## West Virginia Department of Administration

# Employee Handbook

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## West Virginia Department of Administration

# EMPLOYEE HANDBOOK

***The Department of Administration's Mission Statement is to strive to operate a cost-efficient, customer-oriented service department whose actions are transparent to the taxpayers resulting in innovative solutions and quality results for a government that effectively serves West Virginians.***

Welcome to the Department of Administration! As a new employee or a seasoned veteran of the Department, this handbook is to provide guidance in your employment with our Department.

Our Department was created by the West Virginia Legislature in 1989 as one of seven departments in the Executive Branch of State government. The Cabinet Secretary is the administrative head of the Department and is appointed by the Governor with the consent of the West Virginia Senate.

The Department is chiefly responsible for implementing fiscal and administrative policies in the Executive Branch divisions/agencies. In addition, the Department provides services in many diverse areas, including but not limited to, financial management, budgeting, purchasing, grounds and maintenance, real estate, personnel, information management, computer and telephone network systems support, and travel. For an organizational chart of the Department, visit:

*http://www.administration.wv.gov/Pages/default.aspx*

The ***Department of Administration Employee Handbook*** is specifically intended for use by employees of the West Virginia Department of Administration. It has been revised since its original distribution as indicated below:

**ORIGINAL ISSUE:** May 12, 1994

**REVISIONS:** May 15, 1995
February 2001
December 2005
July 15, 2012

Department employees are strongly encouraged to read this handbook thoroughly and to use as a reference guide for future questions as they will be expected to be familiar with and comply with all standards and/or expectations contained within.

For the purpose of this handbook, agencies, boards and commissions within the Department will be referred to as divisions/agencies. The Department welcomes any comments or suggestions regarding this handbook. The contact person for this handbook is noted below:

Human Resources Coordinator
Department of Administration
c/o Department of Administration Employee Handbook
State Capitol Complex
Building 17
2101 Washington Street
Charleston, West Virginia 25305

Telephone: (304) 558-6181

# INTRODUCTION and DISCLAIMER

The ***Department of Administration Employee Handbook*** is designed to provide a general overview of many of the policies, rules, laws and benefits applicable to Department employees. ***This handbook is not to be considered a contract of employment and is provided as a matter of information only.***

The policies, rules, laws, and benefits described in this handbook do not necessarily apply to all employees. Some policies, rules, laws or benefits apply only to certain groups of employees. To determine which policies, rules, laws, and benefits specifically apply to you, it is important that you know the employment category your position is designated. If you are unsure about your employment category, see Employment Categories in Section 2: Employment or check with your supervisor or other authority in your agency.

This handbook is not designed to provide an answer for each question or a solution for each situation that may arise. The policies, rules, laws and/or benefits described in this handbook may be amended, supplemented, modified, or eliminated with or without prior notice. If you need more details about a particular topic, this handbook provides both general and specific resources through which you may obtain further information. You are encouraged to consult these resources or ask your supervisor or other agency authorities for additional information regarding any aspect of your employment.

Employees are always welcome to contact the Division of Personnel at (304) 558-3950 for assistance with specific questions.

There are several websites referenced in this handbook. All information and documents on the Division of Personnel webpages are provided for the convenience of interested persons. Although all effort has been made to ensure that information on the Division of Personnel's website is accurate, the Division of Personnel does not guarantee the accuracy, completeness, timeliness, or correct sequencing of the information and shall not be responsible for any errors or omissions, or for the use or results obtained from the use of this information. In addition, if there is a conflict between the information provided on the Division of Personnel's website and any applicable laws or rules, the latter will prevail.

In addition to the Division of Personnel's website, additional webpages are referenced or linked to provide additional sources of information on various topics. Neither the Division of Personnel nor the Department is in any way responsible for the content or accuracy of information contained in other websites that are referenced or linked. Please note that this handbook is presented as a source of general information only and is not an express or implied contract of employment or warranty of any benefit.

# SECTION 1: EMPLOYEE INFORMATION

This section discusses general information about employment with West Virginia State government.

## A: AGENCY DRESS CODES

By accepting employment with the State, you have accepted the responsibility to represent your agency in an appropriate and professional manner. Dress code standards may vary among agencies depending on individual organizational needs and requirements. Specific questions about the style of personal attire, required safety equipment, and similar matters in your agency should be directed to your immediate supervisor.

The Division of Personnel has issued a policy on dress codes, which provides guidance to agencies in developing dress standards appropriate for the type(s) of work employees perform. See Section 6: Policies and Bulletins for more information. Check with your supervisor to see if your agency has a specific written dress code.

Please note that Department employees who are provided with uniforms as part of their employment are required to wear them while on duty.

## B: CONFIDENTIALITY

During the course of your employment, you may, on occasion or as a matter of routine, come in contact or work with information that must be treated as confidential. Depending upon the agency, there are different procedures established for handling these situations. In all cases, follow the policy or procedures established at your work site for handling and/or releasing confidential information. When in doubt, ask your immediate supervisor.

All employees of the Department must sign a *Confidentiality Agreement* once employment begins. To view this requirement, which is outlined on the Department's intranet site, visit:

*https://sharepoint.wv.gov/sites/administration/default.aspx*

## C: ALCOHOL AND DRUGS PROHIBITED IN THE WORKPLACE

All State buildings and offices are committed to maintaining a drug- and alcohol-free workplace environment. As an employee, you should be aware that you are forbidden to possess, use, purchase, sell, distribute or have in the body system any type of non-prescribed controlled substance or alcohol on State property and/or while on duty. You are also required to sign an *Employee Drug Awareness Certification Form* once employment begins.

To view the Division of Personnel's *Drug- and Alcohol-Free Workplace Policy (DOP-P2)*, visit:

*http://www.state.wv.us/admin/personnel/emprel/POLICIES/Drugfree.pdf*

Please note that meal periods are considered on-duty time for Department employees; therefore, the consumption of alcohol and the use of controlled substances during your meal period is prohibited.

## D: FIRE / EMERGENCY EVACUATION

You are responsible for knowing your work site's plan for evacuation in case of a fire or an emergency. The evacuation procedures for your work site should be prominently posted for your information and each building should have a coordinator for emergency situations. Please take a moment to become familiar with your assigned emergency evacuation route.

Check with your supervisor if you have any questions or feel you may need special assistance in the event of an emergency evacuation.

Remember, panic is a threat to your safety and the safety of those around you during an emergency. Walk to your assigned evacuation route, exit in an orderly fashion, and report to the designated meeting place for your work unit.

Should an emergency occur, contact 9-1-1 immediately. You may also wish to notify the Division of Protective Services at (304) 558-9911.

## E: HEALTH AND SAFETY

You have a responsibility to take safety precautions to protect yourself and your co-workers from unnecessary hazards to health and safety. If you observe an unsafe act or situation, or are injured yourself, notify your supervisor immediately. Please refer to Section 4 of this handbook relating to Workers Compensation for further information.

If you suffer an injury at work, you and your supervisor must complete an *Employee Injury Report Form* and submit it to your agency Benefits Coordinator. If your agency does not have a Benefits Coordinator, you must submit the form directly to the Department's Payroll Office. If your supervisor does not have a copy of the form, you may obtain one from your agency Benefits Coordinator or the Department's Payroll Office.

## F: MAIL SYSTEM USE

Use of the State's mail delivery system for personal items or items not related to State business is strictly prohibited.

## G: TELEPHONE USE

The West Virginia Office of Technology under the Department of Administration coordinates various forms of telephone service for Department agencies. The telephone systems for both local service and the States long distance service are to be used to conduct official State business.

Personal calls during work should be limited. Occasionally, however, there are times when you may need to use the telephone service for personal business. If you must make a personal long distance telephone call while at work, use your personal calling card/credit card or your personal cell phone.

## H: COMPUTER USE

Employees of the Department do not have a reasonable expectation of privacy in state-owned data and/or communication systems. Computer use, including but not limited to electronic mail (e-mail) and Internet access, is part of the State's communication systems. It is provided by the State to assist employees in the performance of their State jobs. Computers and the contents of their systems are the property of the State. As such, the State reserves the right to retrieve the contents for legitimate reasons including, but not limited to, recovery of system failures, compliance with investigations of wrongful acts, or location of lost data.

Personal use of e-mail and/or Internet access may be allowed by individual agencies as long as it does not interfere or conflict with business use. Agencies may develop specific policies to regulate the use of e-mail and/or Internet access. The transmission of obscene, profane, harassing, or intimidating material or messages is specifically prohibited, as is the use of the State's communication systems in violation of any policy, rule or law. Misuse of e-mail and/or Internet access can result in disciplinary action up to and including dismissal.

Inappropriate use of Department technology can create an environment that is uncomfortable or offensive to other employees. This inappropriate use may also result in damage to these systems, the creation of a hostile work environment, and even violations of the law that can result in criminal prosecution.

