



PERSONNEL POLICIES AND PROCEDURES MANUAL

Dated – March 2014

Issued – August 2015

ARTICLE I - GENERAL PROVISIONS

1.1 Definitions

Throughout these Policies, except where the context clearly indicates otherwise, (1) the use of the masculine pronoun of "he" shall be construed to include both genders, (2) the use of the singular shall be construed to include the plural, and (3) the following words and phrases shall have the meaning indicated:

- (1) Administrative Leave - Leave with pay, granted by the Appointing Authority for special situations or circumstances. Leave greater than ten (10) working days must be approved by the Director of Human Resources.
- (2) Administrative Regulation - Any policy, procedure or rule issued in writing by the City Manager. Administrative Regulations can affect more than one department and apply to all employees (classified and unclassified).
- (3) Agency - Any department or other administrative unit of the City under the control and supervision of an Appointing Authority or designee.
- (4) Agency/Department Heads - An employee responsible for the management and leadership of an agency/department.
- (5) Allocation - The assignment of a newly created position to an appropriate class, or of a class to an appropriate series.
- (6) Appeal - A request for a hearing at the next applicable "step" under the grievance and appeal procedure set forth in these Policies.
- (7) Applicant - A person who has filed a formal application for employment with the City.
- (8) Appointing Authority - The City Manager is the appointing authority. The City Manager having power by law or may delegate this authority to an agency head for use in that agency.
- (9) Appointment - The naming of a person to a position by an Appointing Authority or designee consistent with these Policies.
- (10) Base Salary - The actual salary amount in a given pay range exclusive of all pay differentials and allowances.
- (11) Charter - The Charter of the City of Petersburg, as amended.
- (12) City - The City of Petersburg, Virginia.
- (13) City Council - The governing body of the City of Petersburg
- (14) City Service - Employment with the City of Petersburg.
- (15) Class - A group of positions conforming to common specifications as outlined in the City's Classification Plan.
- (16) Class Specification - A written statement including the general duties, examples of tasks and responsibilities, and other qualifications distinguishing one class from another.



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- (17) Class Title - The designation given to a class.
- (18) Classification Plan - The plan required by the Charter and approved by the Director of Human Resources, providing for the allocation of positions into classes, and for the grouping of classes into series.
- (19) Classified Service - All classes of positions that have certain rights and privileges as defined by the Personnel Policies and Procedures Manual.
- (20) Closing Date - The last date established for which applications can be received for a particular position.
- (21) Counseling - A verbal statement made to an employee intended to improve job performance or job related behavior. Verbal counseling is not a disciplinary action and is not grievable.
- (22) Days - For purposes of these Policies, day shall refer to any given 24-hour period beginning at midnight or any calendar day, unless otherwise noted.
- (23) Demotion - The placement of an employee in a position in a lower class for which a lower midpoint of the pay range is authorized.
- (24) Directives - Any written policies, procedures, or order issued under the authority of a particular Appointing Authority or designee which dictates certain expectations, actions, rules or regulations. All agency policies, procedures and orders shall be consistent with these Policies.
- (25) Disability - A physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having substantial impairment.
- (26) Dismissal - The involuntary separation from employment.
- (27) Eligible - A person who has met the minimum requirements for a position.
- (28) Eligibility List - An official list, by class, consisting of the names of those persons who have successfully completed the interview and assessment process and may be considered for hire or promotion when there are vacancies.
- (29) Emergency - Any occasion when unforeseen circumstances or conditions beyond the reasonable control of departments or agencies require employees to work outside their regular work schedules to protect and preserve the interest of the City or its citizens.
- (30) Employment Date - An employee's most recent hire date of employment with the City.
- (31) Employee - A person occupying a position who is paid a salary or wage.
- (32) Evaluation Date - The date designated administratively for any performance related evaluation.
- (33) Examination - The process of evaluating either internal or external applicants by the use of measurements which indicate their knowledge, skills, abilities and general suitability for the class for which they are being evaluated for employment, transfer, promotion or demotion.
- (34) Exempt Classification - A classification for which overtime compensation is not required under the Fair Labor Standards Act.



