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Agency Human Resource Services

AHRS Periodical

VSDP Legislative Changes

The 2009 General Assembly session passed legislation that impacted the Virginia Sickness and Disability Program (VSDP). The program changes are listed below. The VSDP policy, as well as the FMLA and Volunteer Leave policies, are under review by the Office of the Attorney General because they all experienced legislative changes. They will be published soon.

One year eligibility period

All employees hired or rehired as of 7/1/09 must complete one continuous year of employment before being eligible for non work-related VSDP income replacement benefits. New and re-hired state employees will continue to be eligible for work-related VSDP income replacement benefits, sick leave, family and personal leave, and long-term care on their first day of employment.

STD income replacement amount changes

All employees hired or re-hired as of 7/1/09 must be employed for at least five continuous years before becoming eligible for 100 percent or 80 percent income replacement during periods of VSDP short-term disability. Until the five-year period is satisfied, income replacement is capped at 60 percent of pre-disability income, including payments for absences due to catastrophic conditions. There are no changes to the VSDP income replacement amounts for employees hired prior to 7/1/09.

Forty-five-day recurrent period

An employee who is released to return to work full time/full duty from short-term disability and again becomes disabled due to the same or a similar condition within 45 consecutive calendar days is considered to have a continuation or recurrence of the prior disability. This is a change from the previous limit of 14 consecutive calendar days (28 consecutive calendar days for catastrophic conditions). The employee does not have to satisfy another seven-calendar-day waiting period and the time worked does not count towards the maximum 125 workdays of short-term disability. This change affects all VSDP participating employees, regardless of their date of hire.

Further guidance regarding these changes will be posted to the HR Policy page of the DHRM website soon. Information regarding these changes can also be found on the VRS website.

A note of thanks

DHRM would like to thank Kevin Johnson at the Department of Corrections for all of his efforts over the past several weeks on various VSDP projects. We greatly appreciate the Disability Chart he developed to assist employers with the new legislation. This chart will be posted on our web site with the other upcoming guidance.

Please contact Mike Pote (804-225-2729) or Keisha Dabney (804-225-3204) with any additional questions or concerns.

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Statewide Pay Action Summary Report April—June 2009

Reason	# Actions	# Pay Adjustments	Average % Adjustment
Agency Special Rate	45	45	4.79
Change of Duties Salary	151	151	8.09
Competitive Salary Offer	17	17	13.87
Competitive Voluntary Transfer	321	321	5.82
Disciplinary Demotion	12	12	-8.12
Disciplinary Pay Action	2	2	-5.00
Downward Role Change	8	8	0.00
End Temp Pay: Acting Status	64	64	-7.99
End Temp Pay: Addtional Duties	57	57	-7.69
End Temp Pay: Special Assgnmnt	6	6	-7.57
Exceptional Promotion	6	6	17.48
Internal Alignment Salary	248	248	7.72
Lateral Role Change	58	58	1.37
New Knowledge/Skills/Abilities	348	348	7.85
Non-Competitive Voluntry Trans	136	136	-0.49
Non-Routine	44	44	3.84
Performance Demotion	1	1	-9.80
Promotion	234	234	14.49
Reassignment	81	81	0.32
Retention Salary Increase	73	73	9.24
Temp Pay: Additional Duties	45	45	7.31
Temp Pay: Special Assignment	2	2	5.00
Temporary Pay: Acting Status	65	65	8.18
Upward Role Change	109	109	6.83
Voluntary Demotion	27	27	-6.13
Change of Duties Bonus	29	29	3.38
Internal Alignment Bonus	167	167	2.06
New Knowledge/Skills/Abilities	541	541	3.18
Project Bonus Pay Out	38	38	1.34
Recognition Award Leave Hours	1644		
Recognition Award Monetary	867	867	0.97
Recognition Award Non-Monetary	162	161	0.10
Referral Bonus Pay Out	37	37	0.78
Retention Additional Leave	2		
Retention Bonus	64	64	2.41
Retention Bonus Pay Out	11	11	1.82
Sign-On Additional Leave	2		
Sign-On Bonus Pay-Out	47	47	2.40
Overall Approximate Totals	**5771**	**4122**	**3.95**

There were 1,562 increases averaging 9.24% and there were 190 reductions averaging –8.05% in this quarter.

Workforce Planning and the Periodical's Pay Action Summary data may vary within the same reporting period based on the timing of data runs, agency retraction requests, and the manual review and extraction of erroneous PMIS entries.