The Department wishes to spare our employees from the consequences of such violations by making it clear that such violations are not acceptable and by assuring that all employees understand the policies relative to technology use.

All employees should carefully read all policies relative to use of technology and computers. Some specific points that employees should consider are listed below:

- Department computers and computer systems belong to the Department. You have no expectation of privacy in the use of these resources and they can be reviewed and monitored at any time.

- Use of your computer for accessing or attempting to access inappropriate websites is strictly prohibited and will result in disciplinary action. Some examples of inappropriate websites include but are not limited to:
    - Sexually explicit material
    - Hate sites
    - On-line gambling sites

The West Virginia Office of Technology has issued several policies relating to computer use. To review these policies, visit:

*http://www.technology.wv.gov/security/Pages/policies-issued-by-the-cto.aspx*

## I: DEPARTMENT OF ADMINISTRATION INTRANET SITE

The Department maintains an intranet site for internal information that may be of value to its employees. To access the Department's intranet, visit:

*https://sharepoint.wv.gov/sites/administration/default.aspx*

## J: MAINTENANCE OF STATE PROPERTY AND WORK AREAS

State property is intended to be used only in the course of conducting State business. Please make every effort to keep the equipment you use clean and in good working condition, and observe all necessary safety precautions. If your equipment fails to function properly, tell your supervisor or the person designated to handle such problems in your agency.

If the property is no longer needed, determine the individual who has been designated as your Agency Inventory Coordinator and provide the necessary information to this individual so that the property may be properly retired to the Surplus Property Program, unless statutorily exempt.

## K: SMOKING RESTRICTED IN THE WORKPLACE

The Division of Personnel's *Smoking Restriction in the Workplace Policy* (DOP-P1) permits smoking only in specifically-designated areas. Smoking is restricted in all State offices and facilities, including State-owned/leased vehicles. This policy applies to all employees, non-employees, and visitors. If you smoke, ask your supervisor about designated smoking areas for your agency.

To view the policy, see Section 6: Policies and Bulletins. You may also contact your Agency Human Resource Coordinator or the Department Human Resource Coordinator if you have questions.

## L: THEFT

The Department is dedicated to providing a professional and safe workplace. The cooperation of each employee is imperative in avoiding theft at the work site. As a

precautionary measure, be sure your supplies, equipment, and personal property are properly stored and avoid bringing excessive amounts of money or valuables to work. Please report any suspected theft to your supervisor so that appropriate measures may be taken to investigate and to attempt to recover stolen items, prevent future theft, and report the theft to the appropriate law enforcement authorities.

Theft by employees will not be tolerated. The Department will not be responsible for stolen property.

## M: TRAVEL POLICY FOR STATE BUSINESS

When planning travel for State business, it is important to know the travel regulations you must follow. Do not assume that certain travel costs will be reimbursed, unless you have consulted the *State Travel Policy* or received information from someone authorized to make such judgments.

The *State Travel Policy* is published by the State Travel Management Office within the Purchasing Division of the Department. This policy outlines the conditions for which a travel cost will be reimbursed as well as the rules, regulations, and forms associated with travel for State business. To view the policy, which is updated periodically, visit:

*http://www.state.wv.us/admin/purchase/travel/policy.html*

# SECTION 2: EMPLOYMENT

This section includes information regarding what to expect during your tenure as a State employee.

## A: EMPLOYMENT CATEGORIES

Generally, employees of the State fall into one of the following categories: Classified, Classified-Exempt, Exempt and Temporary.

Classified Employment

Individuals in the classified service are employees in positions which are covered by the merit system (civil service) standards for employment. Generally, these standards provide for open competition of applicants for employment, fair treatment of applicants and employees in all aspects of personnel administration, protection of employees against coercion for partisan political purposes, and separation of permanent employees for cause or curtailment of work or funds. These standards are enforced by the Division of Personnel's *Administrative Rule.* This Rule may be accessed at:

*http://www.state.wv.us/admin/personnel/Rules/default.htm*

Generally, classified employment begins when an individual is selected for a position from a competitive list, or register, of eligible candidates for a vacancy in the classified service. Employees hired into classified service must satisfactorily complete a probationary work period before being granted permanent status.

Classified-Exempt Employment

Classified-exempt employees serve in positions which are not subject to merit system standards but the Division of Personnel establishes their classification. Generally, employees in these positions work in exempt agencies and serve at the will and pleasure of their employers and can be dismissed with or without cause. In some cases, the policies and rules that apply to classified employees may also be uniformly applied to classified-exempt employees.

Department's division/agency heads should extend the policies and procedures outlined in the Division of Personnel's *Administrative Rule* to classified-exempt employees. This includes employees in the exempt agencies of the Board of Risk and Insurance Management, Consolidated Public Retirement Board, Public Employees Grievance Board, and Public Defender Services.

Exempt Employment

Exempt employees are specifically exempted from the classified service by statute or statutory authority and the Division of Personnel does not determine the classification of the position. *West Virginia Code* §29-6-4, contains a list of exempt positions and/or offices as well as descriptions of categories of exemptions. Such employees are considered "at-will" and do not enjoy a property interest in their positions. Thus, they

may be dismissed for any reason - or no reason at all - unless the reason for termination contravenes substantial public policy.

Temporary Employment

These employees serve in a temporary capacity for a brief and specific period of time. Employees in this category are not eligible to earn sick or annual leave, nor can they participate in the insurance or retirement programs.

All temporary employees are exempt. Temporary employment may be terminated at any time with or without cause.

## B: EMPLOYEE PERSONNEL FILES

Department employees may view and/or copy information contained in their personnel files by contacting the Department's Payroll Office at (304) 558-3482 to schedule an appointment. Under no circumstances can personnel files be removed from the Payroll Office. In addition, you are free to forward copies of any certificates, special awards, letters of commendation, or other similar items to the Payroll Office for inclusion in your file.

The Division of Personnel maintains a personnel file for all State employees which documents each employee's date of hire, pay grade, job classification, and other general employment information. Division of Personnel electronically maintains records pertaining to transactions processed in the Human Resources Information System (HRIS).

Generally, agency files contain more detailed information about an employee's job history and performance, such as employee evaluations, letters of appreciation or commendation, records of educational or professional development, and records of leave use.

Both files are open for your review upon request. To view your agency file, see your supervisor or the individual responsible for maintaining employee files in your agency. To arrange a review of the file maintained by the Division of Personnel, please call (304) 558-3950.

## C: HOURS OF WORK

Department employees are generally scheduled to work an eight-hour workday with a half-hour paid meal period. In some divisions/agencies, it is possible to arrange a one-hour lunch period provided the extra half-hour is made up during the same workday. Meal periods and break periods are paid; therefore, employees may be required to work and must be available during such a period. Employees required to work during the meal period will have the opportunity to eat while working. See your supervisor for more information.

Your work hours depend on the functions of your agency and your job responsibilities. Therefore, your work schedule may vary from the schedules of other employees in your agency or other State agencies. While employees generally have established schedules of work hours, it may be necessary to alter those schedules to effectively carry out the responsibilities of the agency. Information about the specific schedule for your position is available from your supervisor.

## D: JOB POSTINGS

State agencies that have a vacancy for classified positions will post that position for at least 10 calendar days. A job posting includes the job title, a description of job duties, minimum qualifications, salary level or range, location, and work shift (if applicable).

The Division of Personnel updates job postings on its website on a regular basis. However, the website does not fulfill the requirement for the agency to post the position. For current postings, visit:

*http://www.state.wv.us/admin/personnel/jobs/default.htm*

## E: SECONDARY EMPLOYMENT/VOLUNTEER ACTIVITY

It is important that there be no appearance of a conflict between the work you do and any secondary employment or volunteer activities outside of the Department.

For this reason, you must always seek and obtain approval for any secondary employment or volunteer activity prior to beginning the activity. The Division of Personnel's *Secondary Employment /Volunteer Activity Policy* (DOP-P21) contains a form that must be completed by all employees who wish to participate in secondary employment or volunteer activities. To view the policy, see Section 6: Policies and Bulletins.

Volunteer activities that would not require prior approval would include activities such as being a 4-H leader, boy/girl scout leader, PTO member, holding a leadership position in one's church, and other activities that do not create either a conflict or an appearance of a conflict with the duties performed as a state employee. When there is any indication that one of these volunteer activities might create an appearance of conflict, the employee must seek approval from the appointing authority.

Generally, you may hold other employment and participate in volunteer activities as long as it does not interfere with your State employment. However, other employment or volunteer activity that would result in a conflict of interest or interfere with your State employment shall not be approved. You may not hold paid elective public office while employed in a classified position.

## F: PERFORMANCE APPRAISALS

Each year during the month of October, every permanent employee will receive a performance appraisal for the period beginning October 1 of the previous year through September 30 of the current year. The Department uses the appraisal system authorized by the Division of Personnel, in accordance with the Division of Personnel *Performance Appraisal Policy* (DOP-17) or a system approved by the Division of Personnel. To view the policy, see Section 6: Policies and Bulletins.

