

2011



# Classified Employee Guidebook



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# OVERVIEW OF THE UNIVERSITY

## MISSION

Old Dominion University, located in the City of Norfolk in the metropolitan Hampton Roads region of coastal Virginia, is a dynamic public research institution that serves its students and enriches the Commonwealth of Virginia, the nation, and the world through rigorous academic programs, strategic partnerships, and active civic engagement.

## VISION STATEMENT

Old Dominion University will be recognized nationally and internationally as a forward-focused metropolitan university with a collaborative and innovative approach to education and research that spurs economic growth, focuses on student success, engages civic and community partners, and uses its connections with the military and maritime industries and its exceptional strengths and leadership in related areas to provide practical solutions to complex, real world problems.

## MONARCH CREED

Old Dominion University is an academic community committed to education, scholarship and the overall development of the individual. The [Monarch Creed](#) establishes a model of conduct for our members.

## CODE OF ETHICS

Old Dominion University recognizes its duty to uphold the public's trust and confidence, not only in following laws and regulations but in following high standards of ethical behavior. As members of the Old Dominion University community, we are all responsible for maintaining the highest ethical standards and principles of integrity. The university's Code of Ethics was developed as a set of values-based statements that demonstrate our commitment to this goal. This Code of Ethics forms a broad framework for conducting the university's affairs in an ethical manner.

1. We are responsible for maintaining the highest level of ethical standards, and for complying with all applicable laws, regulations and university policies.
2. We will promote the integrity of all university business and transactions by avoiding engagement in actions (directly or indirectly) that are inconsistent with the State and Local Government Conflict of Interests Act or Virginia Public Procurement Act. We will avoid even the appearance of a conflict of interest, since the appearance of influence can be as important as its reality.
3. We will adopt policies and programs in accordance with affirmative action and the Commonwealth's EEO policy, supporting the rights and recognizing the needs of all citizens regardless of gender, race, color, religion, national origin, age, disability, veteran status, sexual orientation, or political affiliation.
4. We will maintain the confidentiality and security of information entrusted to us by the university or its customers, except when disclosure is authorized or legally mandated.
5. We will not use university funds, property, equipment, services, or things of value for or in aid of political parties or candidates for public office.
6. We will not use university funds, property, equipment, services, systems, information, time and effort or our position for personal gain. We will protect the university's assets and resources and ensure proper use by preventing theft, carelessness and waste and promoting efficient, effective and economical means of accomplishing tasks.

7. We will adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Virginia Freedom of Information Act.
8. We will adhere to good health and safety practices and comply with all environmental health and safety laws and regulations.
9. We will comply with accepted accounting rules and controls at all times. We will not make any false or misleading entries in ODU's records for any reason whatsoever.
10. We will strive for excellence in the performance of our duties, mindful of cost and appropriate authorization.
11. We will nurture a climate of care, concern, and civility towards others.
12. We will report through appropriate means and channels any dishonesty, fraud, misconduct, violations or neglect of duty, when discovered. We will appropriately investigate all such reports and require warranted corrective action and discipline, in accordance with university policies and procedures and the law.

## **ABOUT THE UNIVERSITY**

<http://odu.edu/fusion/about/>

## **ORGANIZATION CHART**

<http://www.odu.edu/oduhome/orgchart.pdf>

# **EQUAL OPPORTUNITY**

## **EQUAL OPPORTUNITY STATEMENT**

It is the policy of Old Dominion University to provide equal employment and educational opportunities for all persons regardless of race, color, religion, sex (including pregnancy), national origin, age, veteran status, disability, political affiliation, sexual orientation or genetic information. An integral part of this policy is to administer recruiting, hiring, working conditions, compensation, training, opportunities for advancement, and termination of employment for all employees without discrimination because of race, color, religion, sex (including pregnancy), national origin, gender, age, veteran status, disability, political affiliation, sexual orientation or genetic information.

## **OFFICE OF INSTITUTIONAL EQUITY AND DIVERSITY**

The Office of Institutional Equity and Diversity implements and coordinates the university's Affirmative Action Plan; monitors the university's employment and educational policies, practices and procedures; assists in the resolution of equal opportunity related complaints; and provides education and training on equal opportunity related topics to university staff, faculty and students. For any questions, contact the Office of Institutional Equity and Diversity at 683-3141.

# EMPLOYMENT

## TYPES OF EMPLOYMENT

**Classified:** A salaried employee whose terms and conditions of employment are subject to the [Virginia Personnel Act, Code of Virginia Section 2.2-2900 et seq.](#)

**Wage:** Wage employment is defined as employment to meet seasonal, temporary, part-time or casual workforce needs. The Virginia Personnel Act does not cover wage employees. Wage employees are limited to working 1,500 hours during a period of 365 consecutive days that starts on the first day a wage employee begins work. Employees do not receive benefits while on wage appointment except for workers' compensation and leave without pay for military service in the reserve components. Wage employees are eligible to participate in tax-sheltered annuities and the legal assistance plan.

**Teaching and Research Faculty:** Positions in this category have specific assignments that customarily require instruction, research, or public service as a principal activity. Examples include academic rank titles such as professor, associate professor, assistant professor, instructor or lecturer.

**Administrative Faculty:** Administrative faculty perform work directly related to the management of the educational and general activities of the institution, department or sub-division. Incumbents in these positions have a reporting relationship normally no lower than three levels below the president.

**Professional Faculty:** Professional faculty positions require advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. This category is normally limited to librarians, counselors, coaches, lawyers, and other professional positions serving education, research, athletic, student affairs and development functions.

**Student Workers:** There are two types of student workers. Work-study students are paid through some type of financial award, while student hourly employees are paid through general funds.

**Graduate Assistants:** There are four types of graduate students who may receive financial support. Graduate assistants are expected to participate directly in either instructional, research, or administrative duties in support of the ongoing activities of the university's academic, research, and service units.

## PROBATIONARY PERIOD

Classified employees who begin either original employment or re-employment in classified positions must serve a 12-month probationary period effective from the date of employment.

The probationary period allows an employee and his/her supervisor to determine if the employee is suited for the job. During this period, the employee may resign without giving reasons. Similarly, if the supervisor decides the employee is not suited for the job, the employee may be released at any time during the probationary period because employment of a probationary employee is subject to the will of the university.

Probationary employees are evaluated at the end of their first six months of employment and three weeks prior to the completion of the 12-month probationary period. The Probationary Progress Review Form is used to document the employee's progress and a rating of "Contributor" indicates satisfactory performance.

The probationary period may be extended for up to six additional months for performance reasons. The reasons must be documented on a Probationary Progress Review Form. The total probationary period may not exceed 18 months, excluding periods of leave with or without pay. The employee must be notified in writing if his/her probationary period will be extended for performance reasons or due to leave.

Probationary periods must be extended when probationary employees are on any leave with or without pay, for more than 14 consecutive calendar days. Extensions include the first 14 days of absence, as well as those days in excess of 14, up to the return to work date. Probationary employees don't qualify for Virginia Sickness and Disability Program (VSDP) Short-Term Disability.

### **CHANGE OF POSITIONS DURING PROBATION**

First Six Months. When a probationary employee moves to a different position during the first six months of the probationary period, the remainder of the 12-month requirement must be completed. However, the probationary period also may be extended by the new supervisor for performance or leave reasons.

Second Six Months. If an employee moves to a new position during the last six months of his/her probationary period, the employee's probationary period may remain as the original 12 months or may be extended so that the new supervisor has the benefit of the full 12-month probationary period. However, the total time served in probationary status may not exceed 18 months (excluding any periods of leave that exceed 14 consecutive calendar days). Employees must be informed in writing if the period will be extended.

Completion of Probation. The supervisor should notify the employee in writing when the 12-month probationary period has been completed satisfactorily. If a probationary employee works beyond a 12-month period without being notified of satisfactory completion or that the probationary period was extended, the employee will be regarded as having successfully completed the probationary requirement.

Probationary employees do not have access to the grievance procedure. A probationary employee who claims that termination or other disciplinary action was based on race, color, religion, sex (including pregnancy), national origin, age, veteran status, disability, political affiliation, sexual orientation or genetic information may file a discrimination complaint with the university's Office of Institutional Equity and Diversity or other agencies as appropriate.

### **PERFORMANCE INCREASES FOR PROBATIONARY EMPLOYEES**

Probationary employees will be eligible to receive performance increases (provided funding has been authorized by the General Assembly and the Governor).

### **CRIMINAL BACKGROUND INVESTIGATION**

The university requires a criminal conviction investigation to be conducted prior to employment for all classified and wage positions. The Department of Human Resources coordinates the background check.

If convictions are found, the Department of Human Resources, in consultation with the hiring department, will determine if the conviction is sufficiently job-related or of such a nature to prevent the person from being employed with the university.

The Commonwealth of Virginia Application for Employment requires an applicant to furnish information on all convictions for law violations, including traffic violations. Applicants normally are denied employment if they falsify their application and/or do not provide the information. Any applicant refusing to sign the release for a criminal background investigation will not be employed.

### **CHANGING JOBS AT THE UNIVERSITY**

There are several ways to learn about vacancies at the university:

- Job listings may be viewed on the Internet at: <https://jobs.odu.edu>.

- Human Resources Employment Job Opening Reports are posted in the Department of Human Resources.
- The Virginia Employment Commission Web site at <https://jobs.agencies.virginia.gov/> posts the university's job openings and all state classified vacancies.
- Recruitment Management System (RMS) is the Commonwealth of Virginia's listing of announcements for current employment opportunities. This list of job announcements at <https://jobs.agencies.virginia.gov/> is updated daily.

Applying for a classified position at Old Dominion University is done on line at <http://jobs.odu.edu>. Current job postings and application form are available at this site.

The employee's supervisor does not need to approve the job change; however, the employee is strongly encouraged to talk to his/her supervisor if thinking of changing jobs.

After the closing date, applicants' credentials are reviewed and evaluated by the hiring supervisor, or a selection committee. Based upon this review, applicants are selected for interviews.

The hiring supervisor and/or the selection committee interview the candidates and select the best-suited applicant.

A Human Resources staff member usually notifies the selected candidate by telephone. After a candidate accepts a position, a starting date is established. The candidate is sent a confirmation letter from the Department of Human Resources.

## **CHILD SUPPORT WITHHOLDING**

All new employees are required by Virginia law to disclose whether they are subject to an income withholding order for child support. If an employee is subject to an income withholding order, the university is required to withhold wages according to the terms of the order. The university is authorized to charge a service fee of \$5.00 per remittance of child support payments. All new employees must complete the Child Support Disclosure Form. Falsification or material misrepresentation in the completion of the form may subject the employee to immediate termination.

## **RELEASE OF INFORMATION**

It is the policy of Old Dominion University to comply with the provisions of the Virginia Freedom of Information Act and the Privacy Protection Act. Employee records are not subject to the third party disclosure requirements of the Freedom of Information Act except where disclosure of such records is mandated by the act. FOIA mandates disclosure of the following information:

- Job descriptions
- Job classifications
- Annual salary (above \$10,000 per year)
- Reimbursement of expenses

# COMPENSATION

## UNIVERSITY SALARY ADMINISTRATION PHILOSOPHY AND OBJECTIVES

Old Dominion University's compensation philosophy for classified employees is to provide total compensation sufficient to encourage excellence in performance and to maintain the labor market competitiveness necessary to attract and retain a competent and service-oriented work force.

Underlying this philosophy are the following principles:

- Provide more flexible base pay systems that link employee performance to university and department mission and objectives.
- Establish total compensation that is competitive with the labor market; and to focus on the value of total compensation, which includes base salary and non-salary benefits such as health care, retirement, life insurance, disability insurance and paid time off.
- Encourage employees to make a performance difference either individually or through teams where results and outcomes are valued and rewarded.

The university will administer its compensation program in a manner consistent with its mission, goals and business objectives. The objectives of the university's salary administration plan are:

- To attract qualified employees;
- To retain qualified employees;
- To reward employees for sustained high performance;
- To support management in the realization of organizational objectives;
- To be market responsive and fiscally responsible;
- To assure that comparable jobs are valued with similar methodology and assigned to the same role;
- To promote employee focus on university and work unit missions and outcomes;
- To be administratively efficient and responsive to organization changes;
- To be easily understood and communicated.

## JOB ORGANIZATION AND SALARY STRUCTURE

The Compensation Management System includes a consolidated job organization structure and a banded salary structure. The job organization and pay band salary structures incorporate the wide variety of work performed by the Commonwealth's classified employees.

### JOB ORGANIZATION STRUCTURE

The job organization structure is arranged into Occupational Families, Career Groups and Roles. Career Groups and Roles are described in Career Group Descriptions which are available at the Department of Human Resources Web page at <http://www.odu.edu/ao/humanresources/compensation/>.

## **Occupational Family**

An occupational family is a broad grouping that includes jobs that share similar vocational characteristics. The primary criterion for designation to a particular occupational family relates to the nature and type of work performed. The seven occupational families include:

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

## **Career Group**

A career group is a major subgroup of the occupational family that identifies a specific occupational field common to the labor market (e.g. Procurement, Forensic Science, Equipment Repair, Financial Services, Information Technology, Dentistry, etc.).

## **Role**

A role describes an array of similar positions that are a reflection of different levels of work or career progression within a career group. Roles are intended to be very broad. Each role is assigned to a specific pay band within the salary structure. The number of roles in a career group varies from one career group to another. Additionally, some career groups have dual tracks for career advancement. For example, a career group may have a non-management track with entry, senior and expert roles and a management track with manager and director roles. The manager's role may be parallel to and within the same pay band as the staff expert role.

## **Career Group Description**

A career group description specifies the nature and type of work associated with a particular occupational field and identifies the progression of roles within a career group.

