



AHRS PERIODICAL

Office of Agency Human Resource Services

Statewide Pay Action Summary Report January – March 2006

Pay Action	# Actions	# Pay Adjustments	Ave. % Adjustment
Promotions	454	449	13.74
Demotion – Voluntary	62	32	-8.37
Demotion – Disciplinary	7	7	-8.48
Role Change – Upward	315	230	9.42
Role Change – Lateral	72	15	9.89
Role Change – Downward	15	-	-
Voluntary Transfer – Competitive	743	561	9.91
Vol. Transfer - Non-Competitive	185	22	7.51
Temporary Pay – All Reasons	244	244	8.34
End Temporary Pay	191	191	-8.35
Competitive Salary Offer	75	75	9.46
Reassignment within Band	72	-	-
Apply/Adjust Special Rate	112	112	1.84
IBA – Change in Duties Increase	348	348	6.89
IBA – New KSAs/Competencies	383	383	7.88
IBA – Retention	762	762	6.01
IBA – Internal Alignment Increase	1309	1309	6.59
Bonus – Change in Duties	54	54	3.20
Bonus – Internal Alignment	14	14	4.12
Bonus – New KSAs/Comp.	82	82	2.47
Bonus – Retention	21	21	4.58
Bonus – Recognition, Monetary	2219	2219	.57
Bonus – Recognition Non-Monetary	138	-	-
Bonus – Sign-On	39	39	3.38
Bonus – Recognition Leave	1213	-	-
Exceptional Retention Leave	2	-	-
Sign-On Leave	18	-	-
Overall Approximate Totals	9,149	7,169	4.31

There were 6,939 upward pay adjustments at an average of 6.43%
There were 230 downward pay adjustments at an average of -8.4%

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.

POLICY GUIDE

Executive Order 1

On January 14, 2006, Governor Timothy Kaine signed Executive Order I (EO), Equal Opportunity, which continues to assure equal opportunity in all facets of state government. The EO specifically prohibits discrimination on the basis of race, sex, color, national origin, religion, *sexual orientation*, age, political affiliation, *veteran status*, or against otherwise qualified persons with disabilities. This EO expands protection from discrimination to also include sexual orientation and veteran status. Further this EO provides employment preference for veterans as defined in §2.2-2903 of the Code of Virginia. As stated in this Code section, veteran is defined as “any person who has received an honorable discharge and has provided more than 180 consecutive days of full-time, active-duty service in the armed forces of the United States or reserve components thereof, including the National Guard, or has a service-connected disability rating fixed by the United States Veterans Affairs.”

The Department of Human Resource Management policies are being updated to reflect the above change.

Annual Leave Maximum Carryover

Every year, questions are raised about the amount of annual leave that employees may carry over from one leave year to the next. *The maximum carryover amount is the greatest amount of annual leave that an employee may have at the beginning of the new leave year, January 10th. Therefore, if the annual leave accrual on January 9th pushes an employee's leave balance above the maximum, the balance is reduced and the maximum becomes the new balance that is available to the employee on January 10th.*

For example, consider an employee with 16 years of service. The maximum carryover for this employee is 42 days, or 336 hours of annual leave. Assume that the employee has 360 hours of leave on December 25th and uses 28 hours of leave during the December 25th to January 9th pay period. That leaves the employee with a balance of 332 hours prior to the January 9th accrual.

On January 9th, the employee earns 7 additional hours of annual leave. The employee's total leave after the accrual is 339 hours. Since this amount exceeds the 336-hour maximum carryover, the employee's balance is reduced to 336 hours at the beginning of the new leave year, January 10th.

In order for this employee to realize the full value of the January 9th accrual, the employee needs to use more of his or her previously-earned leave so that the balance prior to the January 9th accrual is 329 hours or less (336-7=329).

As Policy 4.10 says, “(w)hen practical, and for as long as the agency's operations are not affected adversely, an agency should attempt to approve an employee's request for annual leave.” *Approving employees' leave requests is the best way to avoid their*

loss of leave at the end of the year. Agencies should encourage employees to use their annual leave throughout the year.