A performance appraisal provides you an opportunity to discuss strengths and weaknesses in your job performance, training needs, work-related issues or problems, and ideas for development with your supervisor. The appraisal aids career development, documents your work history, and provides standards of expectations.

New employees should receive a performance appraisal document detailing their performance expectations upon employment and prior to the completion of their probationary period.

## G: PERSONAL INFORMATION CHANGES

If any of your personal information changes, such as name, address, telephone number, marital status, or number of dependents, report the information to your Payroll Coordinator as soon as possible. Promptly reporting these changes will keep your personnel file current and will prevent delays in processing important tax and benefit information.

It is important to report all changes in beneficiaries for retirement and insurance purposes. Department employees should contact their agency Benefits Coordinator to report any changes. If your agency does not have a Benefits Coordinator, you may contact the Department's Payroll Office at (304) 558-3482 to report your changes or to request forms or additional information.

## H: PROBATIONARY PERIOD

The probationary period is part of the hiring process for classified service. During the probationary period, your supervisor will observe your work on a daily basis, help you learn new duties and responsibilities, and determine how well you are suited for a particular job.

Depending upon the job classifications, probationary periods for classified employees usually last six months to one year. Your supervisor will look closely at your progress during this period. If your work progress is satisfactory and the decision is made to continue your employment, you will be given permanent status at the end of the probationary period.

## I: PROMOTIONS

Promotional opportunities provide a way for you to move to a job classification with more complex duties and responsibilities. In addition, promotions generally include an increase in pay.

The job classification plan for the Department consists of several major occupational groups. You are encouraged to consider the whole occupational group to which your knowledge and skills belong as a source of career development opportunities.

You must apply for classified positions or vacancies to be considered for promotion. Employment counselors are available at the Staffing Services section of the Division of Personnel at (304) 558-3950, extension 57207 to answer any questions you may have about minimum qualifications and/or testing that is required for a particular position.

## J: RESIGNATION, LAYOFF AND RECALL, AND TRANSFER

If you resign, you should give your supervisor at least a two-week written notice. The written notice will become part of your personnel file. It should include the reason for your resignation and your anticipated last day of work, as well as the method you have chosen for payment of any accrued annual leave. You should contact the Department's Payroll Coordinator to verify your options for payment of unused annual leave.

If you are laid off, you will be given preference over all other applicants except present employees when vacancies are filled for 12 months following the layoff, provided you are qualified for the vacant position. A laid off permanent classified employee is eligible for employment from a preference register for no longer than one year and the eligibility ceases immediately upon employment in a classified position. The names of laid off employees are arranged on the register in order of seniority.

A laid-off employee has recall rights in reverse order (most seniority first) of the layoff for vacancies within the agency from which the employee has been laid off that occur in:

(1) The class from which the employee was laid-off;
(2) Any lower class in the class series; or
(3) Any class previously held in the occupational group that is located in the county or in contiguous counties where the employee's last place of employment was located.

A laid-off employee will remain on the recall list for the same amount of time he or she was employed or for a period of two years, whichever is less.

As a permanent employee, you may be eligible for transfer from a classified position in one agency to a classified position in another agency. In this case, a written two-week notice to the agency you are leaving is also appropriate.

For specific information concerning your benefits after separation, see your agency Benefits Coordinator or contact the Public Employees Insurance Agency (PEIA) at (304) 558-7850 or the Consolidated Public Retirement Board (CPRB) at (304) 558-3570.

## K: TENURE

Tenure, or length of employment, is used to determine a variety of benefits including: annual leave accrual rate, annual increment, service credit for retirement benefits, and eligibility for longevity increases. The calculation of length of employment is different for the various benefits.

Generally, credit toward tenure will not be earned if you are on leave of absence without pay. During military leave or subsidized educational leave, or while on temporary total disability, your tenure may accumulate for certain benefits. Check with your Payroll Coordinator if you have questions.

Tenure, either as an employee of the State or within the agency, may also be considered in your agency for such factors as shift assignment, overtime rotation, parking assignment, and vacation scheduling.

The Department does not have an overall policy for the use of tenure in making decisions for matters such as those stated above; however, each division/agency may have its own established policy for making such decisions.

# SECTION 3: TRAINING OPPORTUNITIES

The State of West Virginia provides various training opportunities for State employees. As an employee of the Department, your training and development begins initially with you and your supervisor assessing your specific learning needs. Each agency within the Department has specific training opportunities available to the employees within that agency.

## A: DIVISION OF PERSONNEL TRAINING

The Division of Personnel's Organization and Human Resources Development Section offers a variety of professional development training. This section provides innovating training programs, development strategies and consulting services to State government agencies. For additional information, visit:

*http://www.personnel.wv.gov/ohrd/Pages/default.aspx*

Department managers are required to meet the requirements of the Division of Personnel *Supervisor/Manager Training Policy* (DOP-P18). To view the policy, see Section 6: Policies and Bulletins.

## B: OFFICE OF TECHNOLOGY TRAINING

The Technology Learning Center is a unit within the West Virginia Office of Technology which is responsible for supporting State agencies in their daily office automation needs. Classes are offered for various software packages supported for new or advanced users. For more information on classes offered to State employees, visit:

*http://www.technology.wv.gov/support/Pages/Training.aspx*

## C: PURCHASING DIVISION TRAINING

The Purchasing Division offers a variety of training for agency procurement officers. Various topics are addressed as part of the in-house training curriculum, online training modules, webinars and its annual purchasing conference. For additional information on the training and certification programs, visit:

*http://www.state.wv.us/admin/purchase/training/default.html*

## D: PRIVACY TRAINING

The West Virginia Office of Technology has created several online training courses which are mandatory for all Department employees.

The courses are to assist the employee in understanding the importance of safeguarding State government data, particularly that of individuals which is deemed

confidential by law and policy and the precautions needed to keep the State network secure and protected. For more information, contact the Privacy Officer in your agency.

### E: SECURITY TRAINING

The *Workplace Security Policy (*DOP-P15) describes to all individuals (employees, visitors, vendors, and the general public) the security measures in effect for State government workplaces and within the Capitol Complex and to provide general advice and guidance to employees who may be faced with threatening or dangerous workplace situations. To view the policy, see Section 6: Policies and Bulletins.

# SECTION 4: MONETARY ISSUES

This section discusses compensation issues and programs which may provide monetary rewards.

## A: ANNUAL INCREMENT

After being employed for at least three full years, eligible employees will receive an annual increment of $60 for each full year of service as of June 30th. The annual increment is paid in a lump sum in a separate payment generally at the end of each July. Deductions include State and Federal taxes, Social Security (FICA) and Medicare taxes, and State retirement contributions.

## B: JOB CLASSIFICATIONS

Whether you are a classified or classified-exempt employee, your official job title is based upon a written classification or job specification. Classification specifications include the job title, characteristics of the job classification, examples of duties, and minimum qualifications of required training and/or experience.

Basically, jobs that are similar in terms of general duties, responsibilities, and qualifications are grouped together in the same classification. The job specification is not intended to be a comprehensive list of each responsibility associated with your position. Rather, it should reflect the primary functions of your job.

To view the Division of Personnel job specifications, visit:

*http://www.state.wv.us/admin/personnel/clascomp/compind.specindx.htm*

## C: PAY GRADES

Generally, jobs which have similar levels of complexity and responsibility are assigned to the same pay grade. Each job classification has an established pay grade with a salary range that specifies a minimum or entry salary and a maximum salary. Employees in the same job classification are paid within the salary range for a particular pay grade unless they are being paid above the maximum due to many years of service.

Salaries for positions in a job classification must be within the established pay grade. Your initial salary is determined when you are hired. It is based on the position's assigned job classification and pay grade. Funds available for the position, the prevailing rate for similar jobs in the agency, and your education and experience may also be taken into consideration.

To view the pay grades within the classified service, visit:

*http://www.state.wv.us/admin/personnel/clascomp/payplan/grades2-26.pdf*

## D: OVERTIME

Overtime may be required by the employer when it is deemed to be necessary to the public interest. It must be authorized and approved in advance by proper authority. Employees in executive, administrative, or professional positions are generally exempt from the overtime provisions under the Fair Labor Standards Act (FLSA). Employers are required to pay overtime wages to eligible employees at a rate of time and one half their regular rate of pay for time worked beyond 40 hours in a workweek.

Sick and/or annual leave requested in the same workweek in which additional hours are worked shall be reduced and credited back to the employee's accrued balances to reduce or avoid payment for hours in excess of the agency work schedule.

Procedures for authorizing, reporting, and issuing payment for overtime may vary among agencies. Any questions concerning the calculation of overtime should be referred to the Department's Payroll Office.