## **Position**

A position defines the specific core responsibilities, duties and any special assignments assigned to an employee. Through an analysis of the core responsibilities and special assignments (job evaluation process), a position is assigned to a role. Each position is assigned the following titles:

- *Role Title*

The role title is the formal State title that the employee's position has been assigned. The role title should be used for State reporting purposes.

- *Work Title*

A work title is a university-specific or functional title that is descriptive of the overall purpose of a position. Departments may use work titles in conjunction with the employee's formal role title to help facilitate the recruitment process. Work titles and salary reference titles may be the same.

## Position Descriptions

The Position Description is the official university form that lists the core responsibilities and performance measures, special assignments, university and department objectives and measures and the professional development plan. The position description/professional development plan is the principal source document used for evaluating employees and allocating the position to the appropriate role.

## **SALARY STRUCTURE**

### **Pay Bands**

The salary structure consists of nine pay bands with open ranges (no steps). The first eight bands have an expanded range spread of approximately 105% between the minimum and maximum salaries. These pay bands have established minimum and maximum salaries. The ninth pay band is only used in agencies that have medical directors. The current pay band structure is available at <http://www.dhrm.state.va.us/compensation/salarystructure.html>.

## **PAY PRACTICES**

An individual's pay is influenced by factors such as external labor markets, internal equity, sustained employee performance, importance of the position to the department, and availability of financial resources.

In determining salaries, university management must take the following pay determination factors into consideration:

- Agency Business Need
- Duties and Responsibilities
- Performance
- Market Availability
- Current Salary
- Total Compensation
- Long -Term Impact
- Knowledge, Skills, Abilities, Competencies
- Work Experience and Education
- Internal Salary Alignment
- Training Certification and License
- Salary Reference Data
- Budget Implications

### **Starting Pay**

Starting pay is the starting salary for an individual not currently employed by the Commonwealth of Virginia. Starting pay is negotiable from the minimum of the pay band up to 15% above the candidate's most current job-relevant salary, not to exceed the pay band maximum.

Given the 15% cap, the hiring department has the flexibility to offer a starting salary up to the amount budgeted for the position. Human Resources will confirm the pay factor justification prior to the offer being made.

A starting salary offer which exceeds the budgeted amount for the position must be approved by the appropriate vice president **BEFORE** an offer is made. The Budget Office will confirm the availability of funding and Human Resources will confirm compliance with the pay guidelines and pay factor justification.

## **Promotion**

Promotion is the movement of an employee to a different role in a higher pay band. This movement is the result of the employee applying for the vacant position through the recruitment and selection process. Salary is negotiable from the minimum of the pay band up to 15% above current salary. (Salary may not be below the minimum of the new pay band.)

The hiring department has the flexibility to offer a salary increase up to the amount budgeted for the position as long as it falls within the 15% limit. Human Resources will confirm the pay factor justification prior to the offer being made.

In the event a proposed increase exceeds the budgeted amount for the position, the proposed salary must be approved in advance by the appropriate vice president **BEFORE** an offer is made. The Budget Office will confirm the availability of funding and Human Resources will confirm compliance with the pay guidelines and pay factor justification.

## **Voluntary Transfers**

A voluntary transfer is employee-initiated movement to another position in the same or different role in the same pay band. The employee may seek the transfer through the recruitment and selection process or through a non-competitive process.

If the employee is moving to a position with the same role title, having the same level or higher level duties or moving to a different role that has higher level duties and responsibilities through a competitive process, the salary is negotiated from the minimum of the pay band up to 15% above the employee's current salary, not to exceed the pay band maximum. There may be circumstances where the negotiated salary is the same or less than the employee's current salary.

If the movement is to a position with the same role title, having the same or higher level duties or moving to a different role that has higher level duties and responsibilities through a non-competitive process, the salary is negotiable from the minimum of the pay band up to 10% above the employee's current salary not to exceed the pay band maximum. There may be circumstances where the negotiated salary is the same or less than the employee's current salary.

The hiring department has the flexibility to offer a salary increase up to the amount budgeted for the position as long as that amount meets the above criteria. Human Resources will confirm the pay factor justification prior to the offer being made.

In the event a proposed increase exceeds the budgeted amount for the position, the proposed salary must be approved in advance by the appropriate vice president **BEFORE** an offer is made. The Budget Office will confirm the availability of funding and Human Resources will confirm compliance with the pay guidelines and pay factor justification.

## **Voluntary Demotions**

A voluntary demotion occurs when an employee voluntarily moves to a different role in a lower pay band through the recruitment and selection process or through non-competitive means. The employee's salary is negotiable from the minimum of the pay band up to the employee's current salary, not to exceed the pay band maximum.

If the employee's current salary is above the pay band maximum, ODU has the option of freezing the employee's current salary for six months before reducing it to the pay band maximum.

## **Temporary Pay (different role in higher pay band or a different role in same pay band)**

Temporary pay may be provided to an employee who experiences a change in job duties and responsibilities for a specified period of time (i.e., assignment to a special project, reassignment during organizational changes, etc.).

Temporary pay is not intended to cover brief recruitment periods, and should not last longer than six months. Extensions to the six-month limit due to exceptional circumstances may be granted only by the appropriate vice president.

When temporary pay is provided for assuming duties in a different role in a higher pay band, salary may be increased up to 15% above the employee's current salary, not to exceed the pay band maximum.

When temporary pay is provided for assuming duties in the same or different role in the same pay band or being assigned a special project, salary may be increased up to 10% above the employee's current salary, not to exceed the pay band maximum.

The appropriate vice president, in conjunction with the Budget Office and Human Resources, must approve requests for temporary pay.

### **Disciplinary or Performance Related Salary Action**

Under the Standards of Conduct policy, an employee's job duties and responsibilities may be reduced as a result of improper conduct or poor performance. This reduction in job duties may result in the employee moving to the same or lower pay band or same or different position. In either case, the employee's salary must be reduced a minimum of 5%. If movement is within the same pay band, the employee's reduced salary cannot be below the band minimum. If movement is to a lower pay band, the employee's reduced salary cannot exceed the maximum of the lower band.

Salary reductions greater than 5% are permitted with the prior approval of the appropriate vice president and Human Resources.

### **Competitive Salary Offer**

A competitive salary offer is a way to retain employees who are critical to the successful operation of the university and who have received external job offers.

Once the decision to make a competitive offer has been made, the appropriate vice president, in conjunction with the Budget Office and Human Resources, must approve competitive salary offers. The competitive offer may match the outside offer, however, it cannot exceed the maximum of the affected employee's pay band.

### **Role Change**

A role change occurs when an employee remains in his/her current position but his or her duties change. The change can be upward, downward or lateral. The appropriate vice president will determine the approval process for all role changes. The approval process will include a classification analysis by Human Resources.

An upward role change, which is defined as movement to a different role in a higher pay band, may result in a salary increase from 0% to 10% or to the minimum of the higher pay band.

A lateral role change, which is defined as movement to a different role in the same pay band, may result in a salary increase from 0% to 10% and is considered an in-band adjustment.

A downward role change, which is defined as movement to a different role in a lower pay band, will not result in a salary decrease unless the employee's salary is above the maximum of the lower pay band. If the salary is above the pay band maximum, it will be frozen and reduced after six months.

The appropriate vice president, in consultation with Human Resources, will determine the review process, timing and frequency of role changes.

## **In-Band Adjustments**

An in-band adjustment is an adjustment to an employee's base salary due to:

- a change in job duties and responsibilities
- application of new job-related skills and competencies from education, certifications, licensures
- retention (i.e., responding to salary market changes, labor market fluctuations, etc.)
- internal alignment

The appropriate vice president, in consultation with Human Resources, will determine the review process, timing and frequency of in-band adjustments. In-band adjustments can increase an employee's salary up to 10%, not to exceed the pay band maximum. In addition, there is a maximum limit of 10% per employee per fiscal year for in-band adjustments.

## **In-Band Bonuses**

The in-band bonus (for the reasons previously stated) allows additional flexibility to give non-base pay adjustments when a bonus is more appropriate than a base pay adjustment or when management requires additional time to address budget constraints but is able to fund a non-base pay adjustment in the current fiscal year. Consultation with Human Resources is required to determine the proper application of in-band bonuses.

# **HOURS OF WORK**

## **WORK SCHEDULE**

Full-time classified employees are required to work 40 hours per week. The standard university work week begins at 12:01 a.m. on Sunday and ends at midnight on the following Saturday. Normal university business hours are 8 a.m. to 5 p.m., Monday through Friday. Employees working in certain activities (library, public safety, facilities management and athletics) may work nonstandard shifts or work weeks. Exceptions to the standard work week may be requested to and approved by the Department of Human Resources.

All classified employees are normally entitled to a one-hour daily meal break. The meal period is not included in the count of hours worked – it is unpaid. Employees who work at least six consecutive hours must be afforded a lunch period (meal break) of at least 30 minutes.

Employees may also take two 15-minute breaks each day at the discretion of the supervisor. Rest breaks are included in the required hours of work per day.

The lunch period and the break(s) must be taken separately and breaks may not be used to extend the lunch period.

It is the employee's responsibility to call his/her supervisor when he/she expects to be absent or late for work. Some departments have unique notification guidelines.

An employee should check with his/her supervisor for the department's proper notification procedures.

## ALTERNATE WORK SCHEDULES

Alternate work hours may be necessary in some instances to provide effective services to the university community. As far as practicable, the university also tries to provide employees with a work schedule that is flexible enough to allow an opportunity to balance work and family or personal responsibilities. Managers have the authority to approve alternate work schedules and must submit the alternative work schedule form to Human Resources.

Once the work schedule has been approved, the employee must follow that schedule unless the supervisor approves a change.

### A. FLEXTIME

Flextime is a range of flexible work schedules that permit employees, with advance approval from the supervisor, to choose the time they will start and quit work.

#### Procedures:

1. Forty (40) hours must be worked during the employee's work week, normally Sunday through Saturday.
2. Current hours of service for the department's clients/customers must not be restricted.
3. An unpaid lunch period of at least 30 minutes is required for full-time employees.
4. Any work schedule acceptable to management and meeting the standards listed above is appropriate. Examples of flextime schedules are:
  - a. Starting work at 9 a.m., 1-hour lunch, and quit at 6 p.m.
  - b. Starting at 7:30 a.m., 30-minute lunch, and quit at 4 p.m.
  - c. Split shifts, such as 7:30-11:30 a.m. and 2:30-6:30 p.m.

### B. COMPRESSED WORK WEEKS

A compressed work week is a work schedule that permits a full-time employee to work the equivalent of a full week in fewer than five days.

#### Procedures:

1. An employee or the supervisor may request a compressed work week schedule. The employee's written request should be addressed to the immediate supervisor and outline the benefits of such a schedule.

A supervisor also may request that staff work a compressed work week schedule but should consider the employee's personal adjustments necessary to work such a schedule.
2. Any work schedule acceptable to management and the employee is appropriate so long as current departmental hours of service are maintained, 40 hours are worked during the work week, and at least a 30-minute lunch period is allowed. Examples of compressed work week schedules are:

- a. Four, 10-hour work days per week; for example, 7 a.m. to 6 p.m. (with a 1-hour lunch) or 7:30 a.m. to 6 p.m. (with a 30-minute lunch).
- b. Four-and-one-half days work week, with four nine-hour days and one four-hour day (lunch excluded). This example can be used two ways: First, have a half-day off every standard work week; second, have every other Friday off with an approved work week change to Friday at noon.

### **C. NINE, TEN OR ELEVEN-MONTH APPOINTMENTS**

Employees who work a nine-, 10- or 11-month appointment will have their salary distributed over the 24 pay period schedule.

#### **Procedures:**

1. A nine-, 10- or 11-month appointment may be requested by an employee or by a supervisor. The employee's written request should be addressed to the immediate supervisor in writing and outline the benefits of the reduced appointment. A supervisor also may request that staff work a nine-, 10- or 11-month appointment but should consider the employee's personal adjustments necessary to work such a schedule.
2. Supervisors have independent discretion to approve a nine-, 10- or 11-month appointment. Employees should be advised of the reasons why requests are denied.
3. A copy of the approved request for a reduced appointment should be sent to the Department of Human Resources to affect the change.

### **D. JOB SHARING**

When two employees voluntarily share the work responsibilities of one full-time position, the arrangement is called job sharing.

#### **Procedures:**

1. The employee desiring a job-sharing position should make a request in writing to the immediate supervisor.
2. The supervisor may approve or reject a job-sharing request following a thorough review.
3. Should the supervisor support the job-sharing concept, a recommendation should be sent to the vice president for approval. The decision of the vice president is final.
4. Employees should be advised of the reasons why job-sharing requests are denied.
5. Once approved, a formal recruitment for the job-sharing partner must be conducted in accordance with university policy.
6. Both job-sharing participants should sign the Job-Sharing Agreement Memorandum available from the Department of Human Resources, which outlines the nature of the employment relationship.
7. The supervisor must send a copy of the approved job-sharing request and the agreement to the Department of Human Resources to affect the change.
8. Job share participants will be paid 50% of the appropriate full-time salary. Annual leave, sick leave and holiday pay are prorated. Job share participants are eligible for fringe benefits, such as an employee paid health care plan, tax-sheltered annuity contributions, pro-rated tuition assistance, life insurance and retirement benefits.

## TELEWORKING

Teleworking permits agencies to designate employees to work at alternate work locations for all or part of their work week in order to promote general work efficiencies. It is not intended to serve as a substitute for child or adult care.

Teleworkers do essentially the same work that they would do in a traditional work setting in accordance with their same performance expectations and other agreed upon terms; however, they are located at an alternate site. Policies and procedures that normally apply to the workplace remain the same. Teleworking assignments do not change the conditions of employment or required compliance with policy. A written Teleworking agreement is required.