FMLA Reminders

Hourly/Wage Employees: The Family and Medical Leave Act (FMLA) gives job protection for up to 12 weeks per year when employees need time off for certain defined personal and family reasons. FMLA further provides continuation of health care coverage for employees who have this coverage (such as salaried state employees). Hourly/wage employees who meet FMLA eligibility criteria have access only to the job protection portion of the FMLA.

CORRECTION: The FMLA provides that eligible **spouses** of the same employer may be limited to a combined 12 weeks of FMLA leave for the birth or placement of a child, to care for the child after birth or placement, or to care for the employee's seriously ill parent. Policy 4.20, FMLA, states that this restriction applies to **parents** of the child. This policy will be revised to reflect the language of the FMLA.

Compensation Policy Clarification

A discrepancy between the text of Policy 3.05 and its Attachment C, the chart entitled *Exceptional Recruitment and Retention Incentive Options*, has created some confusion.

- The Annual Leave sub-section of Exceptional Recruitment and Retention Incentive Options states that “[a] formal agreement, which includes requirements for satisfactory performance and continued employment **for at least one year** must be executed”
- The chart, however, indicates that an employee who receives an Annual Leave grant or advance must agree to work for “**up to one year.**”

The text of Policy 3.05 will be amended to state that an employee who receives a grant or advance award of annual leave as an Exceptional Recruitment and Retention Incentive shall sign an agreement requiring him or her to meet performance requirements and not to voluntarily separate from that position for a stated period of time, normally up to one year. Extensions beyond one year must be approved as exceptions by DHRM.

Notification Required For Employees Moving to Long Term Disability

When employees move to LTD, agencies should notify them of their status: 1) that either the job will be held for their return to work or; 2) that they are being separated from employment with the Commonwealth. Additionally, agencies are required to notify these employees of their health care options, including extended coverage (COBRA).

In a recent ruling from the Department of Employment Dispute Resolution (EDR) this notification was key in determining an employee's access to the grievance procedure. The grievance procedure states that a grievance "must be initiated within 30 calendar days of the date that the employee knew, or should have known, of the event that formed the basis of the dispute." EDR ruled that the 30-calendar day period for access to the grievance procedure did not start until the employee received notification from the agency stating unequivocally that he had been terminated. In this case, notification occurred several months after the employee moved to LTD.

This case highlights the importance of timely notification of an employee's employment status as he/she moves to LTD. Regardless of whether the agency is separating the employee from state service or is holding the employee's position for his/her return to work, that information must be communicated to the employee. Reminder: As the third party administrator, UnumProvident provides communication to employees about their disability, not their employment status.

EMPLOYMENT & CAREERS

RMS to "Go Live" in June

Over the last several months, agency HR Directors have been informed of the development of the new statewide Recruitment Management System (RMS) that will replace the RECRUIT job posting system. In response to a recent memorandum to agency human resource directors, approximately forty agencies participated in the test implementation phase of the RMS during the month of March. Additional modifications to the system will be made based on feedback from the test group.

Initial train-the-trainer sessions will be scheduled for late April. Agency personnel will be notified about participation in the training sessions. We are targeted for a June "go Live" date. We will keep agencies apprised of the progress of this project.

Questions or comments may be directed to Sandy Johnson at sandy.Johnson@dhrm.virginia.gov.

COMPENSATION PERSPECTIVES

Non-Creditable Compensation

Overtime pay and pay awarded to employees under the Temporary Pay provision of Compensation Policy 3.05 is not considered part of creditable compensation for (1) retirement credit or (2) as the basis for VSDP benefit payments. Agencies' VRS contributions must not be based on temporary components of the employee's pay. Similarly, VSDP benefit payments must be based on the pre-disability salary minus any overtime pay, or Temporary Pay awarded to employees who perform different key (essential) duties on an interim basis, for critical assignments associated with a special time-limited project, for serving in an acting capacity in a higher level position, or for military pay supplements.

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.

To tell us what you would like to see featured in upcoming issues email us at compensation@dhrm.virginia.gov or policy@dhrm.virginia.gov

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