



AHRS PERIODICAL

Office of Agency Human Resource Services

Statewide Pay Action Summary Report October - December 2007

Pay Action	# Actions	# Pay Adjustments	Avg. % Adjustment
Promotions	378	374	13.86
Demotion – Voluntary	51	27	-9.04
Demotion – Disciplinary	7	7	-7.95
Demotion - Performance	2	2	-14.55
Role Change – Upward	202	162	8.65
Role Change – Lateral	75	23	7.11
Role Change – Downward	21	-	-
Voluntary Transfer – Competitive	552	387	8.28
Vol. Transfer - Non-Competitive	174	29	.31
Temporary Pay – All Reasons	427	427	4.68
End Temporary Pay	184	184	-8.24
Competitive Salary Offer	61	61	12.31
Reassignment within Band	76	-	-
Apply/Adjust Special Rate	1008	1008	.56
IBA – Change in Duties Increase	278	278	7.60
IBA – New KSAs/Competencies	317	317	7.83
IBA – Retention	216	216	6.92
IBA – Internal Alignment Increase	802	802	5.78
Bonus – Change in Duties	48	48	2.98
Bonus – Internal Alignment	7	7	6.21
Bonus – New KSAs/Comp.	15	15	2.71
Bonus – Retention	88	88	1.70
Bonus – Recognition, Monetary	1146	1146	1.12
Bonus – Recognition Non-Monetary	100	-	.15
Bonus – Sign-On	78	78	2.03
Bonus – Recognition Leave	909	-	-
Bonus – Referral	33	33	.80
Bonus – Project	12	12	2.89
Exceptional Retention Bonus Payout	21	21	6.90
Exceptional Retention Leave Award	5	-	-
Sign-On Leave	17	-	-
Overall Approximate Totals	7310	5752	2.75

There were 5532 upward pay adjustments at an average of 5.30 %

There were 220 downward pay adjustments at an average of -9.95%

Note: These figures do not include salary actions implemented in November as a result of the VDOC and DJJ Security Compensation Plan.

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.

HUMAN RESOURCE POLICY

A Note of Thanks

Many thanks to the fifty-four members of the Statewide Policy Committee for all that was accomplished in 2007. The committee offered opportunities to craft and tweak human resource policies in a manner that makes them more meaningful and useful to agencies. In this continuous learning environment, committee members, who have diverse interests and expertise, had a front row view of worklife across the Commonwealth.

Once again DHRM realized the importance of agencies' influence on human resource policy and the value of collaboration. We are grateful for your high-concept ideas for policy modifications, suggestions for policy guides, and the many practical and common sense recommendations that signal the beginning of a new direction for human resource policy. We look forward to an active new year.

2008 Policy Priorities

Based on suggestions from agencies, colleges, universities, and employees, several initiatives have been identified as priorities for Policy Development and Administration. Priorities may be amended due to legislation, related statewide initiatives, and changes in employment law, but for now critical areas appear to be:

Records Management Policies – These policies have not been fully examined since 1993 and, among other things, need do be revised to sufficiently address electronic/paperless systems in place or being planned for implementation in many agencies.

Telecommuting Policy – Now that agencies have more direct experience with alternate work locations, this policy requires attention. Issues include the adoption of a standard nomenclature for telework and improved guidance and formal agreements for managing telework environments. DHRM continues to work with the Department of Accounts (lead agency), VITA, Taxation, VRS, Agriculture and Consumer Services, and the Office of Commonwealth Preparedness on the establishment of agency expenditure guidelines for telework.

Layoff Policy – This policy needs to be examined to determine if it is on par with modern public sector practices and to identify administrative efficiencies for agencies and affected employees.

Note: The HR Management Consultant position for policy is vacant. The 2008 priorities will get underway once the position is filled.

VSDP - Administrative Clarification

VRS recently announced an administrative clarification regarding the definitions of Total and Partial Disability. UNUM Provident's December newsletter stated that:

“Several situations have occurred where agencies have struggled with advising their employees to file claims when they have a reasonable, short term restriction in job duty, but no lost time – and the agency is able to accommodate.”