For questions or further information, contact the Department of Human Resources. See the university's Telework Policy 6202 at <http://www.odu.edu/ao/polnproc/>.

## OVERTIME COMPENSATION

The federal Fair Labor Standards Act (FLSA) requires that State employees (except those considered exempt from the law) be paid one and one-half time their usual hourly rate for any hours worked in excess of the standard 40-hour work week, or receive overtime leave at a rate of one and one-half hours for each overtime hour worked. All university employees are classified as "exempt" or "non-exempt" which establishes eligibility for overtime compensation under the FLSA. Non-exempt employees are typically assigned to positions in pay bands one through three. Exempt employees are not subject to the guidelines of FLSA and usually hold management or professional positions.

### I. EXEMPT EMPLOYEES

*The following wage and hour rules apply to exempt employees only:*

#### Compensatory Leave

1. Compensatory leave will be authorized only when it is essential for the effective management of the university. It will not be used to accomplish normal operating duties.  
  
Under no conditions will exempt employees receive one and one-half times their usual hourly rate or overtime leave.
2. All exempt university employees are prohibited from earning compensatory leave except in accordance with the following exceptions:
  - a. Irrespective of the position held, compensatory leave may be credited when a holiday falls on a scheduled rest day, or is not observed by the employee because all other employees in his or her unit are required to work on the holiday.
  - b. In unusual situations, where at the specific direction of the supervisor, an exempt employee works exceptionally long hours to meet the requirements of a critical or emergency situation, supervisors may credit compensatory leave.
  - c. Incumbents of positions which have significant seasonal or cyclical increases and decreases in work hours may be awarded compensatory leave. Such authorization may only be approved by the appropriate vice president in advance. Requests for such authorization must be submitted in writing to the appropriate vice president through the Department of Human Resources. It is recognized that most university positions have seasonal and cyclical characteristics. This is common in most administrative areas. It is not the intent of this policy to provide coverage for such positions. Such requests will not be approved. The cited exception is designed to accommodate unusual needs in areas where constant additional work hours are required during peak school year periods and little work is available during the summer.

3. Other than noted in the above exceptions, compensatory leave will not be credited to any employee in a position in which the employee independently determines the need for the extra hours or in which administrative or professional responsibility for work accomplishment without regard for schedule is implicit.
4. Compensatory leave expires if not taken within 12 months of the date it is earned.
5. In extremely unusual situations, supervisors may not be able to allow exempt employees the opportunity to take the earned compensatory leave prior to its expiration. In these cases, the supervisor may pay the exempt employee for all or a portion of the compensatory leave. Requests to effect such payments must be made through the Department of Human Resources to the appropriate vice president. Such requests must include the following:
  - a. The number of leave hours to be paid off and total cost of the requested payment.
  - b. The specific reason management was unable to schedule the use of the accumulated hours.
  - c. The source of funds for supporting the payment.

Upon the vice president's approval, the Department of Human Resources will process the payment request through the Payroll Office. Requests for payoff of accumulated compensatory leave should not be made any earlier than three months prior to the expiration date of the leave.

▶ **Additional Straight Time Pay**

Exempt employees are not normally compensated for hours worked beyond 40 in the work week. Some exempt positions have been designated by the Commonwealth of Virginia as eligible for straight time pay for hours worked beyond 40 in a work week.

Managers who want to compensate these employees with straight time pay must request prior approval from the Department of Human Resources and the appropriate vice president. Overtime is processed via webtime entry. The Department of Human Resources will advise managers and employees about an exempt position's eligibility for straight time compensation.

## II. NON-EXEMPT EMPLOYEES

*The following wage and hour rules apply to non-exempt employees only:*

▶ **Overtime Pay and Leave**

- **Overtime Pay** - All non-exempt employees must be compensated at the time and one-half rate for any hours worked in excess of 40 during a given work week. Overtime pay is processed via web time entry.
- **Overtime Leave** - Overtime leave may be selected by management as a means for compensating non-exempt employees for overtime work. Non-exempt employees will be compensated at the rate of one and one-half hour of leave awarded for each hour worked. Actual overtime hours worked are entered via web time entry. Maximum accumulation of overtime leave is 240 hours. Supervisors are responsible for ensuring that employee overtime leave balances do not exceed 240 hours. Overtime leave has no expiration date. When an employee's overtime leave balance reaches 240 hours, all further overtime must be compensated through overtime pay. Once an employee's overtime leave balance falls below 240 hours, overtime leave may again be awarded.
- Non-exempt employees will only be scheduled by management to work overtime when it is essential for the effective management of the university.

- Non-exempt employees are not allowed to work overtime without authorization by management.
  - Managers are responsible for controlling the work hours of non-exempt employees.
  - Budget constraints dictate the use of overtime leave in some departments. Those departments have established written policies regarding the award of overtime leave. Non-exempt employees must be advised in advance about the form of overtime compensation that they will receive.
- ▶ **Additional Straight Time Pay** - Non-exempt employees may be compensated with straight time pay for time worked beyond the required hours in a work week in which no more than 40 hours are worked. This may happen when a university holiday has occurred or when an employee has taken paid leave such as annual, sick or other approved leave during the work week.
  - ▶ **Compensatory Leave** - Compensatory leave is awarded at a rate of one hour leave for each hour worked. This type of leave is only applicable to hours worked outside the normal work schedule or on holidays when the total hours actually worked during the work week are below 40 due to the presence of a holiday or because the employee was on sick, annual or other approved leave during the work week. Compensatory leave expires one year from the date that it is earned.

## INCLEMENT WEATHER OR EMERGENCY CLOSINGS

<http://www.odu.edu/ao/polnproc/pdfs/1020.pdf>

## TIME CHANGES

**Daylight-Saving Time Changes to Eastern Standard Time** – Non-exempt classified employees on duty when Daylight- Saving Time changes to Eastern Standard Time will receive one hour overtime pay or be awarded one hour of overtime leave for the extra hour worked during the fall transition. (These employees are entitled to overtime on the basis of total hours for the work week, including the extra hour worked during the time change). Budget Unit Directors may elect to adjust evening shifts to eight actual work hours.

**Eastern Standard Time Changes to Daylight-Saving Time** – Non-exempt or exempt classified employees who work during the period when Eastern Standard Time changes to Daylight- Saving Time receive eight hours pay for the actual seven hours worked during the spring transition and must account for the lost hour either by using accumulated leave or working the hour at another time during the same work week.

## CALL-BACK PAY

Non-exempt employees returning to work at the explicit direction of management during non-scheduled work hours for emergency purposes will be paid a two-hour call-back minimum. This provision does not apply to designated personnel reporting to work during inclement weather or emergency closings, except in situations where an employee is called back to work to take care of an emergency after being released from work during an inclement weather or emergency closing.

- The two-hour call-back pay minimum is based on the employee's straight time rate; however, the actual rate paid will be based on the rules governing non-exempt employee overtime pay and additional straight time pay.
- Compensation for call-back pay begins when the employee is contacted by management to return to the university.
- The two-hour minimum call-back pay does include transit time to and from the university.
- The two-hour call-back minimum may be applied more than one time on a given day if an employee is called in more than one time.

Exempt employees are not normally authorized minimum call-back pay. However, under unusual conditions, compensatory leave may be granted following the guidelines and procedures established for exempt employee compensatory leave.

## **HOLIDAY PAY POLICY**

Non-exempt employees must receive compensation for working on a university holiday.

If a holiday falls on an employee's scheduled rest day, the employee will receive compensatory leave. If a non-exempt employee is required to work extra hours on a university holiday, the employee will receive compensatory leave or, at the employee's option, additional straight time pay. For those hours worked on a holiday which would cause the total hours worked during that work week to exceed 40 hours, the non-exempt employee will receive overtime pay or overtime leave.

The supervisor and the non-exempt employee must agree in advance, in writing, on whether the overtime to be worked will be compensated in the form of overtime pay or overtime leave.

Exempt employees may receive compensatory leave for working on a holiday if the holiday falls on the employee's scheduled rest day or if the exempt employee and all other employees in his or her unit are required to work on the holiday.

Compensatory leave must be used within 12 months of the date it was earned.

## **LEAVES OF ABSENCE**

All leave time must be earned before an employee uses it. An employee is credited with annual leave at the end of each completed pay period of service. If an employee is not in the Virginia Sickness and Disability Program, he/she is also credited with sick leave at the end of each completed pay period. Sick and annual leave earned are not available for use until the first day of the following pay period. (An employee does not earn leave time for a pay period if he/she begins employment or returns from leave without pay after the first day of the pay period.)

Sick leave for employees who were hired on or after January 1, 1999, and those who opted to participate during open enrollment, fall under the guidelines of the Virginia Sickness and Disability Program.

Annual and sick leave are not earned during a pay period when an employee uses more leave than he/she has balances to cover. When an employee uses more leave than he/she has earned, the Payroll Office is required to reduce his/her pay for the amount owed.

Employees are responsible for recording any leave they use during a pay period using Web Time Entry. An employee's supervisor is responsible for approving the Web Time Entry and sending it to the Payroll Office by the appropriate deadline each pay period.

It is a violation of the Standards of Conduct to falsify, alter or deliberately fail to submit a Web Time Entry or manual time-sheet.

Leave balances are accessible through LEO Online (<https://www.leoonline.odu.edu/>).

## ANNUAL LEAVE

The annual leave policy allows all full-time classified employees to accrue annual leave at rates that correlate to the employees' years of service. Part-time classified employees receive annual leave on a prorated basis. Annual leave balances may be carried over up to the maximum carry over limit per leave year (January 10 - January 9 of the following year).

The following chart shows the number of hours accrued and the maximum accrual rates (for full-time classified employees) based on years of service:

Years of Service	Hours Earned Per Pay Period	Maximum Carryover Limit	Maximum Payment Limit
up to 5 years	4 hours	192 hours	192 hours
5 through 9 years	5 hours	240 hours	240 hours
10 through 14 years	6 hours	288 hours	288 hours
15 through 19 years	7 hours	336 hours	288 hours
20 through 24 years	8 hours	384 hours	336 hours
25 years and more	9 hours	432 hours	336 hours

Annual leave is intended to be used as time off for vacations and other personal reasons. It may also be used for absences in excess of the credits available for other kinds of leave.

Annual leave accrual is not provided during the pay period when:

- an employee is on unauthorized absence for any part of the pay period;
- an employee is on suspension without pay for any part of the pay period;
- an employee is on leave without pay for any part of the pay period;
- an employee is hired after the first day of the pay period;
- an employee has insufficient leave balances to cover an absence;
- an employee has been absent for 90 consecutive calendar days, regardless of the type of leave to which the absence is charged.

When employees separate from state service, they will be paid for any unused annual leave, up to the maximum payment limits.

## VIRGINIA SICKNESS AND DISABILITY PROGRAM

<http://www.varetire.org/Members/Benefits/VSDP/index.asp>

The program provides 12 to 15 days of regular sick leave and family and personal leave each year, based on the employee's amount of state service. The Virginia Sickness and Disability Program (VSDP) also provides short-term and long-term disability coverage should an eligible employee incur an extended illness or injury.

**ELIGIBLE EMPLOYEES**

Full-time and part-time classified employees hired or re-employed on or after January 1, 1999 and classified employees in the Virginia Retirement System (VRS) who enrolled in the VSDP during the open enrollment period are eligible for the VSDP.

Full-time and part-time classified employees hired or re-employed on or after July 1, 2009 are provided with the regular sick leave and family and personal leave addressed above and in the charts below, but are not eligible for short-term and long-term disability coverage until they have completed one year of state service.

**VSDP LEAVE AMOUNTS**

Employees in the sickness and disability program will have hours of sick leave and hours of family and personal leave credited on January 10 of each year, based on the cumulative total of all their prior periods of full-time and part-time state employment (not wage). (Any partial calendar month shall constitute one month of service for this purpose.)

▶ **Current Full-time**

Months of Service	# of Sick Leave Hours/Days	# of Family and Personal Leave Hours/Days
Less than 60	64 (8 days)	32 (4 days)
60 to 119	72 (9 days)	32 (4 days)
120 or more	80 (10 days)	40 (5 days)

▶ **Current Part-time**

Months of Service	# of Sick Leave Hours/Days	# of Family and Personal Leave Hours/Days
Less than 120	32 (4 days)	32 (4 days)
120 or more	40 (5 days)	40 (5 days)

New employees enrolled in the VSDP will have hours of sick and family and personal leave credited initially according to their dates of employment (see chart below). In subsequent years, leave will be credited on January 10 according to the above service chart.

▶ **New Full-time**

Employment Begin Date	# of Sick Leave Hours/Days	# of Family and Personal Leave Hours/Days
1/10 – 7/9	64 (8 days)	32 (4 days)
7/10 – 1/9	40 (5 days)	16 (2 days)

▶ **New Part-time**

Employment Begin Date	# of Sick Leave Hours/Days	# of Family and Personal Leave Hours/Days
1/10 – 7/9	32 (4 days)	32 (4 days)
7/10 – 1/9	20 (2 ½ days)	16 (2 days)

▶ **Employees Who Return From Disability Absence**

Employees who are receiving disability benefits on January 10 of any year will be granted sick leave and family and personal leave on the date they return to active employment. The amount of leave granted shall be determined according to the above. (Active employment includes part-time and full-time.)

▶ **Increased Service**

When an employee achieves service that qualifies him/her for increased sick and family and personal leave hours, it will be credited on January 10 of the following year.

**VSDP LEAVE USE**

Sickness and disability leave incorporates sick leave and family and personal leave as discussed below. Neither may be carried over at the end of the leave year, or paid out upon the employee's separation from employment.