PMIS Retirement Effective Dates

Agencies typically key retirement effective dates into PMIS as the first of a month. Of the 1,505 service retirements keyed during the period July 1, 2008 through May 31, 2009, 1,035 were effective on the first- 264 of them January 1, 2009. There were also 328 transactions effective the 25th of a month during that time period. The remaining 142 were effective on a variety of dates during the months.

In most cases, it is not of critical importance whether the 25th or the 1st is selected as the retirement effective date. However, there may be payroll implications for this decision in some situations.

If the first of the month is selected, the employee should be placed on leave without pay beginning the 25th and continuing through the end of the month or, if the employee works during that period, the agency's payroll office should "turn off" VRS deductions as of the 24th. If VRS deductions continue into the 25th - 9th pay period (paid on the 16th), VRS will reject them because the employee will have begun retirement on the 1st.

The Appropriation Act (Chapter 781, Section 4-6.01, m. 2., 2009 Virginia Acts of Assembly) provides that:

> Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/ hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

Access Section 4-6.01 of the Appropriation Act here.

Employees in this category often are paid over a longer period than the period when they work. For example, an employee may work from August 25th through the following May 24th, but his or her paycheck amounts may be adjusted so that the employee is paid on each of the 24 normal pay dates. If an employee in this situation retires any time except September 1, he or she will be owed additional compensation, depending on the percentage of the nine-month schedule that has been worked.

The additional compensation that a nine- to eleven-month employee is owed should be considered VRS creditable compensation. In order to process it as such, the retirement effective date in PMIS should be the 25th of the last month worked and the employee should not work beyond the 24th of the month. Otherwise, if an employee continues to work and is paid an additional check on the 16th, after retiring on the 1st, the employee will not receive credit for this additional, "pay-up" compensation.

RMS Closed Records

In September 2008, agencies were asked to review all closed RMS records with 2006 and 2007 close dates and move the positions to a final posting status of filled or canceled. A recent audit of the RMS revealed that a significant number of positions with 2006 and 2007 close dates remain. These positions have adversely impacted both agency and statewide average time-to-hire numbers.

The closed posting status is not a final status in the RMS. When positions are in closed status, the number of days to fill a position continues to be added to the total time-to-fill until the recruitment ends. There are only two ways to end recruitments in the RMS and stop the clock on the number of days computed: 1) change the posting status to "Position Filled" or 2) change the posting status to "Canceled." The 2008 HR-At-A-Glance Report listed the average time-to-hire statewide as 128 days based on the RMS data. The 2009 report will be similarly affected by continuing recruitments. To meet the expectations of the HR Scorecard in future years, positions in active recruitment should remain vacant less than an average of 50 days after being posted.

To reduce the number of days it takes to fill vacancies, agencies should prepare for the recruitment steps before the position is advertised. Advance preparation may include establishing the search committee, selecting interview dates, and developing interview questions. Hiring managers should provide human resource staff with the interview information needed to complete the recruitment process as soon as the interviews are concluded. Human resource staff should update applicant statuses and designate the position as filled as soon as the job offer is accepted.

Effective **August 14, 2009,** DHRM will implement the following process for closed records:

Closed Records Dated July 1, 2006 through December 31, 2007
On August 14, 2009, closed records dated July 1, 2006 through December 31, 2007 will be moved to a new posting status, "Closed by DHRM." Agencies will have access to view postings with the new status in the RMS by selecting the Closed by DHRM search option. **Do not change any of the closed records in this posting status to "Position Filled" because the total number of days will be counted from the job open date to the date the position was changed to the filled posting status.** These numbers will be added to the time-to-fill numbers for the quarter in which the position is designated as filled and cannot be changed in the system. Positions at the Closed by DHRM status can be changed to the Canceled job posting status without adversely affecting the time-to-fill numbers.

Closed Records Dated January 1, 2008 through December 31, 2008
Agency human resource staff should review all closed positions with dates from January 1, 2008 through December 31, 2008 and move the positions to the status of filled or canceled. DHRM will conduct the next audit of closed records on September 30, 2009. After September 30th, closed records with 2008 dates that have not been moved to a final status of filled or canceled will be moved to the Closed by DHRM job posting status. The records will be included in the Closed Records Non-Compliance Report, which will be sent to HR Directors.

Records Closed On or After January 1, 2009
Agency RMS Administrators or designees are responsible for monitoring closed records to ensure that the records are managed effectively and in a timely manner. Because recruitment timelines vary by agency and type of position, agencies should implement a recruitment process which includes finalizing the RMS records that impact the average time-to-hire totals. DHRM will continue to audit RMS closed records and report this information to HR Directors.