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- (35) Flex Time - Any deviation from the standard work schedule with the approval of the Department Head or designee.
- (36) Forfeiture - Any officer, appointee of the Council or employee of the City who shall be convicted by a final judgment of any court from which no appeal has been taken or which has been affirmed by a court of last resort on a charge involving moral turpitude, or any felony, or any misdemeanor involving possession of marijuana or any controlled substances shall forfeit his or her office or employment. The employee shall lose all rights of employment and future employment with the City service, and the employee shall have no right of appeal. All determinations for forfeiture of position require a review by the City Attorney's Office.
- (37) Full-Time Employment - Employment which averages more than thirty (30) hours per week.
- (38) FMLA - Family Medical Leave Act of 1993, as amended.
- (39) Grant-funded - Positions established by federal, state, local or private grants.
- (40) Grievance - A grievance shall be a complaint or dispute by an employee relating to his or her employment, including but not necessarily limited to (i) disciplinary actions, including dismissals (whenever resulting from formal discipline or unsatisfactory job performance), disciplinary demotions and suspensions; (ii) the proper application of personnel policies, procedures, rules, regulations, ordinances, and statutes; (iii) acts of retaliation as a result of utilization of the grievance procedure or participation in the grievance of another City employee; (iv) complaints of discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin or sex; (v) performance demotion; and (vi) acts of retaliation because the employee has complied with any law of the United States, the Commonwealth of Virginia or the City of Petersburg, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States, the General Assembly of the Commonwealth or the City Council or has reported an incidence of fraud, abuse or gross mismanagement.
- (41) Immediate Family - The mother, father, wife, husband, son, daughter, brother, sister, grandparent, grandchild, step children, step parent, legal ward, of the employee or of the employee's spouse and other members residing in the same household who are part of the family unit.
- (42) Independent Contractor - A party contracted by the City to perform a service. This party is not an employee of the City.
- (43) Interim - The temporary placement of an employee acting in an authorized City position.
- (44) Job Abolishment - The elimination of a classification due primarily to considerations of efficiency and effectiveness. Affected employees shall be governed by the reduction-in-force provisions.
- (45) Leave without pay - Leave without pay, granted by the Department Head or designee pending disciplinary review, for special situations or circumstances. Leave greater than five consecutive (5) working days (56 hour Shift Fire Personnel shall be to two (2) working days) must be approved by the Director of Human Resources. An employee in leave without pay status will not accrue vacation or sick time during that period.
- (46) Moral turpitude - Including but not limited to charges that encompass a base or vile act (i.e. acts that involve dishonesty, fraud, intentional or reckless infliction of harm to persons or property, or acts in which malice is an element).
- (47) Non-compensable - Not eligible for or subject to compensation.



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- (48) Non-exempt classification - A classification for which overtime compensation (payment or compensatory time) is required by the Fair Labor Standards Act.
- (49) Normal Work Schedule - Those hours of each workday and those days of the week during which an employee is regularly assigned to work.
- (50) Outside Employment - Any employment, activity or enterprise which is outside the normal scope of duties for which an individual is employed by the City; and in which the nature of the work, activity or enterprise engaged in produces a wage, salary, bonus or net gain.
- (51) Part-Time Employment - Employment which averages less than thirty (30) hours per week.
- (52) Pay - Any salary or wage paid to an employee by the City for services rendered.
- (53) Pay Bonus - A one-time specific payment amount.
- (54) Pay Plan - The current Ordinance adopted by City Council consisting of pay rules and pay ranges for each class.
- (55) Pay Range - All salary rates between the minimum and maximum prescribed for a specific class in the Pay Plan.
- (56) Pay Status - An employee's active or inactive status on the City's payroll.
- (57) Performance Rating - The objective rating of the work performance of an employee.
- (58) Permanent Position - A position established in accordance with the annual budget for a continuous, indefinite period of time.
- (59) Personnel Action Date - The date of an administrative transaction that affects an employee's position, salary or status.
- (60) Policy - General guidelines that regulate organizational actions.
- (61) Position - The specific duties of employment requiring the services of one full or part-time employee.
- (62) Pre-Disciplinary Conference - An informal meeting granted to a tenured status employee in which an explanation is given for the recommendations of discipline and the employee is allowed to informally present his or her side of the issue.
- (63) Probationary Period - A period of twelve (12) consecutive months, as part of the initial selection process by all new employees. During the probationary period, either the employer or employee may terminate employment with the City for any reason.
- (64) Probationary Status - An employee's appointment status during a trial period served by all new employees before attaining permanent status. An employee must serve six (6) or twelve (12) consecutive months before the probationary period requirement is met.
- (65) Procedures - Customary methods of handling policies.
- (66) Promotion - A change in the status of an employee from a lower position in one class to a position in another class having a higher midpoint of the pay range as a result of a competitive recruitment



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- (67) Provisional Status -.The appointment status of a qualified individual when there is (1) a vacancy and/or (2) during an approved leave of absence for the incumbent and it is essential that the vacancy be filled. Such an appointment shall be approved by the Director of Human Resources and shall be for no longer than ninety (90) calendar days. Such appointments shall only be extended or renewed with the approval of the City Manager or designee or City Council's designee depending on the reporting relationship. Provisional employees have limited rights and benefits.
- (68) Qualifications - The requirements of education, experience and other skills prescribed for a given class.
- (69) Reallocation - The determination by the Director of Human Resources or designee that a position should be allocated or re-classified to a different class.
- (70) Reasonable Accommodations - Accommodations required pursuant to State and Federal Law.
- (71) Reassignments - The movement of an employee from one position to another position in the same class, within a specific agency by the Department Head or designee.
- (72) Reduction-in-Force - The involuntary separation of an employee from a position if it has been determined that positions will no longer be required or that funds will not support certain positions.
- (73) Re-employment - An employee who voluntarily terminates employment with the City shall be eligible for rehire at any time provided a position is vacant, and the former employee meets all qualifications. An employee who is discharged will be considered for re-employment after careful consideration of reasons regarding the previous discharge. In the event a supervisor desires to re-employ a previously discharged employee, approval from the Department of Human Resources shall be required. In addition, justification for rehiring a discharged employee must be based on sound management and administrative judgment.
- (74) Regulations - A policy or order issued by an executive authority or regulatory agency.
- (75) Resignation - The voluntary separation from City service by an employee.
- (76) Reinstatement - Reinstatement status applies only to those tenured status employees who have (1) resigned in good standing, (2) apply for reinstatement within thirty (30) calendar days of the date of their separation (last day in pay status), (3) their position having remained unfilled, and (4) now meet the minimum qualifications for the position, and then only if such reinstatement is approved by both the Department Head or designee and the Director of Human Resources or designee. Seniority for employees reinstated shall be computed from the original date of employment.
- (77) Reprimand - A written disciplinary statement made to an employee concerning job performance or inappropriate conduct or behavior.
- (78) Rule - Specific guidelines that regulate and restrict behavior of employees.
- (79) Separation - The termination of employment from the City for any reason.
- (80) Seasonal - A type of temporary position established for special or recurring seasonal work assignments.