Department employees must obtain prior approval from their supervisors to work overtime. Employees exempted under the Fair Labor Standards Act (FLSA) must obtain approval from the Cabinet Secretary. In any event, all overtime must be reported to your supervisor upon completion. Supervisors will then report all overtime to the division/agency directors, who in turn will submit a weekly overtime report to the Department's Payroll Office no later than noon on the Tuesday following the week the overtime was worked. All overtime must be checked against the leave system before it can be paid; therefore, overtime earnings will usually be paid during the pay period following the one in which it was worked.

The Department work week begins at 12:01 A.M. on Saturday and ends at midnight on Friday.

## E: DIRECT DEPOSIT

Direct deposit of your paycheck is available for all Department employees who have a savings or checking account. We encourage all employees to participate in direct deposit.

Employees may deposit monies in one or more accounts by completing a direct deposit authorization form. With direct deposit, your paycheck is electronically deposited into your account on payday. Deposit information is generally available a few days prior to the actual deposit date of the pay check.

You may sign up for direct deposit by completing a *Payroll Direct Deposit Form.* To view the form, visit:

http://www.wvsao.gov/electronicpayments/files/Payroll_Direct_Deposit_Form_Start_Change_Cancel.pdf

Once completed, the form should be returned to the payroll office. For more information contact the Department's Payroll Office at (304) 558-3482.

## F: PAY PERIODS AND PAYDAYS

Employees are paid twice each month. Paydays in most agencies are on the 15th and 30th for a 30-day month, and the 16th and 31st for a 31-day month. If a scheduled payday falls on a Saturday or Sunday, paychecks are generally issued on the preceding Friday.

There may be alternate pay schedules established in some agencies to accommodate delayed payroll systems or other special circumstances. The Department's Payroll Coordinator can answer any questions you may have about your agency's pay periods and paydays.

The pay schedules are either current pay or arrears pay and are based on your hire date as follows:

- If you have continuous service prior to July 1, 2002, you are a current pay employee and each paycheck you receive will include payment for your work time up to and including the payday.
- If you began employment with state government or reinstated after July 1, 2002, you are an arrears pay employee and you are paid two weeks in the arrears.
- Students, temporary appointments and delayed payroll employees are paid actual hours from the previous half month and receive a paycheck on the same day as other employees.

When you receive your paycheck, it may not reflect variable circumstances such as overtime wages or an absence without pay. This information could alter the amount of your compensation; therefore, it would be reflected on your next paycheck.

For an official calendar of holidays and paydays, prepared each year by the Division of Personnel, visit:

*http://www.state.wv.us/admin/personnel*

## G: DELAYED PAYROLL POLICY

Some circumstances may make it necessary for you to go on and off the payroll. The Division of Personnel's *Delayed Payroll Policy* (DOP-P14) was developed to help address the problems caused when this becomes reoccurring. To view the policy, see Section 6: Policies and Bulletins.

## H: PAYROLL DEDUCTIONS

Four mandatory deductions are made each payday: Federal withholding tax, State withholding tax, FICA (combined Social Security and Medicare) tax, and your State retirement contribution.

The amount of federal and state withholding tax is dependent upon your salary and the number of exemptions you claim on your W-4 federal withholding form and your IT-104 state withholding form.

FICA is withheld for each employee at the rate established by federal law. FICA wages include the employee's gross salary minus pre-taxed insurance (PEIA medical, life insurance up to $40,000, and mountaineer flexible benefits). Federal law establishes the maximum annual salary from which Social Security tax can be withheld.

The following deductions are made upon authorization by the employee: Insurance premiums (basic health, optional life, and dependent life), credit union, U.S. Savings Bonds, combined campaign contributions for charitable organizations, employee association dues, contributions to a flexible spending account, parking fee, and other non-State insurance or annuity payments.

These payroll deductions are made only upon your authorization. For more information, see your Payroll Coordinator.

Department employees should contact their agency Benefits Coordinator to discuss questions on deductions. If your agency does not have a Benefits Coordinator, you may directly contact the Department's Payroll Office at (304) 558-3482.

## I: STATE CREDIT UNION

The West Virginia State Credit Union is a member-owned financial cooperative serving eligible employees, retirees and members of their immediate families. To join the State Credit Union, an initial membership fee of $2 plus a $5 deposit to a savings account is required. All deposits in the State Credit Union are insured up to $100,000 by the National Credit Union Administration, an agency of the Federal Government. The State Credit Union also offers many other financial services, including checking accounts, Christmas/vacation clubs, travelers checks, and loans.

You may sign up for membership with your Payroll Coordinator or call the State Credit Union. For more information about the financial services available to you, call the State Credit Union at (304) 558-0566, or visit at 2200 Washington St., E. in Charleston.

## J: SALARY INCREASES

There are several ways in which changes can be made to your salary. The following types of salary increases are described in the paragraphs below: general wage increase, merit increase, and promotional increase.

A general wage increase is commonly referred to as an "across-the-board" increase because it typically applies uniformly to all persons employed in permanent positions. Generally, a set dollar amount or set percentage is given to all eligible employees.

Permanent classified employees may receive merit raises (i.e. salary advancements) of no more than 10% in any 12-month period. Decisions regarding how and when to grant merit increases are usually made by each department head or bureau commissioner.

A promotion is a change of an employee from a position in one class to a vacant position in another class at a higher pay grade and with an increased level of duties and/or responsibilities.

The Division of Personnel's *Pay Plan Implementation Policy* (DOP-P12) also allows for increases for a variety of defined reasons. To view the policy, see Section 6: Policies and Bulletins.

## K: DEPARTMENT EMPLOYEE OF THE MONTH AND YEAR PROGRAM

The Department offers an *Employee of the Month Program* as an opportunity to recognize employees who have provided outstanding service. Nominations may be made by co-workers, supervisors, subordinates or by customers, including employees from other State agencies and the general public. The nomination form is to be submitted to the representative for your agency.

A committee of agency employees representing all divisions/agencies within the Department makes a selection based on the following criteria:

- Producing work-related service above and beyond the norm
- Promoting harmony with co-workers
- Promoting a positive image of the Department/Section/Unit
- Maintaining exemplary work standards
- Presenting a helpful/cooperative attitude
- Demonstrating exemplary use of time (includes work time and leave use)
- Service to the community

Individuals chosen each month are eligible for selection at the end of that calendar year as the Department of Administration *Employee of the Year*. A monetary award is provided to the *Employee of the Month* and the *Employee of the Year* recipients.

For more information on guidelines, program committee members and past winners, please visit:

*http://www.administration.wv.gov/employee-of-the-month/Pages/default.aspx*

## L: WEST VIRGINIA STATE EMPLOYEE SUGGESTION AWARD PROGRAM

Created by *West Virginia Code* §5A-1A-1, the *West Virginia State Employee Suggestion Program* gives monetary or honorary awards to State employees whose adopted suggestions result in substantial savings or improvements in State operations. The program helps stimulate creative and innovative thinking by State government employees and, in turn, sees the beneficial suggestions rewarded.

This program is designed to encourage participation in good management by rewarding employees for money-saving recommendations or improvements. All State employees are eligible to participate in this program. If your idea is implemented you may receive a cash award or other recognition.

Some employees are not eligible for cash awards but may be eligible for honorary awards. For more information about the program, visit:

*http://www.legis.state.wv.us/Joint/EMPSUG/esab.cfm*

# SECTION 5: EMPLOYMENT CONDUCT AND REMEDIES

This section addresses various employee conduct issues and activities, along with potential consequences and remedies.

## A: DISCIPLINARY PROCEDURES

There are standards of acceptable job performance, ethical behavior and professionalism that each State employee is expected to maintain. When employees do not perform at an acceptable standard or when their conduct is an interference, embarrassment, or detriment to the operation of an agency, supervisors are responsible for seeing that the problem is corrected.

Corrective action may include verbal or written reprimands, suspension without pay, demotion, or dismissal. Generally, each case must be judged on its own merits, according to the principles of progressive discipline and like penalties for like offenses.

Employees who are covered by the Public Employees' Grievance Procedure may grieve any disciplinary action. See the Grievance Procedure section below.

## B: LOBBYING ACTIVITIES

All public employees and public officials are urged to contact the West Virginia Ethics Commission for guidance and answers to specific questions before engaging in any lobbying activity. For more information, visit:

*http://www.ethics.wv.gov*

## C: POLITICAL ACTIVITIES

Employees are encouraged to exercise their right to register and vote as they please. However, there are certain types of political activities prohibited for State employees. These restrictions are meant to protect employees from political pressure while in the performance of their jobs. For more information, visit:

*http://www.state.wv.us/admin/personnel/emprel/policies/polactact.pdf*

For clarification or additional information concerning political activities of State employees, contact the Department Human Resources Coordinator or the Division of Personnel, Employee Relations Section at (304) 558-3950, extension 57209 or visit:

*http://www.state.wv.us/admin/personnel/emprel/*

## D: WORKPLACE HARASSMENT

The Division of Personnel's *Prohibited Workplace Harassment Policy* (DOP-P6) prescribes a work environment where illegal harassment based on sex (with or without

sexual conduct), race, color, religion, national origin, ancestry, age, disability, and protected activity (i.e., opposition to prohibited discrimination or participation in the complaint process) or status explicitly defined as protected under applicable State and Federal law as well as nondiscriminatory hostile workplace harassment does not occur. To view the policy, see Section 6: Policies and Bulletins.