▶ **Sick Leave**

- Personal – Employees may use credited sick leave for absences due to illnesses, injuries and preventive, well-patient doctors' visits.
- Family Purposes – Employees may use 33% of their credited sick leave for family purposes as qualified under the State's Family and Medical Leave Policy, # 4.20.

Immediate family as defined by the Family and Medical Leave Act (FMLA) includes employee's:

- (1) parent – biological parent or individual who stood in place of the parent of the employee and was charged with the duties and responsibilities of the parent;
- (2) son or daughter – a biological, adopted or foster child, a step child, or legal ward, or a child of a person standing in place of the parent (child must either be under age 18 or be age 18 or older and incapable of self-care because of a mental or physical disability);
- (3) spouse – husband or wife as recognized under the laws of the Commonwealth for the purpose of marriage.

▶ **Family and Personal Leave**

Participating employees may use credited family and personal leave for absences due to personal and family reasons as well as for personal illnesses or injuries. The employee should give reasonable notice to his/her supervisor. The supervisor should approve the leave unless agency work demands require the employee to work during the requested time.

▶ **Use of Disability Credits**

Employees who previously held accrued sick leave hours that were converted to disability credits may use those credits during periods of disability to extend the period of time they receive 100% salary. That is, they may be used to substitute periods of 100% pay for 80% and 60% periods of pay.

**NOTE:** When an employee is on disability leave, it is assumed that his work schedule was a standard 8-hour work day.

### SHORT-TERM DISABILITY BENEFITS

If a personal illness or injury extends beyond seven calendar days, on the eighth day, employees covered by the short and long-term disability aspects of VSDP are entitled to income replacement under the VSDP short-term disability program. The VSDP Member Handbook contains income replacement details and can be accessed at: <http://www.varetire.org/Pdf/Publications/VSDPhdbk.pdf>.

### LONG-TERM DISABILITY BENEFITS

Long-term disability benefits provide income replacement if an employee is unable to work for a long period of time due to an illness or injury. Long-term disability benefits begin after short-term disability benefits end. The waiting period for long-term disability benefits is six months (the length of short-term disability coverage).

Long-term disability benefits provide an income replacement of 60 percent of creditable compensation. These benefits continue until one of the following occurs:

- The employee is able to return to work full duty and full schedule.
- The employee reaches normal retirement age.
- The employee's wages and salary exceed 85 percent of pre-disability earnings.
- The employee begins receiving a VRS service retirement benefit.
- The employee dies.

HOW TO ACCESS VSDP BENEFITS
✓ If an employee becomes ill or injured and expects to be unable to work for more than seven calendar days, he/she should notify his/her supervisor, Human Resources and call 1-800-652-5602. If the employee is unable to call, a family member or the supervisor may call on his/her behalf. <b>Employees may call before they miss work (for example, for planned surgeries or maternity leave).</b>
✓ The Customer Service Representative (CSR) at VSDP will collect some basic information from the employee, and make sure they know how to contact the employee's licensed treating professional.
✓ The CSR will send the employee a benefit packet that describes the program and how to use disability credits.
✓ The VSDP nurse will call the employee's licensed treating professional. Together they will agree on a return-to-work plan for the employee.
✓ If the employee's return-to-work plan includes modified duty or restricted hours, the nurse will coordinate these arrangements with the Human Resources Absence Programs Coordinator.
✓ The VSDP will send information to the Department of Human Resources about how long the employee will be away from work and what his/her level of benefit will be. This information also determines the amount of the employee's compensation.
✓ The VSDP nurse will continue to assist the employee until he/she returns to work.

- ✓ Employees are expected to notify and keep their supervisor and the Human Resources Absence Programs Coordinator informed during their absence.

For more information on the VSDP, consult the [VSDP Handbook](#) or call the Department of Human Resources at 683-4196.

## TRADITIONAL SICK LEAVE

Sick leave is a privilege to be used for valid health purposes. It benefits the employee to maintain sick leave as a cushion against unforeseen injury or illness. (If the employee is in the Virginia Sickness and Disability Program, refer to the VSDP information.)

Full-time employees in the traditional sick leave program earn five hours of sick leave per semi-monthly pay period. There is no limit on accruing sick leave. When an employee takes sick leave, he/she must record it in Web Time Entry at the end of each pay period. The employee's supervisor may request a health care provider's certification of illness to cover the period missed.

Sick leave may be used when an employee is ill or if an immediate family member is ill or dies. "Immediate family member" includes the employee's parents, wife, husband, child, brother, sister, step-parents, step-children, step-brother, step-sister, or any other relative living in the employee's household. In these instances, the employee's family sick leave is limited to 48 hours per case, up to a limit of 48 hours per leave year (January 10 – January 9 of the following year).

Sick leave may be used for an employee's medical appointments when such appointments cannot reasonably be scheduled during non-work hours. Sick leave applies to the time required for the medical appointment plus reasonable travel time. An employee's supervisor may request verification of the medical appointment from his/her health care provider to cover the period missed.

Sick leave may also be granted for medical conditions and disabilities including those related to pregnancy or childbirth.

Sick leave is not accrued during the pay period when:

- an employee is on unauthorized unpaid absence for any part of the pay period;
- an employee is on suspension without pay for any part of the pay period;
- an employee is on leave without pay for any part of the pay period;
- an employee has insufficient leave balances to cover absence;
- an employee has been absent for 90 consecutive calendar days, regardless of the type of leave to which the absence is charged.

If an employee anticipates being disabled from work due to a medical condition, including but not limited to such things as elective surgery, pregnancy and childbirth, he/she should submit a physician's certification of disability as soon as possible to assist management in planning for the employee's absence.

An employee may also use sick leave for surgery; if the employee needs extended leave time, the employee must give his/her supervisor a statement from a health care provider concerning this. Upon return, the employee must bring another statement from a health care provider certifying that he/she is able to return to his/her job full-time/full-duty or in a restricted, light or modified duty capacity.

If an employee leaves state employment after at least five continuous years of employment, he/she will be paid for 25 percent of his/her unused sick leave, up to a maximum payment of \$5,000. If the employee is re-employed at the university or another state agency within three months of separation, the individual's sick leave will be restored if he/she has not been paid for it.

Employees may use 33% of their credited sick leave for family purposes as qualified under the State's [Family and Medical Leave Policy, # 4.20](#).

## **FAMILY AND MEDICAL LEAVE**

The Family and Medical Leave Act (FMLA) requires the university to give eligible employees job-protected leave for the birth, adoption or foster care of a child, or the serious health condition of the employee or the employee's immediate family member (child, spouse or parent).

Eligible employees with a spouse, son, daughter or parent on active duty or called to active duty status in the Regular Armed Forces, National Guard or Reserves in support of a contingency operation may use their 12-week (60 workdays or 480 work hours) leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special military caregiver leave entitlement that permits an eligible employee who is the spouse, son, daughter, or next of kin of a covered service member or veteran who is recovering from a serious illness or injury sustained or a preexisting condition aggravated in the line of duty while on active duty to use up to 26 weeks (130 workdays or 1040 work hours) of leave in a single, 12-month period to care for the service member. This leave is only available once and is combined with all other FMLA leaves that year limiting FMLA for all purposes to 26 weeks during a 12-month period.

To be eligible, an employee must have been employed by the State for at least 12 months during the preceding seven years and have at least 1,250 worked hours of service during the 12-month period prior to the leave request.

Eligible staff are entitled to 12 weeks of paid/unpaid leave in a leave year (January 10 – January 9) for circumstances stated above.

Eligible employees must use available paid leave per the university's FMLA policy at the beginning of the 12-week leave period.

If an employee takes leave under the FMLA, he/she has a guaranteed right to return to his/her same job, or in unusual cases, a job with equivalent status and pay. Health benefits must continue during the leave at the same level and conditions as if the employee had continued to work.

An employee must give 30 days advance notice to his/her supervisor of the need to take FMLA leave when it is foreseeable for the birth or placement of a child for adoption or foster care, or for planned medical treatment. When it is not possible to provide advance notice, the employee must notify his/her supervisor as early as is practicable (usually within one to two work days of when the employee learns of the need for leave).

For intermittent leave that is based on planned medical treatment for the employee or the employee's child, spouse or parent, the employee must also make reasonable efforts to schedule the treatment to minimize disruptions to the department's operations. An employee may take leave intermittently or use leave to reduce the work day or work week, resulting in a reduced work schedule. The supervisor must approve these variations. The supervisor and employee should agree on work schedules during intermittent leaves or reduced schedule time periods. If an employee fails to provide 30 days notice for leave that is foreseeable, the request may be denied until 30 days after the date the employee provides notice.

Certifications from health care providers must be provided to Human Resources to support the leave. This includes the employee's health care provider or family member's health care provider.

## LEAVE SHARING

Leave sharing allows administrative and professional faculty, full-time and part-time classified employees to donate annual leave to classified co-workers who need extended sick leave. Leave sharing is designed to benefit classified employees with chronic illnesses or serious injuries who have exhausted their other leave options or are experiencing leave without pay due to a family member's illness or injury. Employees in VSDP may request donated leave if experiencing leave without pay due to a family member's illness or injury.

Classified employees whose regular leave balances have been depleted can initiate the leave share request by contacting the Department of Human Resources. If the employee is unable to make this contact, the supervisor may file the request. The employee must provide the required medical certification from a physician to Human Resources.

The employee *may not* solicit leave donations from fellow employees. The Department of Human Resources is responsible for obtaining donations. Donations must be in 8-hour increments (no limit applies).

The Leave Sharing Program is a direct share program where leave donations are given from the donor to a specific recipient. It is not a leave bank.

All full and part-time classified employees may receive leave share donations per the stipulations above.

## COMPENSATORY LEAVE

Compensatory leave provides eligible employees with paid leave as compensation for additional hours worked during specific times.

Compensatory leave is credited when an eligible employee works additional hours in a work week at the rate of one hour for each hour worked; works on an official office closing day, a holiday, or a scheduled day off; or when a holiday falls on an employee's day off.

Compensatory leave must be taken within 12 months from the date it was earned.

Compensatory leave earned, as well as taken, is submitted via web time entry.

## OVERTIME LEAVE

Non-exempt classified employees are eligible to receive overtime leave at the rate of one-and-one-half hours for each hour worked in excess of 40 hours per work week. Overtime leave cannot exceed a 240-hour balance and there is no expiration time limit for overtime leave use.

An employee covered by the Fair Labor Standards Act who works more than 40 hours in any work week may elect to receive overtime leave instead of overtime compensation. Overtime hours must be approved in advance.

Management must state when overtime leave will be granted in lieu of overtime compensation prior to the employee working the overtime.

Overtime leave earned, as well as taken, is submitted via web time entry.

## LEAVE WITHOUT PAY

Leave without pay may be granted in emergency situations when all other types of leave have been exhausted or when an employee is not eligible for other types of leave. In exceptional circumstances, an employee may be granted leave without pay and be allowed to retain his/her earned leave balances. This is at the discretion of the employee's supervisor unless the provisions of the Family and Medical Leave Act policy apply.

If an employee is considering leave without pay, he/she should discuss the situation with his/her supervisor. The employee should write a letter to the supervisor stating the length of absence, the date he/she plans to leave and return, and whether he/she wishes to return to the same position. The employee will also need to review his/her leave balances with the Payroll Office or on LEO Online and determine whether he/she wants to retain them.

There are two types of leave without pay used by the university:

- **Unconditional Leave Without Pay:** Employees are guaranteed the right to return to their former positions at the conclusion of the absence.
- **Conditional Leave Without Pay:** Employees are not guaranteed the right to return to their former positions and departments may fill the positions as they determine the need.

The Family and Medical Leave Act policy guarantees eligible employees 12 weeks of job-protected leave for qualifying reasons ([See Family and Medical Leave](#)).

If an employee takes leave without pay for personal reasons, he/she can continue to get health insurance benefits by paying the group premiums, both the employer and employee portions. If an employee takes leave without pay to take care of a family member covered by the Family and Medical Leave Act, the employee only pays his/her employee portion of the health insurance premiums. If an employee takes sick leave without pay, he/she can still his/her current coverage at his/her usual rate if a physician approves the leave for medical reasons. Continued health insurance coverage is not automatic unless the FMLA applies. An employee can continue health insurance coverage by stating in the leave request letter that he/she wishes to keep continuous coverage. Depending upon the type of leave without pay request, Old Dominion University will continue to pay the employer portion of the premiums and the employee must submit payments for his/her portion of the monthly cost. Employees should contact the Department of Human Resources Benefits Unit about other available benefits coverage while on leave without pay.

***No leave of any type accrues during periods of leave without pay.***

## HOLIDAYS

The university typically observes 12 state-approved holidays each year.

A list of the exact calendar days on which university holidays will be observed for the upcoming calendar year is announced each year, usually in December and is posted on the Human Resources at <http://odu.edu/ao/humanresources/about/holidays.shtml>.

University holidays do not always coincide with state holidays because the staff is needed to keep the university operating when students are present. In order to receive holiday pay, employees must either work or be on paid leave the work day before and the work day after the holiday. If an employee is in a leave without pay status for any portion of the work day before or the work day after the holiday, they are ineligible for holiday pay.

## Religious Holidays

Supervisors should make reasonable accommodations for the religious holiday needs of employees, unless the leave will result in undue hardship for the department or university operations. Employees should request leave in advance. Employees may charge time off for religious holidays to personal leave, accrued annual, compensatory or overtime leave balances, or leave without pay, as appropriate.

