. TCC reserves the right to enter or inspect an employee's work area including, but not limited to, desks and computer storage disks, with or without notice. In concert with the Fourth Amendment of the U.S. Constitution, such searches will be for work-related purposes and will be reasonable in their inception and reasonable in the scope of the intrusion.

### ***TCC Business Equipment***

TCC's faxes, cell phones, copiers, computers, and mail systems, including E-mail, are for college business. Personal business must not be conducted through these systems. Additionally, employees are responsible for the security of these systems.

## Chapter 16: Workplace Safety

### ***Workplace Safety***

Workplace safety and health for workers and students is a primary concern of TCC. General safety rules include, but are not limited to, those listed below.

- (1) Report all work-related injuries or illnesses immediately to the supervisor. An incident form must be completed within 24 hours.
- (2) Report all unsafe or unhealthy conditions to the supervisor.
- (3) Observe and obey all safety signs and instructions.
- (4) Do not block emergency exits or leave emergency exit doors open.
- (5) Do not block aisles, stairs, passageways, or hallways.
- (6) Do not abuse or remove emergency fire extinguisher equipment.
- (7) Do not obstruct, remove, or deface safety signs or instructions.
- (8) Report all fires and other safety or health threats in accordance with emergency preparedness procedures.
- (9) Follow the emergency evacuation procedures.
- (10) Do not use equipment without proper training.
- (11) Do not repair equipment without proper authorization.
- (12) Do not remove guards or other safety devices.
- (13) Use appropriate universal precautions, to include proper use of personal protective equipment.
- (14) Check with your Safety Officer regarding use of electrical appliances such as space heaters, glue guns, Christmas decorations, fans, etc.
- (15) To minimize potential electrical hazards, avoid the use of extension cords and multi-outlets. If extension cords or other cords must be used, use them properly to avoid tripping hazards.
- (16) Place finished cigarettes in designated receptacles. Do not leave burning cigarettes unattended.
- (17) Store heavy items on lower shelves.

- (18) Do not use desks, chairs, or file cabinets as substitutes for stepladders.
- (19) Close drawers immediately after use.
- (20) Properly close, cap, and store hazardous materials.
- (21) Do not run on stairs or in aisles, passageways, or hallways.

Workplace safety is every employee's business and responsibility.

### ***Workers' Compensation***

An employee who suffers an injury or illness arising out of and in the course of his/her employment may be entitled to workers' compensation benefits, leave, pay for time lost from work, and payment of medical treatment. In order to have a workers' compensation claim considered for benefits, an incident form must be filled out and sent to the Office of Human Resources within 24 hours of the incident.

If medical attention is required, a list of panel physicians is provided to the employee. Unauthorized medical treatment will not be covered. All payments for injuries and illnesses are considered to be in a pending status until a compensability decision is given.

**NON-VSDP MEMBER:** If a claim is compensable, classified employees are entitled to up to 92 calendar days (528 work hours) of full pay from the college based on their work time missed. In general, these 528 hours are covered through two-thirds compensation paid by workers' compensation beginning after the eighth day of lost time and one-third compensation paid by the college. The first seven calendar days of absence are paid by the college. Beginning on the eighth day of lost time, two-thirds of the payment is covered by workers' compensation while the college pays the remaining one-third.

After 528 hours of workers' compensation leave, if employees continue to be eligible for workers' compensation benefits, these payments continue. Employees must use accumulated personal leave, if available, along with the workers' compensation payments to receive an amount equal to their full salary.

**VSDP MEMBER:** Virginia Sickness and Disability Program participants, who suffer work-related injuries that are deemed eligible, will be provided primary benefits according to terms of the Workers' Compensation Act. VSDP disability benefits are secondary. Details of the program are found in the VSDP Handbook. Additional questions should be directed to the Office of Human Resources.

All time away from work must be authorized by the panel physician. All employees are entitled to payment for medical treatment, including prescription drugs, as long as it is related to the injury or illness and treatment was provided by an authorized physician.

Employees receiving workers' compensation must follow the rules and regulations established by the college. If an employee has any questions regarding his/her claims, he/she should call the Office of Human Resources.

## **Chapter 17: Conclusion**

Employees are encouraged to consult with their supervisor any time there are questions about information contained in this handbook or on other college policies and practices. Employees also may contact their Office of Human Resources for such assistance.