Please direct questions regarding the RMS to Pat Waller at patricia.waller@dhrm.virginia.gov.

Statewide Telework Day

On June 10, 2009, Governor Kaine issued Executive Order Number Eighty-Two (2009), Greening of State Government. In this Executive Order, the Governor declared Monday, August 3, 2009, a "Statewide Telework Day" to encourage employers to fully explore the feasibility of telecommuting. Governor Kaine requested that the directors of state agencies and institutions as well as private sector employers allow as many citizens as possible to telecommute on that day.

Agency participation in the Statewide Telework Day should follow existing state/agency telework policies. DHRM's telework policy and additional resources are available at http://www.dhrm.virginia.gov/resources/telecommute/information.html. Employees that telework on August 3rd must be assigned to positions designated as eligible for telework and must have active telework agreements on file. At the same time, in the spirit of Executive Order Eighty-Two, agencies should review the list of positions that are approved for telework and expand it where appropriate.

An expected surge in telework requests could ultimately produce positive cultural change. However, the Commonwealth's intent is not that the Statewide Telework Day relax or overlook the standards prescribed by policy by allowing anyone who wants to telework to do so. Because August 3rd is a regular business day, we recommend a prudent approach.

As a reminder, §2.2-2817.1 of the *Code of Virginia* requires each state agency to pursue a goal of not less than 20 percent of its eligible workforce telecommuting by January 1, 2010. Wherever possible, agencies and institutions should use telecommuting to the fullest extent to mitigate traffic congestion and reduce emissions.

If you have questions concerning telework, please contact your assigned AHRS consultant.

I-9 Form with 06-30-09 Expiration Date Still Valid

The I-9 Form currently posted on the U.S. Citizenship and Immigration Services (USCIS) website remains valid for use beyond June 30, 2009.

USCIS has requested that the Office of Management and Budget (OMB) approve the continued use of the current version of Form I-9. While this request is pending, the Form I-9 **(Rev. 02/02/09)** will not expire. USCIS will update Form I-9 when the extension is approved. Employers will be able to use either the Form I-9 with the new revision date or the Form I-9 with the 02/02/09 revision date at the bottom of the form.

U.S. Citizenship and Immigration Services

Download the current I-9 form here.

For more information on USCIS and its programs, visit the USCIS web site.

University Restructuring

The 2005 Restructured Higher Education Financial and Administrative Operations Act (the Act) provides Virginia's public colleges and universities greater flexibility and internal control over administrative operations such as construction, finance, information technology, and human resources. As a result of this legislation, colleges and universities have the ability to design human resource systems that can be customized for the higher education environment.

Effective July 1, 2006, William & Mary, the University of Virginia, and Virginia Tech began operating under the provisions of the Act. Each school completed management agreements with the Commonwealth of Virginia outlining the terms and expectations governing human resource programs for all employees and the creation of new human resources systems.

The Act provides for two human resources systems for non-faculty employees. The systems are for classified employees and university employees. Classified employees continue to be covered by the Virginia Personnel Act and are subject to the policies and procedures prescribed by the Department of Human Resource Management (DHRM). University employees are covered by the policies and procedures prescribed by the University's Board of Visitors. The institutions have established enrollment periods giving classified employees the option to transfer to the university human resource system. Once a classified employee has transferred to the university human resource system, he or she cannot at a later date return to the classified system unless he or she transfers to another state agency (excluding universities covered under the Act). All new hires after July 1, 2006 are university employees.

Eligible classified and university employees are covered by the Virginia Retirement System, the state's health insurance program, the state's workers' compensation program, and the state's grievance policy. The university human resource system includes new policies and procedures in areas such as compensation and classification, performance management, benefits (excluding health, retirement, workers compensation), employment, layoff and severance, employee recognition, standards of conduct, career development, and various other policies.

During the transition period, DHRM and the universities have worked collaboratively to establish the university human resource systems. When hiring employees who are former or current employees of William and Mary, the University of Virginia, or Virginia Tech, agencies are advised to consult with DHRM for guidance and to determine how their service at these institutions should be treated.

Additional information about each institution's system can be found using the following links:

William & Mary
University of Virginia
Virginia Tech

Department of Human Resource Management
Office of Agency Human Resource Services
101 N 14th Street
Richmond, VA 23219

Phone: 804-225-2131
Fax: 804-371-7401
E-mail: compensation@dhrm.virginia.gov or policy@dhrm.virginia.gov

Our goal is to provide practical information that supports human resource objectives across the Commonwealth and to encourage innovative strategies in the management and delivery of agency services.

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