## **SCHOOL ASSISTANCE AND VOLUNTEER SERVICE LEAVE**

Full-time and part-time classified employees are eligible to use up to 16 hours of volunteer service leave per leave year. Part-time classified employees will receive a pro-rated amount based on the percentage of full-time employment. This type of leave may be used for reasons such as:

- Relief to physically or mentally challenged persons;
- Relief to victims of natural disasters or catastrophes (where Policy 4.17, Emergency/Disaster Leave is not applicable);
- Health services, emergency relief and shelter, transportation and preparation or delivery of meals;
- Community services that assist residents, including child and youth development;
- Other direct or welfare services for the economically disadvantaged;
- Participating in school activities including meeting with teachers or school administrators, attending school functions or performing volunteer work that has been approved by a teacher or school administrator.

Schools for which this leave may be granted include any public preschool, elementary, middle or high school. This term may include private preschools, elementary, middle or high schools only if the employee has children, stepchildren or children for whom the employee has custody attending the private school.

Additionally, supervisors may require written verification from officials of the community service organization for use of volunteer service leave. If the leave is used for school assistance, written verification should be from a school administrator or teacher.

Departments should attempt to approve [volunteer service leave](#) at the time requested by employees, but have the discretion to disapprove leave if it would significantly impact work unit operations.

## **LEAVE TO DONATE BONE MARROW OR ORGANS**

A full-time, non-probationary classified employee may receive up to 30 days of additional paid leave for donating bone marrow or organs. This type of leave is provided in addition to other leave benefits, does not count toward the 12-week period of family and medical leave, requires medical certification prior to approval of the leave, and guarantees the employee's position will be available upon return.

For complete information, please refer to Policy 4.37 in the Department of Human Resource Management Policy Manual or call Human Resources at 683-3042. The policy link is: <http://www.odu.edu/ao/humanresources/leave/bonemarrow.shtml>.

## CIVIL AND WORK RELATED LEAVE

Civil and work related leave is paid leave granted during working hours for the following reasons:

- ▶ Serving on a jury, appearing in court as a witness under formal subpoena or summons, or providing depositions in accordance with a subpoena or summons, except as a defendant in a criminal case.
  - An employee may charge only the actual time away from work for official jury duty or service as a witness.
  - Reasonable travel time may be included.
  - Employees who appear for jury duty for four or more hours in one day, including travel time, will not be required to start a work shift that begins on or after 5:00 p.m. on the day of his/her appearance for jury duty or that begins before 3:00 a.m. on the day following the day of his/her appearance for jury duty.
  - Employees who regularly work the evening or night shift should be rescheduled, whenever possible, to work the day shift during the periods when they are required to appear in court proceedings.
  - An employee is also required to provide documentation verifying the need for civil and work related leave, and his/her supervisor may request confirmation of the actual time required for court duties.
  - An employee is allowed to retain monies that the court provides for reimbursement of daily expenses, but any fees the court designated as reimbursement for services should be given to the university in order to charge the absence to civil and work related leave.
  - If an employee wishes to retain the reimbursement for services, he/she may charge his/her absence to annual, compensatory or overtime leave rather than civil and work related leave.
  - If an employee has no leave balances available, he/she can charge the absence to leave without pay.
- ▶ Interviewing and testing for positions in state service:
  - An employee may charge only the actual time away from work for interviewing and testing.
  - Reasonable travel time may be included, and the employee's supervisor may request documentation to confirm the appointment times.
  - If an employee's use of this leave for interviewing becomes excessive as determined by the supervisor, it may be restricted.
- ▶ Attempting to resolve work-related problems and/or attending work-related hearings:
  - Employees involved in grievances as grievant, witnesses or representatives will be granted civil and work related leave for a reasonable amount of time during working hours. This includes resolution meetings and hearings.

- Employees who have meetings with the Department of Employment Dispute Resolution or the Office of Equal Employment Services of the Commonwealth's Department of Human Resource Management will be granted civil and work related leave.
- ▶ Serve on councils, commissions, boards or committees of the Commonwealth.

For further detail on [civil and work related leave](#), employees should contact their supervisor or the Department of Human Resources.

## **MILITARY LEAVE**

Employees who are members of any reserve component of the Armed Forces of the United States are eligible to take military leave with pay for up to 15 workdays in each federal fiscal year (October 1 through September 30) for federally funded military training duty. Military leave for up to 15 workdays shall also be granted to members of the Virginia Defense Force or the National Defense Executive Reserve when it is for training specifically approved by the Governor or his or her designee.

Employees must furnish their supervisor with written request and some type of documentation from a responsible military official indicating the dates and type of required military training. Notice should be given prior to the beginning of the training. In cases of emergency call-up, employees shall notify their supervisor of the call-up for duty as soon as possible.

Employees requiring more than 15 workdays for military training or to attend weekend drills shall be granted the time off for their military duty. At the employee's option, these absences may be charged to the employee's annual or compensatory leave balances, or leave without pay.

[Military leave](#) with pay may be granted for active duty in the Armed Forces of the United States. Contact Human Resources for more information should this situation occur.

## **EMERGENCY/DISASTER LEAVE**

Classified employees who are called away from their regular jobs to provide specific kinds of emergency services during defined times of state and/or national disaster are authorized, when approved by the university, to receive up to 80 hours of paid leave on an annual basis.

The university may also grant up to 80 hours of paid leave annually to classified employees who are victims of a disaster that meets the criteria specified in [DHRM Policy # 4.17, Emergency/Disaster Leave](#).

## **EDUCATIONAL RELEASE TIME**

Educational release time provides for up to three hours of release time per week for college courses for participants in the [ODU Tuition Assistance Program](#).

Educational release time is at the supervisor's discretion. For more information, contact the Department of Human Resources.

## **WORKERS' COMPENSATION LEAVE**

If an employee is incapacitated by an injury or illness caused by his/her job and the claim has been approved by the insurance carrier, the employee will receive Workers' Compensation Leave with pay to cover absences.

For employees in the sick leave accrual program during the first 92 calendar days of absence an employee receives Workers' Compensation Leave for the total period of absence.

After 92 days, for each work day missed, he/she will receive 2/3 Workers' Compensation Leave. The employee may choose to charge the remaining 1/3 to his/her sick, annual or compensatory leave balance or request leave without pay to cover the total period of absence. A request for leave without pay is subject to the supervisor's approval.

Employees covered under the Virginia Sickness and Disability Program (VSDP) will receive up to 125 work days of supplemental income replacement after the seven calendar day waiting period.

See the VSDP Handbook for further information at (<http://www.varetire.org/Pdf/Publications/VSDPhdbk.pdf>).

All absences from work due to a work-related illness or injury must be reported on a manual time-sheet as WCL (Workers' Compensation Leave).

## **WORKERS' COMPENSATION**

An employee is protected in case of on-the-job accidents and injuries by the State Workers' Compensation Act. To be eligible for Workers' Compensation benefits, the employee must report any injury to his/her supervisor, no matter how minor it may be. Also, the supervisor must report any injury to the Department of Human Resources Absence Programs Coordinator (extension 3-4196) no later than the first business day following the date of the injury. An employee may lose benefits if he/she does not report the injury within 30 days. An injured employee must select a treating physician from a panel of approved physicians. Contact the Department of Human Resources for the names and locations of approved physicians.

Once an employee's claim has been certified, the Commonwealth will pay job-related medical expenses.

Time off because of the injury may be charged to workers' compensation leave, according to relevant provisions, when the physician verifies in writing that the employee's absence is medically necessary (except under extraordinary circumstances).

## **UNPAID ABSENCE**

Employees are not paid when they are on leave without pay, are on unauthorized leave (absent without permission), or have insufficient leave balances to cover the absence.

When an employee incurs a time loss, the employee does not accrue annual and sick leave for the pay period in which the time loss occurred. A continuing pattern of unpaid absences should result in the supervisor taking progressive disciplinary action.

# **CLASSIFIED EMPLOYEE BENEFITS**

## **SALARY INFORMATION**

### **PAYMENT SCHEDULE**

Classified employees are usually paid on the 1<sup>st</sup> and 16<sup>th</sup> of each month. If payday falls on a weekend or holiday, payday is typically the last work day before the weekend or holiday. Employee pay stubs are available on LEO Online.

## **DEDUCTIONS**

The following items must be deducted from an employee's pay: Social Security (FICA), federal withholding tax and state withholding tax and the Virginia Retirement System.

Employees may also have premiums for optional benefits deducted from their pay.

## **LIENS AND GARNISHMENTS**

Tax liens and garnishments must be honored in accordance with the state garnishment law and the federal Wage Garnishment Act. A garnishment or lien is the result of a legal procedure through which part of an employee's salary is required to be withheld for the payment of a debt.

Federal and state laws prohibit the discharge of any employee because his or her earnings have been subjected to garnishment for any indebtedness.

In accordance with current law, a fee is charged to the employee for the costs associated with the collection and disbursement of garnishments, tax liens and child support orders. The fees apply to both full and part-time employees. Contact the Payroll Office for additional questions.

## **DEBTS TO THE UNIVERSITY**

Employees are required to pay any debts owed to Old Dominion University in a timely manner. As a condition of employment, new hires are required to sign a statement authorizing the deduction from any amounts due them to pay off debts. Employees who resign with unpaid debts to the university may also have their leave payouts reduced to cover the debts. The Payroll Office will notify employees if these actions are taken.

Administrative debt set-off may also apply against state taxes.

## **VIRGINIA RETIREMENT SYSTEM (VRS)**

The VRS furnishes a retirement benefit to salaried full-time and part-time classified employees, benefits for survivors and disability benefits. A pre-tax contribution of 5% is automatically deducted from employee pay each pay period. Participation in VRS is a condition of employment.

VRS, a defined benefit plan, has a five-year vesting period before an employee is eligible for a retirement benefit for life, provided the age and eligibility requirements are met.

The *Code of Virginia* prohibits borrowing from your VRS member contribution account.

If an employee separates from university employment and VRS membership, he/she may choose to withdraw retirement contributions. The refund IS NOT automatic – the employee must request the refund by completing a VRS Refund Request form. Refunds are subject to mandatory tax withholding, if refunded directly to the employee.

See the VRS web site at <http://www.varetire.org/> for additional information.

## **VRS BASIC LIFE INSURANCE**

All salaried full-time and part-time classified employees who meet the requirements of VRS also receive group life insurance, which is a condition of employment. The employee does not contribute to the cost of the premiums because the Commonwealth of Virginia and the university share the premium cost. Additional information is in the [VRS Handbook for Members](#).

## **VRS OPTIONAL LIFE INSURANCE**

Optional life insurance is available to full-time and part-time insured employees through the Virginia Retirement System (VRS). Premiums are paid through payroll deduction.

## **CHANGING BENEFICIARY**

Employees should review and keep their beneficiaries policies current. Some situations that warrant beneficiary review include marriage, divorce, birth, adoption, or death. Beneficiary changes may be made at any time. Policy benefits will go to the designated person(s) listed on the policy at the time of the event.

## **BENEFITS**

### **HEALTH INSURANCE BENEFITS**

All salaried full-time and part-time classified employees have a choice of health benefit options.

Eligible part-time employees pay the full cost of health care.

Applications for health insurance must be completed within the first 30 days of employment or within 60 days of a qualifying mid-year event (marriage, divorce, death of a spouse, birth or adoption, covered child no longer eligible).

For detailed insurance information on available options, eligibility, open enrollment and deadlines, please refer to the *Commonwealth of Virginia Member Handbook*, health benefits Web page at <http://www.dhrm.virginia.gov> or the Department of Human Resources' benefits [Web page](#). The Benefits Office can be reached at 683-3051 or 683-4237.

### **FLEXIBLE BENEFITS (Optional Benefit)**

There are two types of flexible spending accounts: medical reimbursement and dependent care reimbursement. Based on the employee's needs, he/she may enroll in one or both of these accounts. If enrolled in a flexible spending account, the employee DOES NOT pay state or federal income tax, or Social Security tax on the amount contributed to the flexible spending account. By placing pre-tax dollars into a flexible spending account, the employee will lower his/her taxable income, which means paying fewer taxes. Paying less money in taxes increases spendable income. For more information on these benefits, access the health benefits Web page at <http://www.dhrm.virginia.gov>.

### **LONG-TERM CARE INSURANCE (Optional Benefit)**

Long-term care insurance is an optional benefit offered to salaried, full-time and part-time classified employees, their spouses, parents and parents-in-law. Employees enrolling within 60 days of hire do not have to complete a health care questionnaire. Long-term care is the care needed when assistance with day-to-day functions such as dressing, eating, getting in and out of bed due to medical problems is caused by illness or accident.

Participants in the Virginia Sickness and Disability Program (VSDP) are provided a \$96 basic daily benefit with a two-year lifetime maximum.

### **LONG-TERM DISABILITY INSURANCE (Optional Benefit)**

Long-term disability insurance provides benefits after 180 days of total disability for any of the following: recurrent disability, disabilities resulting from pregnancy and certain conditions related to mental disabilities. An employee is eligible and can apply for this insurance if he/she meets the minimum salary (\$15,000) required to enroll in the program.

### **ACCIDENTAL DEATH/DISEMBLEMENT INSURANCE (Optional Benefit)**

Accidental death/dismemberment provides full 24-hour protection for employees, their spouses and/or dependent children in case of accidents anywhere in the world on or off the job, on business, on vacation or at home. All full-time salaried employees under age 70 are eligible.

### **PREPAID LEGAL ASSISTANCE PLAN (Optional Benefit)**

The prepaid legal assistance plan covers legal matters such as simple will preparation, real estate transactions, traffic violations and civil actions. The employee pays the premium and payment methods vary depending on employment status.

### **DEFERRED COMPENSATION (Optional Benefit)**

Deferred compensation allows an employee to take advantage of state and federal tax breaks by “sheltering” a portion of his/her income to supplement retirement benefits. There are three types of investment funds available: fixed income funds, equity funds and savings funds.

### **TAX-SHELTERED ANNUITIES (Optional Benefit)**

Tax-sheltered annuities offered by certain companies have been designed to offer tax-sheltered income plans to university employees. These decrease gross earnings, which lower the employee's taxes, and the amounts taken out through payroll deduction are deferred to retirement.