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- (81) Seniority - The total time an employee has been employed (1) in the City Service, (2) in a series, or (3) in a class, according to the context in which the term is used.

- (82) Series - Two or more classes that are similar as to type of work but differ as to level of responsibility and difficulty. Classes are arranged in a series of steps in a normal line of promotion. A single class shall be deemed a series if there is no other class having similar specifications.

- (83) Shift Fire Personnel - Those persons who work on a 24-hour on 48-hour off tour of duty schedule.

- (84) Suspension - The temporary removal of an employee from duty and pay status for cause. All suspensions are without pay and are for a specific period of time.

- (85) Temporary Position - A position established for a specific period of time and falling into the category of either short term, seasonal, provisional, grant-funded or emergency. Employees who serve in a temporary position serve at the will of the City.

- (86) Tenured Status – The type of status which is neither probationary nor provisional, which gives the employee all rights and benefits of the classified service. Employees who are tenured status have successfully completed the prescribed probationary period. Tenured status expires at the date of separation.

- (87) Transfer - A change from one position to another having the same or a lower pay range.

- (88) Unauthorized leave - An unapproved absence from duty.

- (89) Unclassified Service - Employees in the unclassified service serve at the will of the City.

- (90) Vacancy - An established position which is not filled.

- (91) Vested - A tenured, full-time employee who has attained at least five (5) years of creditable service.

- (92) Work Day - Defined as an eight (8) hour day. Employees, who work shifts other than an eight (8) hour day, shall have their shift converted to an hourly equivalent.

1.2 Application

The service of the City shall be divided into the classified and the unclassified services. The provisions of the Personnel Policies and Procedures Manual shall be applicable to all classified employees of the City. Unclassified employees shall be exempt from all provisions of the Personnel System.

The unclassified service shall include:

- (1) all elected officials;
- (2) employees of constitutional officers;
- (3) members of boards and commissions;
- (4) volunteer personnel; student interns and work-study employees;
- (5) consultants and retained counsel rendering professional service;
- (6) positions involving seasonal or temporary employment;



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- (7) permanent grant-funded (upon establishment of the position);
- (8) contractual employees;
- (9) Department Directors;
- (10) employees appointed by City Council; and
- (11) other such positions as may be designated by the City Council.

The classified service shall include all employees who work under all the rules, regulations, policies and procedures approved by the City Council and administered by the City Manager.

- 1.3 Director of Human Resources or designee** - The Director of Human Resources shall be a person trained and skilled in human resources and employee relations. He or she shall have general management and control of the department, and shall appoint and remove, subject to the City's Personnel policies, rules, and procedures, all officers and employees of the Department. The Director of Human Resources may designate assistants in the Department to carry out any of his or her powers and duties and may delegate, as they deem appropriate, human resources functions to other Agencies by agreement. The Department of Human Resources shall be responsible for the administration of the City's personnel system as adopted and amended by ordinance. The Director of Human Resources or designee is authorized to interpret and apply these Rules and issue procedural directives to implement the Rules.
- 1.4 Appointing Authority or designee/Department Head or designee** - Every Appointing Authority/Department Head or designee shall, within his or her agency, administer the human resource system established by these Policies. Although the Department Head may delegate his or her responsibilities under the Charter and these Rules, he or she still retains management responsibility for actions taken or not taken and remains accountable for the administration of the human resource system within his or her agency.
- 1.5 Department Rules/Policies/Directives** - These Policies shall not be construed as limiting the power and authority of any Department Head to make departmental rules and regulations governing the conduct and performance of employees, provided that such agency rules and regulations shall not conflict with provisions of these Policies or be contrary to law.
- 1.6 Federal Fund Regulations** - Whenever there are provisions in the regulations of a program, which involve the use of federal funds that are at variance with these rules, federal regulations shall prevail.
- 1.7 Publication of Policies** - The Director of Human Resources or designee shall prepare and publish, subject to approval of the City Council, revisions to the Personnel Policies Manual. A copy of these Policies and all amendments shall be available electronically through the Internet and the Intranet and are also available for review through the Department of Human Resources.
- 1.8 Amendment of Policies** - Policies that may be amended pursuant to procedures approved by City Council.