This policy shall cover all independent contractors, volunteers, and employees of the State of West Virginia, including executive, administrative, classified, non-classified, exempt, and temporary employees, and employees of county health departments affiliated with the West Virginia Division of Personnel. It is important discuss concerns or issues with your supervisor or agency's Equal Employment Opportunity Counselor with any questions or concerns about possible harassment in your workplace.

### E: SOLICITATIONS

No solicitation will be permitted in a working area of a State facility. Written permission of the Cabinet Secretary of the Department is required before beginning any solicitation, sales, or distribution of literature/merchandise in areas of State property available to the general public.

### F: WHISTLE-BLOWER LAW

The Division of Personnel provides this guidance to employers and employees of the State of West Virginia on the application and interpretation of the Whistle-Blower Law. This law prohibits discrimination or retaliatory actions against a full- or part-time public employee or any person acting on behalf of or under the direction of a public employee who reports or is about to report an action or suspected violation of State, local, or Federal law. The law also protects those who participate in any hearing, investigation, legislative inquiry, or court action. For more information, visit:

*http://www.state.wv.us/admin/personnel/emprel/BULLETIN/Whistle.pdf*

### G: EMPLOYEE REFERRAL PROGRAM

The *Employee Referral Program* provides employees and their families with opportunities to obtain assistance for a variety of personal problems which may affect their continued functioning as productive employees of the West Virginia State government or society as a whole. For more information, visit:

*http://www.state.wv.us/admin/personnel/classes/erp/refbook.pdf*

### H: GRIEVANCE PROCEDURE

Our employees are a valuable part of the Department team. If problems arise concerning working conditions or any aspect of your employment, discuss it first with

your supervisor. If you feel uncomfortable discussing the issue with your supervisor, please feel free to contact the Department's Human Resources Coordinator and/or the Equal Employment Opportunity (EEO) Coordinator as appropriate.

The Department is dedicated to resolving problems at the lowest possible administrative level. Employees and/or supervisors are encouraged to contact the Department's Human Resources Coordinator in an attempt to settle work-related problems prior to the filing of a formal grievance or in the earliest stages of a grievance filing.

The grievance procedure provides employees with an opportunity to have their problems or complaints considered fairly and without fear of reprisal. The West Virginia Public Employees Grievance Board provides information and required forms on its website. For more information and to view the forms, visit:

*http://www.pegb.wv.gov*

## I: EQUAL EMPLOYMENT OPPORTUNITY PROCEDURE

The Department is committed morally, legally, and procedurally to ensure the best-qualified applicants are recruited and selected regardless of sex, race, color, age, religion, national origin, disability or other non-merit factor.

Once employed, this agency recognizes that the opportunity to be promoted, advanced, transferred, and afforded training or to receive benefits, privileges and services is based on the needs of the Department and must be equal for all qualified individuals.

The Department fully recognizes the duty to deal fairly and equitably with all employees and applicants and to maintain an environment free from discrimination. Further, the Department recognizes the duty to maintain a work environment free of illegal harassment or other offensive behavior.

Facilities and programs that are maintained, operated and/or sponsored by the Department must be available and accessible to all citizens on an equal basis. The Department expects its suppliers and contractors to ensure maximum opportunity for the participation of minorities and protected groups as required by applicable state, federal or local laws and/or guidelines.

This commitment applies to every office, facility, work site, and program within the Department. All employees of the Department are encouraged to foster the spirit of equal opportunity with fellow workers and the public

Further, the Department's administrators, managers, and supervisors are expected to support these goals and to actively assist in assuring equal employment opportunity exists throughout the Department and to assist in affirmative action efforts as needed.

All employees are actively encouraged to contact our Equal Employment Opportunity (EEO) Coordinator to discuss any activity that they feel impedes the equal employment opportunity within the Department. The Coordinator will assist you in resolving any EEO issues and with filing a formal complaint should you find this necessary as means for resolution.

The West Virginia EEO Office is available to State employees to assist in preventing and eliminating unlawful employment discrimination and to promote diversity in West Virginia State government. For more information, visit:

*http://www.eeo.wv.gov*

## SECTION 6: POLICIES AND BULLETINS

This section covers Division of Personnel policies and interpretive bulletins relating to a variety of work issues and outlines the rights and responsibilities of employers and employees. The policies and bulletins generally apply to employees of the Executive branch, except those who are specifically exempted, and some may also apply to employees in the Legislative and Judicial branches as well as employees of Constitutional officers.

Most agencies maintain a complete set of policies and bulletins at each work site in a central location that is easily and openly accessible to all employees.

In addition, to view all current policies and bulletins maintained on the Division of Personnel's website, visit:

*http://www.state.wv.us/admin/personnel/emprel/default.htm*

| **Policy** | **Number** |
|---|---|
| Agency Dress Codes | DOP-P3 |
| Annual Increment | DOP-P5 |
| Pro Rata Increment Calculator | |
| Delayed Payroll Assignment | DOP-P14 |
| Drug- and Alcohol Free Workplace | DOP-P2 |
| Educational Reimbursement/Leave Program | DOP-P16 |
| Educational Expense Reimbursement and Related Forms | |
| Emergency Situations/Inclement Weather | DOP-P4 |
| Employee Performance Appraisal | DOP-P17 |
| Employment References | DOP-P9 |
| Family and Medical Leave Act/Parental Leave Act | DOP-P23 |
| Pay Plan Implementation | DOP-P12 |
| Posting of Job Openings | DOP-P11 |
| Prohibited Workplace Harassment | DOP-P6 |

| | |
|---|---|
| Secondary Employment/Certain Volunteer Activity (includes form) | DOP-P21 |
| Severance Pay | DOP-P19 |
| Smoking Restrictions in the Workplace | DOP-P1 |
| Supervisor/Manager Training Program | DOP-P18 |
| Temporary Classification Upgrades | DOP-P13 |
| Witness/Jury Service | DOP-P10 |
| Workers' Compensation/Sick Leave (includes forms) | DOP-P7 |
| Workplace Security Policy | DOP-P15 |

| **Interpretive Bulletin** | **Number** |
|---|---|
| Fair Labor Standards Act | DOP-B5 |
| Whistleblower Law | DOP-B2 |
| Whistleblower Notice Poster | |

For more information about the policies and bulletins, ask your supervisor or contact the Division of Personnel at (304) 558-3950.

**DEPARTMENT WORK SITE POLICIES**

State government agencies provide many diverse services to West Virginia citizens.

Consequently, some agencies may find it necessary to establish policies that are specific to their functions. For example, policies may be necessary to protect employees who work with hazardous equipment; others may be needed to regulate the handling of confidential information.

Under these kinds of circumstances, agencies may establish work site policies that do not violate State or Federal laws or regulations. If you are unsure about a work site policy, ask your supervisor for more information or clarification.

The Department has agency specific policies in place. They are listed below:

| **Policy** | **Number** |
|---|---|
| Sick Leave Restriction | DOA-P1 |
| Education Expense Reimbursement/ Leave Program | DOA-P4 |
| Confidentiality Agreements | DOA-P5 |
| Solicitation Policy | DOA-P6 |

To obtain a copy of any of these policies, consult your supervisor or visit:

*https://sharepoint.wv.gov/sites/administration/default.aspx*

Each division/agency within the Department may also provide information regarding specific work site practices which do not apply to the Department as a whole. For example, many General Services Division employees are required to wear uniforms as part of their employment. These additional work site policies or standard operating procedures must be in accordance with the provisions set forth by the Division of Personnel and State and Federal law. Contact your supervisor for more information.

# SECTION 7: HOLIDAYS, ATTENDANCE AND LEAVE

This section provides information on the various types of leave with and without pay.

## A: HOLIDAYS

All full-time classified employees are eligible for paid time off for holidays. The eligibility of classified-exempt employees is determined by the employing agency. Part-time employees are eligible for paid time off for holidays in proportion to their full-time equivalent or FTE. Temporary employees and other limited-term employees do not receive paid time off for holidays.

Generally, the following official holidays are observed:

New Year's Day.....1st Day of January
Martin Luther King Jr.'s Birthday.....3rd Monday of January
Presidents' Day.....3rd Monday of February
Memorial Day.....Last Monday in May
West Virginia Day.....20th Day of June
Independence Day.....4th Day of July
Labor Day.....1st Monday of September
Columbus Day.....2nd Monday of October
Veterans Day.....11th Day of November
Thanksgiving Day.....4th Thursday of November
Lincoln's Day …….4th Friday of November
Christmas Day.....25th Day of December
Primary Election Day.....When a State-wide primary election is held
General Election Day.....When a State-wide general election is held
Any other date designated by proper authority.