### **CASH MATCH (Optional Benefit)**

The Employer Cash Match Plan is a 401(a) qualified defined contribution plan. If enrolled in a participating tax-sheltered annuity or a deferred compensation plan, salaried full-time and part-time classified employees are eligible to enroll in a Cash Match account and receive the employer contribution.

### **TUITION ASSISTANCE FOR CLASSIFIED EMPLOYEES**

Tuition assistance is available to full-time and part-time classified employees who are expected to continue in the service of the university long enough to justify the assistance. Full-time employees must have completed one year of full-time service at the university and have a salary lower than the current cap. Part-time classified employees must have completed three years of part-time service at the university. Tuition assistance is not applicable to instruction of less than five work days or any in-service training.

#### **Tuition can be used for the following reasons:**

- Job-related – Assistance is available to employees who wish to develop and maintain their skills and knowledge to meet the changing demands of their current job.
- Career Development – Assistance is available to obtain degrees that will increase employees' opportunities within the university.

#### **Procedure**

See university Policy 6400 at: <http://www.odu.edu/ao/polinproc/pdfs/6400.pdf>.

## **TUITION ASSISTANCE FOR DEPENDENT/SPOUSE**

All legal dependents, as defined by current Internal Revenue Service regulations, and spouses of full-time classified staff currently employed by Old Dominion University, with a salary of less than the current cap, are eligible to apply for tuition assistance. Tuition assistance will not exceed six credit hours for each fall and spring semester at the in-state rate. No tuition support shall be provided by the Tuition Assistance Program to a dependent(s) and/or spouse of a classified staff member until the completion of the employee's first year of full-time employment.

The Vice President for Human Resources or his/her designee shall be responsible for administering the Tuition Assistance Program. The Department of Human Resources should be contacted regarding applications, procedures and appeals.

## **RETURN-TO-WORK**

It is the university's policy to provide return-to-work in a restricted, light or modified duty capacity to employees who are not able to perform the full duties of their position due to a work-related or non-work-related illness or injury.

Employees who have medical authorization to return to work in a restricted, light duty or modified duty capacity should provide their supervisor with this written authorization so that determination can be made on the availability of restricted, light or modified duty for the employee.

## **UNEMPLOYMENT COMPENSATION**

If an employee becomes unemployed, he/she should call the nearest Virginia Employment Commission office for further information.

## **COMMONHEALTH**

CommonHealth is an employee wellness program offered through the Commonwealth of Virginia. Programs, challenges and Health Check screenings are offered in a number of ways, designed to meet the needs of the agency. It is a program which promotes healthy lifestyles in the workplace and personal lives. For more CommonHealth information visit <http://commonhealth.virginia.gov/>.

## **CREDIT UNIONS**

The Old Dominion University Credit Union (ODUCU) has locations at 2701 Hampton Boulevard and in Webb Center. Employees may pay loans or deposit savings by payroll deduction. The credit union offers direct deposit to a checking account, Christmas Club and Vacation Club accounts. Discount tickets to Busch Gardens and Kings Dominion are available seasonally to credit union members. Contact the credit union for more information at 533-9308 or go to <http://www.oducreditunion.org/>.

The State Employees' Credit Union is also available and provides Christmas Club, checking accounts, share and draft services. Payroll deductions can be arranged. Application forms are available in the Payroll Office.

## **CAMPAIGNS**

Each spring a campaign is held to solicit gifts to the university through the Campus Community Campaign (CCC). Contributions may be specified for a certain school or event or may be made to the university in general. An employee may contribute by payroll deduction or directly to the campaign.

The Virginia Combined Virginia Campaign (CVC) is conducted on campus between September and December. An employee may contribute by payroll deduction or directly to the campaign. Payroll deductions usually begin with the January paycheck and end with the last paycheck in December.

## POLICIES AND PROCEDURES

The information in this section of the guidebook provides a summary of important policies and procedures with which employees should be familiar. Policy manuals with detailed information are available at <http://www.odu.edu/ao/polnproc/> and <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

### THE PERFORMANCE MANAGEMENT PROCESS

The Performance Management Process is an annual cycle (October 25 through the following October 24) that encompasses three phases.

- **Phase 1 - Performance Planning** begins the process annually. The employee and supervisor (with the approval of the reviewer) establish work tasks and measures and professional development goals. The performance plan is certified in PAPERS BY December 1<sup>st</sup>.
- **Phase 2 - Performance Management** refers to the on-going documentation of an employee's performance and feedback throughout the year.
- **Phase 3 - Performance Evaluation** is completed each year between mid-August and October 24. The employee and supervisor collaboratively discuss and evaluate the employee's performance for the past year with the approval of the reviewer. The evaluation is documented in PAPERS.

### PERFORMANCE PLANNING AND EVALUATION

Old Dominion University is committed to providing a performance management process that rewards employees for their work contributions in a fair and equitable manner.

#### RATING LEVELS

There are three rating levels as defined below:

- **Contributor:** This rating recognizes work that is at or above the performance standards by meeting and achieving the criteria of the job functions throughout the performance cycle. Employees at this level are achieving the core responsibilities and performance measures as outlined by the manager.

The term "contributor" is intended to convey a sense of commitment, purpose and obligation that each employee has in contributing to performance, whether it be through individual or team performance. All state employees should take pride in the "contributions" that they make on a daily and long-term basis.

- **Extraordinary Contributor:** This rating recognizes work that is characterized by exemplary accomplishments throughout the performance cycle and performance that considerably and consistently surpasses the criteria of the job function. To be eligible to receive an overall rating of Extraordinary Contributor, an employee must have received at least one documented Acknowledgement of Extraordinary Contribution form or Immediate Recognition form during the rating cycle. However, receipt of one of these forms does not guarantee or necessarily warrant an overall rating of Extraordinary Contributor.

- **Below Contributor:** This rating recognizes job performance that fails to meet the criteria of the job function. An employee who receives at least one Notice of Improvement Needed/Substandard Performance form or Written Notice may receive an overall rating of Below Contributor on the annual rating. An employee cannot be rated Below Contributor on the annual evaluation if he or she has not received at least one Notice of Improvement Needed/Substandard Performance or Written Notice form along with an improvement plan (which should have an improvement period of no less than 30 days or more than 180 days) during the performance cycle.

An employee who receives an overall rating of "Below Contributor" must be provided a performance re-evaluation plan within 10 work days of the evaluation meeting.

The employee will be re-evaluated three months from the date of the original evaluation. If an employee is on approved absence for more than 14 consecutive days during the three-month re-evaluation period, the period will be extended by the total number of days of absence. Should the employee receive a re-evaluation rating of "Below Contributor" the supervisor shall demote, reassign or terminate the employee by the end of the three-month re-evaluation period.

## STANDARDS OF CONDUCT POLICY

The purpose of this policy is to set forth the Commonwealth's and the university's Standards of Conduct and the disciplinary process that supervisors must utilize to address unacceptable behavior, conduct, and related employment problems in the workplace, or outside the workplace when conduct impacts an employee's ability to do his/her job and/or influences the agency's overall effectiveness.

It is the intent of this policy that agencies follow a course of progressive discipline that fairly and consistently addresses employee behavior, conduct, or performance that is incompatible with the Standards of Conduct for employees. Disciplinary actions must be founded on the principles of due process and will employ a range of corrective and disciplinary actions that are applied based on the nature and history of the misconduct or unacceptable performance. Corrective and disciplinary actions must be administered through a prompt and fair process as described in this policy's Administrative Procedures. The ultimate goal of this policy and its procedures is to help employees become fully contributing members of the organization. Conversely, this policy is also designed to enable agencies to fairly and effectively discipline and/or terminate employees whose conduct and/or performance does not improve or where the misconduct and/or unacceptable performance is of such a serious nature that a first offense warrants termination.

The Administrative Procedures for the consistent administration of this policy are available at [http://www.dhrm.state.va.us/hrpolicy/web/pol1\\_60.pdf](http://www.dhrm.state.va.us/hrpolicy/web/pol1_60.pdf).

## EMPLOYEE STANDARDS OF CONDUCT

Employees covered by this policy are employed to fulfill certain duties and expectations that support the mission and values of the university and are expected to conduct themselves in a manner deserving of public trust. The following list is not all-inclusive but is intended to illustrate the minimum expectations for acceptable workplace conduct and performance. Agencies have the authority to supplement this list as needed in a manner consistent with the needs of the organization and intent of this policy.

Employees who contribute to the success of an agency's mission:

- Report to work as scheduled and seek approval from their supervisors in advance for any changes to the established work schedule, including the use of leave and late or early arrivals and departures.
- Perform assigned duties and responsibilities with the highest degree of public trust.
- Devote full effort to job responsibilities during work hours.
- Maintain the qualifications, certification, licensure, and/or training requirements identified for their positions.

- Demonstrate respect for the agency and toward agency coworkers, supervisors, managers, subordinates, residential clients, students, and customers.
- Use state equipment, time, and resources judiciously and as authorized.
- Support efforts that ensure a safe and healthy work environment.
- Utilize leave and related employee benefits in the manner for which they were intended.
- Resolve work-related issues and disputes in a professional manner and through established business processes.
- Meet or exceed established job performance expectations.
- Make work-related decisions and/or take actions that are in the best interest of the agency.
- Comply with the letter and spirit of all state and agency policies and procedures, the Conflict of Interest Act, and Commonwealth laws and regulations.
- Report circumstances or concerns that may affect satisfactory work performance to management, including any inappropriate (fraudulent, illegal, unethical) activities of other employees.
- Obtain approval from supervisor prior to accepting outside employment.
- Obtain approval from supervisor prior to working overtime, if non-exempt from the Fair Labor Standards Act (FLSA).
- Work cooperatively to achieve work unit and agency goals and objectives.
- Conduct themselves at all times in a manner that supports the mission of their agency and the performance of their duties.

## GRIEVANCE PROCEDURE

Non-probationary classified employees have the right to use the formal grievance procedure to resolve complaints or disputes about employment at the university. A grievance must be initiated within 30 calendar days of the action being grieved. A formal grievance should be the last step taken in trying to resolve a complaint. Most employee concerns and complaints can be resolved informally through communication and collaboration with the supervisor.

The employee may use the reporting line within the department as well as contacting the Employee Relations Manager in the Department of Human Resources. The Statewide Mediation Program provides another option to assist with complaint resolution.

Employees should contact the Employee Relations Manager or access the Department of Employment Dispute Resolution (EDR) Web site at <http://www.edr.state.va.us/> for information and/or assistance. The grievance procedure brochure is at <http://www.edr.state.va.us/gpmtoc.htm>.

## DRUG AND ALCOHOL POLICY

Old Dominion University does not condone the illegal or irresponsible use of alcohol. In compliance with state and federal law, the university forbids the unlawful possession, use or distribution of alcohol on university property or at university-sponsored functions.

Faculty and staff are only authorized to consume alcoholic beverages on campus at events approved by the appropriate dean or vice president. Those choosing to drink alcohol, as responsible members of the Old Dominion University community, should understand that state law prohibits:

- drinking in public;
- possession of an alcoholic beverage by a person under the legal drinking age;
- falsely representing one's age for the purpose of procuring alcohol; and
- purchasing an alcoholic beverage for someone who is underage.

The legal drinking age in the Commonwealth of Virginia is 21 years of age. The unauthorized manufacture, distribution, or possession of any controlled substance is against state and federal law.

The use of illegal drugs is also prohibited by university policy. Any individual choosing to participate in such activities can expect harsh penalties from both the university and governmental levels; any person associated with Old Dominion University who is found to be involved with manufacture, distribution or possession of illegal drugs may be referred to outside agencies.

The state's policy on alcohol and other drugs generally parallels the federal Drug-Free Workplace Act. The following acts by employees are prohibited:

- the unlawful or unauthorized manufacture, distribution, dispensation, possession or use of alcohol and other drugs in the workplace;
- the impairment in the workplace from the use of alcohol or other drugs (except the use of drugs for legitimate medical purposes);
- action which results in the criminal conviction for: a violation of any criminal drug law, based upon conduct occurring either on or off the workplace or a violation of any alcoholic beverage control law, or law which governs driving while intoxicated, based upon conduct occurring at/in the workplace;
- the failure to report to their supervisor that they have been convicted of any offense, as defined above, within five calendar days of the conviction (this notification must be in writing).

Contact the Department of Human Resources at 683-3051 for alcohol and drug treatment coverage. The university Drug and Alcohol Policy 6603 can be accessed at <http://www.odu.edu/ao/polnproc/pdfs/6603.pdf>. State policy 1.05, Alcohol and Other Drugs, is available at [http://www.dhrm.state.va.us/hrpolicy/web/pol1\\_05.html](http://www.dhrm.state.va.us/hrpolicy/web/pol1_05.html).

## ALCOHOL AND DRUG TESTING POLICY

Old Dominion University strives to maintain a safe, healthy, efficient workplace free from drug and alcohol abuse. In compliance with the Omnibus Transportation Employee Testing Act of 1991, Old Dominion University maintains a program for testing alcohol and controlled substances.

This program includes pre-employment, reasonable suspicion, random and post-accident alcohol and controlled substances testing of employees who are required to obtain a Commercial Driver's License (CDL) and for public safety officers.

## DRUG-FREE WORKPLACE

The university supports all federal and state legislation pertaining to the abuse of controlled substances. This includes the Drug-Free Workplace Act and Drug-Free Schools and Communities Act. See ODU policy at <http://www.odu.edu/ao/polnproc/pdfs/6603.pdf>.