When a holiday occurs on Saturday, it is observed on the preceding Friday. Holidays occurring on Sunday are observed on the following Monday. When Christmas or New Year's Day occurs on Tuesday, Wednesday, Thursday, or Friday, the last half of the day before the holiday will also be observed as a holiday. An election held on a Saturday is not an official holiday.

Some work sites, such as hospitals and correctional facilities, operate under different schedules. If you are eligible for paid holidays and your work site's staffing requirements make it necessary for you to work on a holiday, or if a holiday falls on your regularly scheduled day off, <u>you will be given another day off at a later date</u>. With the prior approval of your supervisor you may use annual leave or a personal leave of absence to observe religious holidays. The total amount of paid time off for holidays shall not exceed eight hours per full day holiday or four hours per one half-day holiday.

## B: ABSENCE REPORTING

To request and report time off work, you must complete an *Application for Leave Form* and submit it to your supervisor. This application is a standard form that most agencies use for reporting and documenting absences. In any case, use the appropriate form established for reporting absences in your agency.

Absences from your job during your regular work hours, including scheduled medical appointments, must be approved in advance, except in cases of emergency. If you must be absent without advance approval due to personal or family illness, or other emergency situation, you must personally notify your supervisor according to the procedure established at your work site.

## C: ATTENDANCE AND PUNCTUALITY

Employee attendance and punctuality are vital to the accomplishment of the mission of the Department and the service of our customers. Employees are responsible for reporting to work on time and on a regular and dependable basis. Good attendance and punctuality are essential parts of your job performance and will be considered in your performance appraisal. A pattern of tardiness may result in placement of leave restriction and progressive disciplinary action.

## D: BREAKS

Although rest periods are neither required nor guaranteed, employers recognize the need for employees to take occasional, brief breaks from their work during the course of a workday. Some work situations require a formally-structured break schedule while some do not. This depends on a number of factors, including the type of work performed. See your supervisor for specific information about breaks in your agency.
Regardless of your agency's break practices, break periods cannot be accumulated, cannot be used to shorten a workday, and cannot be used to extend a meal or break period.

## E: EMERGENCY SITUATIONS/INCLEMENT WEATHER

You may request annual leave for absences due to emergency situations or inclement weather conditions which would make traveling to and from work hazardous. Agencies are encouraged to grant annual leave in these situations.

If you must be absent from or late for work due to an emergency situation or inclement weather condition, contact your supervisor (or designee) according to the procedure established in your agency.

## F: MEAL PERIODS

Meal periods are usually one-half hour long and are generally scheduled at each agency's discretion. See your supervisor about your agency's schedule.

## G: ANNUAL LEAVE

The State of West Virginia grants paid leave benefits to its employees. All full-time and part-time (working at least a 50% schedule), permanent, probationary, and provisional employees earn annual leave. Seasonal and temporary employees do not earn annual leave. If you are unsure about your employment category, see Employment Categories in Section 2: Employment or check with your supervisor or other authority in your agency.

Paid annual leave is earned at a rate based upon length of service and employment category. The minimum accrual rate for full-time employees is fifteen (15) days per year (or hours equal to 1.25 days each month). Earned annual leave is credited to employees at the end of each pay period. There is a maximum allowable carry-over from year-to-year; therefore, some planning is needed to use annual leave to its fullest advantage.

Annual leave may be used for absences for vacation or personal business, as your balance allows. Your leave balance is the amount of leave you have earned, but have not used. Annual leave cannot be taken before it is earned. Saving your leave will assure it is available when you are ready to use it or when circumstances beyond your control make it necessary for you to be absent from work.

Annual leave cannot be accrued for hours not paid nor for hours worked beyond the normal workweek which shall not exceed 40 hours except for employees on unpaid leave who are receiving Workers Compensation Temporary Total Disability Benefits.

<u>Basic rules about annual leave use</u>

For planned absences, you must get advance approval from your supervisor before using annual leave. Complete an *Application for Leave Form* (or the appropriate form for your agency) and submit it to your supervisor early enough to receive written authorization before taking your leave. Generally, you should request annual leave as far in advance as possible. Before taking any annual leave you have requested, be certain that it has been approved. If you do not, you may be considered to be on unauthorized leave and your agency may refuse to pay you for the time you were absent, or take other disciplinary action.

Occasionally, employees have emergency situations which result in unplanned absences from work. In anticipation of such a situation, each employee should check with his or her supervisor to find out the appropriate method for advising the supervisor of the absence and requesting proper leave in accordance with agency policy or procedure.

Annual leave cannot be taken before it is earned. New employees or employees with low balances should monitor leave use closely. The Department recommends keeping a minimum balance of forty (40) hours of annual leave.

Payment for accrued annual leave

If you separate from employment, you may be paid for your annual leave balance in semi-monthly payments or in a lump sum payment. When you retire, you may be eligible to apply either all or some of your leave balance toward extended insurance coverage or to credited service in the retirement system. See your Payroll Coordinator to discuss your payout options. Your accumulated leave will be transferred if you transfer to another State agency.

Annual leave accrual and carry forward rates

Full-time employees earn and carry forward annual leave at the rates outlined in the chart below. If you are unsure about your annual leave accrual rate, please see your supervisor or Payroll Coordinator.

Full-time employees earn and carry forward annual leave at the rates outlined in the chart below. If you are unsure about your annual leave accrual rate, please see your supervisor.

| Length of Service | Accrual Rate | Carry Forward Amount |
|---|---|---|
| 0-5 years | 1.25 days/month | 30 days |
| 5-10 years | 1.50 days/month | 30 days |
| 10-15 years | 1.75 days/month | 35 days |
| Over 15 years | 2.00 days/month | 40 days |

## H: SICK LEAVE

Full-time and part-time, permanent, probationary, and provisional employees are eligible to earn sick leave. Temporary-exempt employees do not earn sick leave.

Full-time employees are eligible to earn paid sick leave at a rate of 18 days per year or hours equal to 1.50 days each month. Part-time employees earn sick leave on a pro-rata basis. Earned sick leave is credited to employees at the end of each pay period and may be used after it is credited. Sick leave cannot be taken before it is earned. Sick leave cannot be accrued for hours not paid nor hours worked beyond the normal workweek which shall not exceed 40 hours.

There is no limit to the amount of sick leave you can accumulate and carry forward from year to year. Sick leave is a benefit and its use is restricted to clearly defined circumstances. Briefly, these circumstances include:

- Personal illness or injury that prevents an employee from performing the duties of his or her job.
- Death in the immediate family. Immediate family is defined as: parents, children, siblings, spouse, parents-in-law, children-in-law, grandparents, grandchildren, stepparents, step-brothers, step-sisters, stepchildren, foster

children, individuals in loco parentis relationships, and individuals in a legal guardianship relationship.

- Routine medical/dental appointments. Employees may use sick leave for the actual time spent for the appointment as well as a reasonable amount of travel time. Reasonable travel time cannot exceed 3 hours per occasion.
- Exposure to contagious disease as determined and verified by a physician. The disease must be of such a nature that an employee's presence at work will endanger the health of others.
- Illness or routine medical/dental appointments for a member of the immediate family. Up to a maximum of 40 hours in a calendar year to provide care to an immediate family member who is incapacitated due to illness or injury or to accompany an immediate family member to routine healthcare appointments. Reasonable travel time in addition to the time for the routine appointments may also be charged to sick leave. Annual leave must be requested for family members not included in the above definition of "immediate family" for immediate family members after the 40 hours allowed sick leave has been used, or when travel time exceeds a reasonable amount of time.

Requesting sick leave

Requesting sick leave for scheduled appointments (doctor's appointments, lab tests, etc.) must be done in advance of the appointment and requires the approval of your supervisor. You may include in your sick leave request the actual time needed to travel to and from an appointment, not to exceed three hours. Any additional time off from work that would be necessary for travel should be requested as annual leave.

Unscheduled sick leave

You should personally report any unscheduled absence due to illness or injury to your supervisor in accordance with the procedure established in your agency. Immediately upon returning to work from an unscheduled absence (sick or annual), you are required to complete an application for leave form or the leave form appropriate for your agency. If you are absent due to illness or injury for more than three consecutive workdays, you are required to furnish a physician's statement on the prescribed form within two days of returning to work. If you do not, your absence will be considered unauthorized leave and your pay will be docked for the entire absence.

Sick leave use/responsibilities

Sick leave with pay is a benefit for you to use only under the circumstances listed previously. For any other circumstances during which you must be absent from work, you must request annual leave or one of the other types of leave described on the following pages. Any use of sick leave lasting longer than three consecutive days must be supported by a physician's statement.