The federal Drug-Free Workplace Act requires that the university inform employees that the unlawful manufacture, distribution, possession or use of a controlled substance is prohibited in the workplace. The workplace consists of any state-owned or university-owned, controlled or leased property, or the site where state work or university work is performed.

Any employee who violates this prohibition will be subject to disciplinary action, up to and including discharge, and/or required to satisfactorily participate in a drug abuse assistance or rehabilitation program at the discretion of management. As a condition of employment, each employee must abide by the terms of this prohibition and notify his/her supervisor of any criminal drug statute conviction occurring in the workplace no later than five days after such conviction.

The state policy on alcohol and other drugs generally parallels the Drug-Free Workplace Act. The policy expands the federal act by addressing alcohol on the workplace, and requiring the reporting to management of a criminal conviction for any violation of a criminal drug law off the workplace.

## AMERICANS WITH DISABILITIES ACT

Title I of the Americans with Disabilities Act (ADA) prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training and other terms, conditions and privileges of employment.

For more information, visit the Institutional Equity and Diversity web site at <http://www.odu.edu/ao/oied/>.

## DISCRIMINATION COMPLAINT PROCEDURE

The purpose of the Discrimination Complaint Procedure is to promote equal employment, equal educational and social opportunities for Old Dominion University employees and students by providing a means for the internal resolution of complaints of discrimination on the basis of race, color, religion, sex (including pregnancy), national origin, age, veteran status, disability, political affiliation, sexual orientation or genetic information. For more information contact the Office of Institutional Equity and Diversity at 683-3141 or visit their web site at <http://www.odu.edu/ao/oied/>.

## WORKPLACE HARASSMENT

This policy prohibits all forms of harassment in the workplace including harassment based on gender, marital status or pregnancy.

- Workplace harassment is any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion toward a person on the basis of race, color, religion, sex (including pregnancy), national origin, gender, age, veteran status, disability, political affiliation, sexual orientation or genetic information that has the purpose or effect of creating an intimidating, hostile or offensive work environment; has the purpose or effect of unreasonably interfering with an employee's work performance; or affects an employee's employment opportunities or compensation.
- Sexual harassment is any unwelcome sexual advance, request for sexual favors, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-workers or non-employee (third party).

For additional information or concerns, please contact the Office of Institutional Equity and Diversity at 683-3141, the Department of Human Resources at 683-3042, or access the state's Workplace Harassment Policy 2.30 at <http://www.dhrm.state.va.us/hrpolicy/policy.html>.

## STALKING POLICY

Stalking is defined as repeatedly contacting, following or remaining in the physical presence of another person when the contacting person knows or should know that:

- The contact is unwanted; or
- The contact causes the other person reasonable expectation of imminent physical harm; or
- The contact causes substantial impairment of the other person's ability to perform the activities of daily life.

Contacting includes but is not limited to telephoning, transmitting letters or notes, or contacting through the use of electronic media.

An employee who has secured a Protective Order from a court which lists university locations as being protected areas, should make his or her supervisor aware of the existence of the order and should file a copy of the order with the Old Dominion University Police Department.

Employees charged with a violation of the stalking policy can be disciplined under the Standards of Conduct Policy.

For additional information or concerns, please contact the university police at 683-4000 or the Department of Human Resources at 683-3042.

## WEAPONS POLICY

The possession, storage or use of any kind of ammunition, firearms, explosives, air rifles and air pistols on university-owned or operated property is prohibited, unless authorized in writing by the President upon recommendation of the university's Director of Public Safety. Appropriate sanctions for violations of this policy will apply.

## SEXUAL ASSAULT POLICY

Sexual assault is non-consensual physical contact of a sexual nature. Sexual assault can occur between acquaintances or parties unknown to each other. Old Dominion University will not tolerate sexual assault or abuse, such as rape (including acquaintance rape) or other forms of non-consensual sexual activity. These acts, in addition to being in most cases criminal, degrade the victims, our campus community and society in general. While the university cannot control all the factors in society that lead to sexual assault and abuse, the university strives to create an environment that is free of acts of violence. Alleged violations of this policy may result in disciplinary action. Disciplinary action may be initiated in addition to, and separate from, consequences from the legal system against criminal behavior.

It is a violation of university policy for any member of the university community to make an intentionally false accusation of sexual assault. Reporting an attempted or perpetrated sexual assault is extremely important for the protection of the victim and the community. Reporting documents the complaint should the victim decide to go forward within the legal process in the future.

A victim may report a sexual assault on or near campus to the [university police \(683-4000\)](#). A trained officer has been designated to work with all sexual assault cases.

Counseling, crisis-intervention, and medical assistance will be made available to the victim through **RESPONSE (622-4300)** and through campus services such as the Women's Center, Counseling Services and Student Health Services.

A victim may choose to contact any of the above services for support and information whether or not she/he chooses to report the assault to the Department of Public Safety or the police.

Women's Center	Counseling Services	Student Health Services
683-4109	683-4401	683-3132

## LAYOFF POLICY

The policy of the state regarding layoffs allows agencies to adjust the size of the work force as needs dictate. All full-time classified employees are eligible for layoff benefits. In some cases, restricted and part-time classified employees also have access to layoff benefits.

The benefits include placement options within the employee's agency; preferential employment consideration prior to layoff in other agencies; preferential hiring in other agencies during leave without pay-layoff; and the Re-Employment Opportunities (RE-OP) Pool.

Employees to be affected by layoff must receive written notification at least two weeks before the date of layoff or placement. This policy should be used with Policy 1.57, Severance Benefits. Supervisors are required to contact Human Resources prior to taking any layoff action.

## SEVERANCE BENEFITS

This policy provides severance benefits to eligible classified employees and faculty who have been involuntarily separated from state service in accordance with Policy 1.30, Layoff. Restricted positions are also eligible for severance benefits. (However, restricted positions contingent upon grants are ineligible unless the funding source has agreed to assume all financial responsibility in its written contract with the agency.

Severance benefits or transitional severance benefits are designed to lessen the impact of involuntary separation by providing some cash payments, continued state contribution toward health and life insurance premiums for 12 months from the effective date of separation, or an enhanced retirement option.

The maximum severance benefit an employee may be entitled to is 36 weeks of salary. When an eligible employee is re-employed with the state, severance payments cease. For more information, access Policy 1.57, Severance Benefits at [http://www.dhrm.state.va.us/hrpolicy/web/pol1\\_57.html](http://www.dhrm.state.va.us/hrpolicy/web/pol1_57.html).

## TEMPORARY WORK FORCE REDUCTIONS

Temporary Work Force Reduction (TWFR) permits agencies to reduce employees' work hours and salaries temporarily or place employees in a non-working status temporarily. Such reductions may be scheduled continuously or intermittently and are limited to no more than 690 hours in a 365-day period.

Certain employee benefits are protected during the period of non-working status. Agencies must provide a minimum of two weeks notice to employees before placing them in TWFR. For more information, access Policy 1.65, Temporary Work Force Reduction at [http://www.dhrm.state.va.us/hrpolicy/web/pol1\\_65.html](http://www.dhrm.state.va.us/hrpolicy/web/pol1_65.html).

## SMOKING POLICY

Smoking is prohibited in all university facilities. The policy prohibits smoking within 20 feet of the entrance to any university facility, and gives preferential consideration to nonsmokers whenever it is determined they are being exposed to smoke.

Guidelines of the policy state that smoking is prohibited in all indoor and enclosed courtyard locations. Smoking is prohibited in all outdoor athletic facilities that are defined by a fence or wall and within 20 feet of a fence or wall or entrances as well as in all university provided vehicles and areas in which fire or safety hazard exists.

The university's Smoking Policy 3220 is available at <http://www.odu.edu/ao/polinproc/pdfs/3220.pdf>.

## **SOLICITATION POLICY**

It is the policy of Old Dominion University to restrict solicitation by employees, vendors, sales representatives and others to minimize interference with the university's operation and to protect the privacy of its faculty, staff, students and visitors.

Solicitation shall be defined as:

- Selling or promoting of products, goods or services;
- Use of staff and faculty listings for the purpose of solicitation;
- Seeking contributions or pledges; and
- Conducting membership drives for non-university affiliated organizations.

Other appropriate university solicitation policies exist; however, this policy will serve to summarize information that affects the entire university community.

Sales representatives or vendors dealing in university supplies, equipment or services may conduct business in accordance with university regulations.

Fund raising or sales activities (such as the university's Campus Community Campaign, the state's Employees' Combined Virginia Campaign, blood drives, or the U.S. Savings Bonds campaign) sponsored by the university are considered authorized activities when approved by the President and, therefore, are not precluded by this policy.

The university does not provide space for companies to solicit nor does it allow information to be placed on university bulletin boards without prior approval or invitation from appropriate administrative officials. The distribution of flyers placed on vehicle windshields is also prohibited. One example of an approved event is periodic benefits/retirement fairs designed to inform faculty and staff of available benefits programs.

The university does not allow non-university business meetings with product representatives on university property during an employee's normal working hours.

In accordance with the Data Collection and Discrimination Practices Act, the university does not provide employee information (i.e., names, addresses, telephone numbers) to companies for solicitation purposes.

Persons observed soliciting on university property should be reported to department heads or managers who will then be responsible for determining whether such persons are authorized as indicated above.

## **USE OF ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA**

The university provides access to the electronic communications and social media to facilitate the effective and efficient conduct of state and university business.

All users of university computers, electronic communications and social media are prohibited from using such equipment and access for reasons that are not related to the performance of their jobs or official purposes.

Users should not expect privacy in any message, file, image or data created, sent, retrieved or received by use of the university's equipment and/or access. Monitoring may occur at any time, without notice, and without the user's permission. Additionally, electronic records may be subject to the Freedom of Information Act (FOIA) and, therefore, available for public distribution.

In general, incidental and occasional personal use of the university's electronic communications or electronic social media is permitted; however, personal use is prohibited if it:

1. interferes with the user's productivity or work performance, or with any other employee's productivity or work performance;
2. adversely affects the efficient operation of the computer system;
3. violates any provision of this policy, any supplemental policy adopted by the university, or any other policy, regulation, law or guideline as set forth by local, state or federal law. (See Code of Virginia §2.1-804-805).

When using the electronic communications and social media, certain activities are prohibited. These include, but are not limited to:

- accessing, downloading, printing or storing information with sexually explicit content as prohibited by law (see Code of Virginia §2.1-804-805);
- downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory or otherwise unlawful messages or images;
- installing or downloading computer software, programs or executable files contrary to policy;
- uploading or downloading access-restricted university information contrary to policy or in violation of university policy;
- sending e-mail using another's identity, an assumed name, or anonymously;
- permitting a non-user to use for purposes of communicating the message of some third party individual or organization;
- any other activities designated as prohibited by the university.

Electronic communications should be drafted and sent with at least the same level of care, professional judgment and discretion as paper memorandums or documents.

Violations of this policy will be addressed under Policy 1.60, Standards of Conduct Policy. The appropriate level of disciplinary action will be determined on a case-by-case basis.

The policy on Use of Electronic Communications and Social Media Policy is available at <http://www.dhrm.state.va.us/hrpolicy/pol175UseOfInternet.pdf>.

Further questions should be directed to the Department of Human Resources.

## UNIVERSITY PROGRAMS AND SERVICES

### EMPLOYEE RELATIONS

Old Dominion University's Department of Human Resources Employee Relations Unit provides consultation to employees and managers on human resource concerns. In addition, they can provide information about university and state policies and procedures. All assistance is confidential within legal parameters.

## EMPLOYEE RECOGNITION PROGRAM AND AWARD GUIDELINES

Old Dominion University has established guidelines to recognize and reward the contributions of its employees through a number of campus-wide recognition programs.

Employees may receive monetary, non-monetary and/or leave awards.

For further information, employees should contact their supervisors or access the guidelines on the Department of Human Resources' web page at <http://www.odu.edu/ao/humanresources/policies/recognition.shtml>.

## TRAINING AND ORGANIZATIONAL DEVELOPMENT

The Department of Human Resources is responsible for developing and supporting a range of high quality training and development opportunities. The following services are provided to the campus community:

- Customized training for all administrative and academic departments
- Open enrollment seminars
- Leadership/management training programs
- Organizational development initiatives
- Human resource development programs
- Mediation Services

Contact Cheryl Foreman at 683-4316 for further information.

## EMPLOYMENT DISPUTE RESOLUTION (EDR)

The Virginia Department of Employment Dispute Resolution (EDR) which is located in Richmond can help employees with work-related problems or grievances. Their counselors can give information on state policies, practices and rules, and all help is confidential.

The department administers the formal grievance procedure for state employees and facilitates a mediation program for interested employees. For more information, call or write to:

Department of Employment Dispute Resolution  
Main Street Centre  
600 East Main Street, Suite 301  
Richmond, VA 23219

Phone (804) 786-7994  
Toll-free (888) 23-ADVICE  
Fax (804) 786-0111  
Web Site: <http://www.edr.state.va.us/>

## EMPLOYEE SUGGESTION PROGRAM

The Employee Suggestion Program (ESP) provides a mechanism for receiving and rewarding beneficial suggestions to improve the successful operation of the university. An employee can receive cash or leave awards should his/her suggestion be implemented. For suggestion forms and more information, go to the Department of Human Resource Management employee suggestion program web page at <http://esp.dhrm.virginia.gov/>.

## EMPLOYEE ASSISTANCE PROGRAM (EAP)

Counseling and referral services are available to employees and their families who are enrolled in the state's health care plan. The EAP can provide confidential assistance when an employee is experiencing personal, family, marital, financial or substance abuse problems that may affect job performance.

Employees and dependents can receive up to four free visits per incident at no cost to the employee.

Employees may refer themselves directly to the EAP or the supervisor may refer them if job performance is a factor. Participation in the EAP does not jeopardize job security.