Agencies monitor sick leave use and can impose restrictions on an employee's use of sick leave or take disciplinary action in cases where it appears sick leave is not being used properly or the employee's attendance at work is undependable.

Sick leave restriction policy

The Department's *Sick Leave Restriction Policy* (DOA-P1) outlines the conditions under which your use of sick leave may be restricted and the requirements you must follow if the policy is imposed. You may obtain a copy of the policy on the Department's intranet or from your supervisor. For more information, see Section 6: Policies and Bulletins.

Additional information about sick leave

If you are ill and have used all your sick leave, or an immediate family member is ill and you have exhausted your allowance of family sick leave, you may request to use annual leave for the absence. Your accumulated sick leave will be transferred if you transfer to another State agency. If you are laid off and later recalled, all sick leave is restored. If you resign, your accumulated sick leave is cancelled and no additional sick leave is earned or paid after your last day of work. However, if you return to work within 12 months of your separation, all cancelled sick leave will be restored. If you return after 12 months, no more than 30 days of your sick leave can be restored.

## I: COURT, JURY, AND HEARING LEAVE

If you are employed in a permanent position, you will receive regular compensation if you must serve as a juror or comply with a subpoena or other direction by proper authority to appear as a witness during your regular work hours. This jury leave must be requested in advance with a copy of the subpoena or order (if available at that time, but no later than when you return to work). Otherwise, your absence will not be properly authorized.

This paid leave does not apply if you or a member of your immediate family is plaintiff, defendant or other interested party, or has a personal, vested, or financial interest in the case or proceeding. Temporary-employees may be released to serve as jurors or witnesses, but will not be paid for such absences or when the hours spent in compliance to a subpoena to serve on a jury or appear as a witness are outside the scheduled workday. Employees subpoenaed by proper authority who are not eligible for court, jury or hearing leave shall be granted sufficient annual leave or leave without pay to fulfill the order.

When you are released from service prior to the end of the workday, and there is more than one hour remaining in your scheduled workday after allowing for reasonable return travel time, you must return to work or request approval for annual leave.

## J: MILITARY LEAVE

Military leave with pay

Officers and employees of the State who are members of the National Guard or any reserve component of the armed forces of the Federal government are eligible for two separate types of paid military leave.

The first type gives reservists up to 30 workdays (not to exceed 240 hours) of paid military leave annually to be used for drills, parades, or other active service of the State held during their regular work hours. The second type provides 30 days of paid leave each time members are called or ordered by the properly designated federal authority into active duty.

A copy of your official military orders signed by your commanding officer will be necessary to properly authorize paid military leave. During this leave, you will receive your normal salary and will continue to earn annual and sick leave. Paid military leave will be applied to your tenure and will not result in any loss of status or affect your performance rating.

Military leave without pay

If you enter the U.S. Armed Services, National Guard, or Reserves, during times of war, national emergency, draft, or voluntary enlistment, you will be granted a leave of absence without pay for the duration of your active duty. Before using this leave, you may choose to use your annual leave, but you are not required to do so.

Time spent in such active military service will be applied to your tenure; however, you will not earn sick or annual leave while on unpaid military leave. Military leave will be credited to your retirement service according to retirement regulations when you present your DD-214 form.

## K: PARENTAL/FAMILY LEAVE

Both the State Parental Leave Act (PLA) and Federal Family and Medical Leave Act (FMLA) provide up to 12 weeks of job-protected, unpaid parental/family leave during a twelve-month period for eligible employees. If paid and/ or unpaid leave qualifies under both FMLA and PLA, and/or the *Administrative Rule,* the leave entitlement under each shall exhaust concurrently. The provisions of parental/family leave are numerous and complex, and employees are entitled to the greater benefit or more generous rights provided under the different parts of each law. Consequently, requests for parental/family leave should be evaluated on a case-by-case basis. If you anticipate needing this type of leave, please consult with the Human Resources Coordinator for the Department at (304) 558-6181 or the Employee Relations Section of the Division of Personnel at (304) 558-3950, extension 57209.

## L: LEAVES OF ABSENCE WITHOUT PAY

Personal Leave of Absence without Pay

A personal leave of absence without pay must be requested in writing as far in advance as possible. The request must be for a specific period of time (normally not to exceed one year). Approval of the request is at the discretion of your agency's director. If you request this type of leave, be sure to talk to your Payroll Coordinator about paying your insurance premiums.

Medical Leave of Absence without Pay

Upon written application, an ill or injured permanent employee is eligible for a medical leave of absence without pay for a maximum of six months in a 12-month period. The employee, unless injured on the job, must make the request no later than 15 days from the day on which he or she exhausts all sick and annual leave and must provide a completed physician's certification on the prescribed form. The request must be made for a specific period of time. If your doctor releases you, you may return to work before your medical leave of absence expires, or you may request an extension if your doctor determines it is necessary.

Due to the specific rules and procedures involved in a medical leave of absence without pay, it is suggested that you contact your Department's Payroll Office or the Department's Human Resources Coordinator at (304) 558-6181, at the first indication that such leave may be necessary.

## M: LEAVE DONATION PROGRAM

The *Leave Donation Program* allows employees to voluntarily donate accrued annual leave to a designated employee who is suffering a medical emergency. The medical emergency must require the employee to be off work a minimum of 10 consecutive, full workdays after all the employee's available paid leave is used. The medical emergency can be a medical condition of the employee or a member of the employee's immediate family.

An employee who wishes to be considered for leave donations must apply on a specific form available from his or her Payroll or Benefits Coordinator. A medical practitioner must certify the employee's need for the absence and specify when the employee will be able to return to work. When the employee is determined to be eligible to receive donated leave, the agency director or appointing authority will notify employees in the agency. This notification may also be shared with other agencies, at the director's discretion.

Leave donations must be made during the time the employee is eligible (i.e. they cannot be made after the employee returns to work or separates from employment). To donate leave, an employee must have a balance of eighty (80) hours of total leave after making the donation. Donated leave is used at its dollar value. For example, if an employee who makes $8.00 an hour donates 80 hours of annual leave, the leave is worth $640 of paid leave to the employee who receives it. See your Payroll or Benefits Coordinator for the proper forms. For more information, call the Division of Personnel at (304) 558-3950, extension 57209.

For more specific information regarding the Leave Donation Program and forms, visit:

*http://www.state.wv.us/admin/personnel/empcom/cover.htm*

# SECTION 8: INSURANCE AND RETIREMENT

This section will discuss insurance and retirement programs available for State government employees

## A: GENERAL INSURANCE INFORMATION

Enrollment in a benefit plan offered through the Public Employees Insurance Agency (PEIA) is open to full-time employees (who regularly work at least 20 hours per week or 1,040 hours per year) and retirees of State agencies, universities and colleges, county boards of education, and local governmental agencies and organizations which elect to participate.

The PEIA *Preferred Provider Benefit Plans* and the *Authorized Managed Care Plan*s offer hospital, surgical, prescription drug, and other medical benefit coverage. Premiums are based on your salary, tobacco-use status, Improve Your Score status, living will status, and the type of coverage you choose. Basic life insurance for the employee is included with all single and family health care coverage at no extra cost to you. Even if you do not wish to participate in the health plan, you may enroll in the basic life insurance plan. Additionally, you may enroll in optional life insurance plans which enable you to purchase additional coverage.

Life insurance for your dependents(s) is also available. New employees may sign up for insurance during the initial enrollment period, which is the month of hire or the two following calendar months. If you do not elect benefits at this time, you may not enroll for health coverage until the following Open Enrollment period, unless you experience a qualifying event that would allow enrollment. If you wish to enroll for life insurance after the initial enrollment period, you must furnish Evidence of Insurability which must be approved by the life insurance carrier.

Insurance coverage for new employees is effective on the first day of the month following the date of enrollment. Insurance cards for new employees and replacement cards are issued by HealthSmart Benefit Solutions and are mailed to your home. Call HealthSmart at 1(888) 440-7342 for information regarding your insurance card.

Changes that will affect your insurance policy, such as marriage, divorce, death, and adding or removing dependents or beneficiaries should be promptly reported through the Benefits Coordinator in your agency to the PEIA. You may also report these changes online at www.wvpeia.com. Just click on the green “Manage My Benefits” button at the top of the page and register. If you have any questions about what type of coverage is best for you or about specific programs, consult your agency Benefits Coordinator.

<u>Continuation of insurance upon separation</u>

If you voluntarily resign from employment, your insurance coverage will be in effect for the remainder of the month in which you are taken off the payroll. If you leave

employment involuntarily, (e.g. dismissal, layoff), you may elect to continue your insurance coverage for three additional months. Employees who are discharged for misconduct may continue coverage for three months while pursuing administrative appeal. If the discharge for misconduct is upheld, the employee must reimburse the employer for the full cost (both the employer and employee share) of the extended coverage.

Under the Federal COBRA law, under certain circumstances you may elect to continue your health coverage longer For more information, see your PEIA Summary Plan Description on the PEIA website. To view the website, visit:

*http://www.wvpeia.com*

Flexible benefits

Mountaineer Flexible Benefits is a "cafeteria plan" which offers additional optional benefits. This plan is available to all active employees.

You may choose from among several options for dental, vision, hearing and short- and long-term disability insurance, as well as medical care and dependent care flexible spending accounts, and pay for these benefits on a pre-tax basis. A Legal Plan is also available as a post-tax benefit option.

Open Enrollment for Mountaineer Flexible Benefits is held each spring. The current information about these benefits and associated premiums is included in the enrollment materials mailed prior to the annual Open Enrollment. To view the material, visit:

*http://www.wvpeia.com*

If you have questions about Mountaineer Flexible Benefits, contact Fringe Benefits Management Company at 1-800-342-8017.

This is a quick overview of the benefits available to you. You will find complete information about eligibility and enrollment, as well as the available health and life benefits in the PEIA Summary Plan Description. Your benefit coordinator will provide you with a copy when you enroll for coverage, or you can find a copy online at www.wvpeia.com.

## B: GENERAL RETIREMENT INFORMATION

All permanent employees of State agencies who are employed full-time (position which normally requires twelve months per calendar year service and at least 1,040 hours per calendar year) are required to participate in the Public Employees Retirement System (PERS). The PERS is funded by employee contributions, employer contributions and investment earnings. The current employee contribution is 4.5% of gross salary, and effective July 1, 2012, employers will contribute at a rate of 14.0% of gross salary. All current employee and employer contributions made to the PERS are tax deferred.

The specific amount of your retirement benefits will be determined by your length of service, your final average salary, and the annuity option you choose. Your final

average salary is the average of the highest 36 consecutive months out of the last 15 years of contributing service.

Specific information on retirement plans administered by the Consolidated Public Retirement Board (CPRB) is available by calling the CPRB at (304) 558-3570 or toll-free within West Virginia at (800) 654-4406. You may also find important information on the CPRB website. To view the website, visit:

*http://www.wvretirement.com*

Department employees should contact their agency Benefits Coordinator to report any beneficiary or personal information changes. If your agency does not have a Benefits Coordinator, you may report your changes directly to the Department's Payroll Office by calling (304) 558-3482 for forms and information. All CPRB forms will then be forwarded to CPRB.

## C: DEFERRED COMPENSATION PLAN

The *West Virginia Retirement Plus 457(b) Deferred Compensation Plan* is a supplemental retirement plan designed to provide an extra savings alternative for public employees. Administered by the State Treasurer's Office, the 457 Plan is similar to 401k plans available to private sector employees. Public employees can save via convenient payroll deduction and choose from a variety of investment options.

The 457 Plan is designed to supplement your state pension and Social Security when you retire. Employee contributions lower both state and federal income taxes. Additionally, there are federal income tax credits for those in certain income brackets. Participants are essentially deferring a portion of their salary until retirement and may contribute up to the IRS maximum for each calendar year. The 457 Plan allows taxes on plan contributions to be deferred until such time as they are used. The funds you contribute to the plan are not included on your W-2 forms as taxable income.

New State hires are automatically enrolled in the 457 Plan unless they "opt out" within 30 days of employment. Tenured employees can also enroll in the 457 Plan since it is a key component of the State's benefit package.

To enroll or learn more, contact your agency Benefits Coordinator or visit:

*http://www.wv457.com*

## D: UNEMPLOYMENT COMPENSATION

If you are laid-off or lose your job under certain circumstances, you may be eligible to receive unemployment compensation benefits. If you need additional information, call

your local unemployment office or the Unemployment Compensation Division of Workforce West Virginia (304) 558-2619.

## E: WORKERS COMPENSATION

If you sustain a work-related injury or illness, you are entitled to file a Workers' Compensation claim. Workers' Compensation is a type of insurance that provides partial replacement of lost wages and pays medical expenses related to occupational injury or disease.

To qualify for compensation, the injury or illness must have occurred in the course of and as a result of employment. You must notify your supervisor immediately if you sustain a work-related injury or illness, and either you or your supervisor should complete the *Incident Form* located on the Department intranet site. This form must be forwarded to the Department's Payroll Office.

If you seek medical attention for an injury that occurs as a result of a work-related accident, you must file a workers' compensation claim.

Employees are not charged sick leave on the initial day of injury when they leave work to seek treatment.

To apply for benefits, you and your physician must complete separate parts of a report of occupational injury. The form is available from your employer or your medical provider. Your employer will also provide information to the Workers' Compensation provider.

The Workers Compensation provider will notify you of the decision on your claim. As a public employee, you cannot receive Workers' Compensation disability benefits and paid sick leave benefits at the same time.

Employees must elect their benefits when missing work for a compensable injury. This election is based on the Division of Personnel's *Workers' Compensation/Sick Leave Policy* (DOP-P7). See Section 6: Policies and Bulletins for more information.

You should give the completed *Election of Option* to the Department's Payroll Office within three days of your injury.

Employees may choose to:

- Elect to use sick leave for the absence. It is important to note that, if an injury is more serious than originally anticipated, electing this option could lead to the exhaustion of large quantities of sick and annual leave.
- Elect to use sick leave, and annual leave upon exhaustion of sick leave, until Temporary Total Disability benefits (TTD) are received from the Insurance provider and then buy back the sick leave from the agency. TTD benefits are

equal to 70% of the employee's pay not to exceed the average weekly wage in West Virginia. The employee's claims manager at the insurance provider can advise the employee how much his or her TTD benefit will be. This option keeps a pay check coming in until insurance payments can begin. Employees using this option must also sign the Assignment of Future Wages Agreement that is included as part of the Division of Personnel policy.

- The third option is to receive TTD and not to receive sick leave until the TTD benefits are received. The employee is removed from the payroll and his or her Department pay check stops.

At any point when an employee is receiving TTD benefits the employee is actually on a leave of absence without pay from the Department. During this time, employees must pay their health and other insurance premiums if they wish to keep it in effect.

Employees must send a check to the Payroll Office. This check is to be made payable to PEIA (for health insurance premiums). For other types of insurance the check will be made payable to the specific insurance carrier. Payment for any given month is due by the 1st of the following month.
During a leave of absence for TTD, the employee continues to accrue annual leave but does not accrue sick leave.

For additional information regarding on-the-job injury claims, please call the Department's Payroll Office.

# SECTION 9: RESOURCES

**Emergency:**

Capitol Dispensary ..... (304) 558-3663
Ambulance ..... 911
Building Emergency Services ..... (304) 558-2317
After Work Hours ..... (304) 558-5715
Division of Protective Services/Capitol Police ..... (304) 558-9911
After 5 p.m./Weekends/Holidays (Capitol Command) ..... (304) 558-5715
State Police ..... (304) 746-2100
Charleston Fire Department ..... 911
Charleston Police Department ..... 911
Homeland Security and Emergency Management ..... (304) 558-5380

**General Information:**

Cabinet Secretary's Office / Dept. of Administration ..... (304) 558-4331
Equal Employment Opportunity ..... (304) 558-0400
State Credit Union ..... (304) 558-0566
Office of Technology Service Desk ..... (304) 558-9966
Payroll Office ..... (304) 558-3482
Human Resources Coordinator ..... (304) 558-6181

**Department of Administration Agencies:**

Aviation ..... (304) 558-0403
Board of Rick Insurance Management ..... (800) 345-4669
Children's Health Insurance Program ..... (304) 558-2732
Consolidated Public Retirement Board ..... (304) 558-3570
Ethics Commission ..... (304) 558-0664
Finance Division ..... (304) 558-6181
Fleet Management ..... (304) 558-2106
General Services Division ..... (304) 558-2317
Public Employees Grievance Board ..... (304) 558-3361
Office of Technology ..... (304) 558-5472
Division of Personnel ..... (304) 558-3950
Prosecuting Attorney's Institute ..... (304) 558-3348
Public Defender Services ..... (304) 558-3905
Public Employees Insurance Agency ..... (304) 558-7850
Purchasing Division ..... (304) 558-2306
Real Estate Division ..... (304) 558-3062

**To access State agency and individual employee contact information, visit:**

*http://www.wv.gov*

**To access the key contact persons with each state agency with the *State Agency Listing*, visit:**

*http://www.wv.gov/Documents/StateGovernmentDirectory.pdf*

**West Virginia State Employee Information Line**

This statewide telephone number was created to keep State employees apprised of the latest information should an emergency arise, such as an evacuation or severe weather conditions. This information line will provide you with guidance in those cases of an emergency. From within the Charleston area, the telephone number is (304) 558-9117. For those outside the Charleston area, the toll-free number is (888) 558-9117.

**Directory and maps of Capitol Complex Buildings and Capitol offices:**

*http://www.legis.state.wv.us/Educational/citizens/guide.cfm*