ValueOptions can be contacted toll-free at 1 (866) 725-0602 or at <https://www.achievesolutions.net/>.

OptimaHealth can be contacted toll-free at 1 (800) 899-8174 or at <http://www.optimaep.com/>.

## IDENTIFICATION (I.D.) CARDS

A university employee is required to have an identification card, which must be carried while on campus.

A university ID allows an employee to:

- Buy a faculty/staff parking decal
- Borrow from the university Library
- Use the student recreation center for a fee
- Get a discount at the bookstore
- Receive free official and unofficial transcripts for courses taken at Old Dominion university
- Get a discount on university athletic events
- Purchase a meal plan

An employee may request additional I.D. cards for one adult family member or individual residing in his/her household, and the employee's unmarried dependent children under 19 or full-time students under 23. When the employee separates from university employment, he/she must turn in the I.D. card to the Department of Human Resources (unless the employee retires).

## HOURLY AND CLASSIFIED EMPLOYEES ASSOCIATION (HACE)

Employees may join HACE (Hourly and Classified Employee). In general, HACE's goal is to improve employment at Old Dominion University and help to foster communication between employees and university officials. HACE sponsors social and service opportunities throughout the year. The HACE association website is: <http://orgs.odu.edu/hace/>.

## HUMAN RESOURCES NEWSLETTERS

The Department of Human Resources publishes two newsletters.

*RESOURCE* provides university staff and faculty with information on human resources issues, upcoming events and other news of interest to the university community.

*MANAGEMENT NOTES* provides information and news of interest to university supervisors. In addition, it provides information on a wide variety of human resources topics impacting both supervisors and employees. Newsletters are available on the Human Resources website at <http://www.odu.edu/ao/humanresources/about/publications.shtml>.

## **ADDITIONAL SERVICES ON CAMPUS**

The following services are available for use by employees:

- P.O.D. Market
- Dining Services
- Tech Store and Monarch Market in Webb Center
- Einstein Bros. Bagels and Starbucks
- University Police escort program
- The Women's Center
- The Dental Hygiene Clinic
- University bookstores
- Campus Ministries
- ATM Machine (Webb Center)
- The ODU Child Development Center (for a fee)
- ODU Credit Union

## **RESPONSIBILITIES**

### **CUSTOMER RELATIONS**

A great university is judged in many ways, one of which is by the conduct of its employees. Each employee represents Old Dominion University when dealing with students, faculty, staff and the general public. Employees should conduct themselves in a professional, courteous and cooperative manner at all times.

Employees are expected to promote a work environment in which individual freedom and dignity are respected and everyone is treated equitably.

The university's goal is to foster a work environment that allows all employees, regardless of race, color, religion, sex (including pregnancy), national origin, gender, age, veteran status, disability, political affiliation, sexual orientation or genetic information to function productively and comfortably.

### **STATUS CHANGES**

An employee should contact the Department of Human Resources when any of his/her personal information, such as name, address, telephone number, beneficiaries or number of dependents has changed. This helps keep the university's records and the employee's insurance benefits current. Employees are not authorized to update their information via the Web.

## **SAFETY**

The safety of faculty, staff, students and visitors is of primary importance to the university. A formal university safety program has been established in order to create and maintain a hazard-free environment in which all university groups may function, as well as providing for protection of university physical property. Should an employee recognize an existing or potential hazard, he/she should contact the university Risk Manager at extension 3-4009.

## **OUTSIDE EMPLOYMENT**

Employees may not engage in any other employment during the hours for which they are employed by Old Dominion University. An employee may not engage in other employment outside his or her Old Dominion University work hours if such employment is deemed to affect employee's work performance, or is determined to be in violation of the Virginia Conflict of Interest Act. No property belonging to or under contract to the Commonwealth may be used for outside employment activities.

Employees are responsible for obtaining supervisory approval for outside employment and for submitting written documentation to the Department of Human Resources that describes the nature of the outside employment and is signed by the supervisor indicating approval. This documentation will be placed in the employee's personnel file. Failure to comply with these guidelines violates the Standards of Conduct and may lead to disciplinary action. Employees that are also employed with the Old Dominion University Research Foundation (ORDUF) should also complete the Old Dominion University Classified Employee Secondary Employment With Old Dominion University Research Foundation (ORDUF) Guidelines and Approval Form. A copy of the completed form should be submitted to the Department of Human Resources.

## **CONFLICT OF INTEREST**

According to the Code of Virginia Section 2.1-3103, an employee cannot pass on confidential information to which he/she has access in his/her job for personal gain or benefit.

A university employee is in a position of public trust and cannot accept gifts, gratuities, favors or rewards for any services performed in connection with his/her university employment.

No employee of state government shall have a personal interest in a contract with the university other than his/her own contract of employment.

The Conflict of Interest Act also states that an employee shall not be in a position to exercise any control over the employment or the employment activities of a member of his/her immediate family. A member of the immediate family is defined as a spouse or any other person residing in the same household as the employee who is either a dependent of the employee or the employee is a dependent of that person.

All new employees must complete a Conflict of Interest Dual Employment Form upon hire.

In addition, professional ethical conduct is expected of all employees. It is never appropriate to make or direct any transaction on an employee's own record, that of a family member or the account in which an employee has a vested interest or stands to benefit or gain. When the appearance of a conflict of interest may exist, it is essential that the employee avoid personal involvement.

If, in the normal course of an employee's duties, the employee finds that he/she would be involved in a potential conflict of interest, directly or indirectly, the issue must be brought to the attention of the supervisor. Violations of this policy will be handled according to the Standards of Conduct policy.

Questions concerning conflict of interest should be directed to the supervisor or the Department of Human Resources.

## **POLITICAL ACTIVITY**

State employees may not campaign for themselves or for anyone else during work hours, nor may they use state equipment or resources for political activities. Further, no employee is to be rewarded or discriminated against in any way for participating or not participating in political activities outside of the workday and work place. Before beginning any political activity, employees should determine whether such activity violates the Virginia Conflict of Interest Act (Code of Virginia, 2.2-3100 and following).

The political activities of employees in state agencies that are funded in whole or in part by federal loans or grants are subject to the conditions of the Hatch Act, a federal law limiting political activities of government employees. Employees in a position that receives federal funds, may not:

1. Stand as a candidate for any public or political party elective office in a partisan election (one in which any candidate runs as representative or a political party whose presidential candidate received electoral votes in the preceding presidential election);
2. Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value for political purpose; or
3. Use official authority or influence to interfere with the results of an election or nomination for office.

## **CONTACTING ELECTED OFFICIALS**

State employees are not prohibited or restricted in expressing their opinions to state or local elected officials on matters of public concern, and shall not be subject to acts of retaliation because they have expressed such opinions.

Matters of public concern are those matters of interest to the community as a whole, whether for social, political, or other reasons including discussions that disclose any (i) evidence of corruption, impropriety, or other malfeasance on the part of government officials; (ii) violations of law; or (iii) incidence of fraud, abuse, or gross mismanagement.

## **USE OF UNIVERSITY TELEPHONES**

Generally, on-campus and off-campus local personal phone calls are not prohibited; however, they must be kept to a minimum. Some departments only allow emergency phone calls. An employee should check with the supervisor to find out the department's policy on personal calls. Using university telephone lines to accept collect local calls or charge long distance calls for personal reasons is strictly forbidden. The misuse of university telephones is a violation of the Standards of Conduct and can lead to disciplinary action. If an employee is aware of telephone misuse, he/she should report it to the supervisor.

## **USE OF UNIVERSITY EQUIPMENT**

The use of university equipment, computers or software for personal reasons is not permitted.

All university employees are restricted from accessing sexually explicit material using university-owned or leased computer equipment, or the university's "information infrastructure."

Certain activities such as accessing, downloading, printing or storing information with sexually explicit content are prohibited by law (see Code of Virginia 2.1-804-805) as well as downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory or otherwise unlawful messages or images.

Unless there is written approval from the President authorizing a bona fide university-approved research project or other university-approved undertaking, no university employee shall utilize university-owned or university-leased computer equipment to access, download, print or store any information infrastructure files or services having sexually explicit content.

When university equipment must be taken home to complete university business, the employee must obtain prior approval from his/her supervisor.

The misuse of university equipment is a violation of the Standards of Conduct and can lead to disciplinary action. If an employee is aware of misuse of any university equipment, it should be reported to the supervisor.

## **USE OF UNIVERSITY MATERIALS OR FUNDS**

The use of university materials, computer information systems or funds for personal reasons is strictly prohibited. Office supplies and work materials are to be used only for conducting university business.

University funds are to be used to purchase only those materials and supplies needed to conduct university business.

The misuse of university materials or funds is a serious violation of our Standards of Conduct and can lead to dismissal.

## **DEALING WITH THE MEDIA**

The Assistant Vice President for Marketing and Strategic Communications is responsible for coordinating media contacts (i.e., newspaper, television and radio).

If a reporter contacts an employee because of his/her job at the university, the employee should refer the reporter to the Marketing Department prior to commenting on questions the reporter may ask. The employee should also inform his/her supervisor about the media contact.

# **RECORDS MAINTENANCE**

## **PERSONNEL FILE**

The Department of Human Resources maintains personnel files on employees. All record maintenance and access shall be in compliance with [DHRM Policies 6.05](#) and [6.10](#) as well as the [Virginia Freedom of Information Act](#) and Privacy Protection Act.

An employee has the right to view his/her records by presenting his/her university identification card. Hard copy records may be viewed any time during normal business hours without an appointment; however, an advance phone call will facilitate the retrieval and availability of the record.

Access to individual records will be granted to any person in the individual's supervisory chain as well as to any university official having a bona fide requirement for access.

## REFERENCE CHECKS

The Department of Human Resources will provide employment verification on current and former employees. Such verifications are limited to confirming/providing job title, dates of employment and salaries (as allowed under the Virginia Freedom of Information Act). Information regarding performance, attendance and other employment factors will not be released without written permission from the employee or former employee.

## LEAVING AND RETURNING TO THE UNIVERSITY

### RESIGNATION

An employee should submit a letter of resignation to his/her immediate supervisor at least two weeks prior to the effective date of resignation.

As the employee leaves the university, it is his/her responsibility to:

- submit all leave taken via web time entry;
- return keys to Facilities Management or follow supervisor's instructions;
- return library materials and pay fines;
- check parking decal refunds with Parking and Transportation Services and pay parking fines;
- pay outstanding advances and make final check arrangements with the Payroll Office;
- pay outstanding debts and tuition aid with Accounts Receivable;
- pay travel advances and turn in Travel Card to Accounts Payable;
- return the Small Purchase Charge Card to Materiel Management and completing a final reconciliation of your charges.
- return equipment, supplies and records to supervisor.

A two-part exit interview will be arranged by the Department of Human Resources before the employee's last day of work. The first interview is with the Benefits Unit. Its purpose is to provide information and answer questions regarding final pay and continuance or termination of benefits. The second part is with Employee Relations Unit. This interview gives the employee the option to confidentially discuss his/her experience as an Old Dominion University employee. The employee's information is vital to the university because it provides important observations regarding ways to enhance the work environment.

For more information, access the university Policies and Procedures, Policy 6060 – Notification Requirements for Separating Faculty and Staff at <http://www.odu.edu/ao/polinproc/>.

## RETIREMENT

There is no mandatory retirement age for classified positions. Normal retirement age is 65, although there is an early retirement option at age 50 (with 10 years of service). Retirees may work on a wage basis but certain restrictions may apply. If an employee is interested in working as a wage employee during retirement, he/she should contact the Department of Human Resources for further information.

Consult the "[VRS Handbook for Members](#)" for information on retirement or contact Human Resources.

## REHIRE

An employee who is rehired into a classified position must serve another probationary period. Salary will be determined by the Starting Pay Guidelines.

# SOURCES

## OLD DOMINION UNIVERSITY DEPARTMENT OF HUMAN RESOURCES

Web Site: <http://www.odu.edu/ao/humanresources>

## DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (DHRM)

Web Site: <http://www.dhrm.state.va.us>

### General Policies

- 1.05 Alcohol and Other Drugs
- 1.20 Employee Recognition Programs
- 1.21 Employee Suggestion Program
- 1.25 Hours of Work
- 1.30 Layoff
- 1.35 Emergency Closings
- 1.40 Performance Planning and Evaluation
- 1.45 Probationary Period
- 1.60 Standards of Conduct
- 1.61 Telework
- 1.75 Use of Electronic Communications and Social Media
- 2.05 Equal Employment Opportunity
- 2.10 Hiring
- 2.20 Types of Employment
- 2.30 Workplace Harassment
- 3.05 Compensation
- 3.10 Compensatory Leave
- 3.15 Overtime Leave

### Benefits Management

- 4.05 Civil and Work-Related Leave
- 4.10 Annual Leave
- 4.15 Educational Leave
- 4.17 Emergency Disaster Leave
- 4.20 Family and Medical Leave
- 4.25 Holidays
- 4.37 Leave to Donate Bone Marrow or Organs
- 4.40 School Assistance and Volunteer Service Leave
- 4.45 Leave Without Pay – Conditional and Unconditional
- 4.50 Military Leave
- 4.55 Traditional Sick Leave
- 4.57 Virginia Sickness and Disability Program
- 4.60 Workers' Compensation

### Management Development and Training

- 5.05 Employee Training and Development

### Records Management

- 6.05 Personnel Records Disclosure
- 6.10 Personnel Records Management

## DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION (EDR)

Web Site: <http://www.edr.state.va.us>

## VIRGINIA RETIREMENT SYSTEM

Web Site: <http://www.varetire.org>

## HEALTH BENEFITS

Web Site: <http://www.dhrm.state.va.us/hbenefits/employeestoc.html>

FRAUD WASTE AND ABUSE HOT LINE - (800)-723-1615