VRS has clarified that *“in instances where an individual is working but may have the inability to complete one job function, UNUM will apply the 80% of pre-disability earnings test to the claim and review per the partial disability definition. If the employee is able to work full time, but not full duty – and has no earnings loss – then it is not appropriate to require the employee to miss work to file a claim.”*

This administrative clarification took effect November 13, 2007, and is being applied to all new claims filed on or after that date. Additional communications and training are being planned by VRS and UNUM. DHRM is working closely with VRS and UNUM to determine what modifications to VSDP Policy 1.57 may be needed.

New Form I-9 Must Be Used

The U.S. Department of Homeland Security (DHS) gave notice in the *Federal Register*, November 26, 2007, page 65,974, that employers must use the new Form I-9. The new form has a revision date of 06/05/07 displayed in its bottom right corner. The form is available at <http://www.uscis.gov/files/form/i-9.pdf>.

Copies of previous, unused editions of Form I-9 should be destroyed to prevent their inadvertent use. DHS may impose penalties on employers who use an older edition of Form I-9.

DHS also issued a new, 47-page, *Handbook for Employers*, with expanded instructions on how to use the form and which documents are acceptable for verifying an employee's identity and authorization to work. The handbook is available at <http://www.uscis.gov/files/nativedocuments/m-274.pdf>. Those who wish to obtain a copy of the notice from the *Federal Register* should go to <http://www.gpoaccess.gov/fr/index.html> and use the information above to retrieve it.

No-Match Letter Controversy

Since 1994, the Social Security Administration has sent “no-match” letters to employers when it finds that the names and Social Security Numbers (SSNs) on IRS Forms W-2 do not match its records. It is important that these “no-match” cases be resolved so that employees have their earnings properly recorded and their future Social Security benefits paid accurately. It is also important for the name and SSN to match because agencies may be fined \$50 for every incorrect SSN appearing on Forms W-2.

In the past 8 CFR 274a, "Control of Employment of Aliens," has contained a definition of the term, "knowledge," as used within the regulation. On August 15, 2007, the U.S. Department of Homeland Security (DHS) published a final rule, "Safe-Harbor Procedures for Employers Who Receive a No-Match Letter," in the *Federal Register*, volume 72, number 157, pages 45,611 – 45,624. This rule amends the former definition of "knowledge" by expanding it. The amendment states that persons who receive No-Match Letters from the Social Security Administration may be determined by DHS to have constructive knowledge of having hired an alien who is not authorized to work in the United States. The amendment, however, also provides a procedure by which an employer may avoid such a determination by DHS.

The actual amendment to the regulation is on pages 45,623 – 45,624, and employers should be familiar with its requirements. Pages 45,611 – 45,623 provide background on the rule's development but are not necessary to its application.

Controversy has arisen because many reports have stated that, if the "no-match" cannot be resolved within 90 days, then the employee must be fired. These reports are not accurate because the regulation actually provides a means to resolve cases for DHS purposes beyond 90 days. Resolving the DHS case, however, does not relieve the employer of the responsibility to report the correct name and SSN to the Social Security Administration.

Copies of rules and regulations published in the *Federal Register* (FR) may be obtained from <http://www.gpoaccess.gov/fr/index.html>.

Copies of regulations published in the *Code of Federal Regulations* (CFR) may be obtained from <http://www.gpoaccess.gov/cfr/index.html>.

Those using the CFR should note its revision schedule because recent amendments to a regulation that have been published in the FR may not have been incorporated into the CFR.

Questions about Forms I-9 and the employment of aliens should be addressed to an agency's assigned AHRs consultant.

FLSA, Holidays, and Exempt Employees

Since the publication of the updated Holiday policy (Policy 4.25), we have received several questions regarding treatment of FLSA exempt employees who are on leave without pay (LWOP) during the workweek in which a holiday falls. The policy says that exempt employees are eligible for holiday pay unless they are on extended leave without pay and unavailable for work on the entire last scheduled workday before the holiday and first scheduled workday after the holiday.

If an exempt employee leaves work two hours early on Thursday due to illness and does not have adequate leave to cover the absence, the agency may dock the employee's pay for the two hours. However, an exempt employee's pay may not be docked for hours when he or she is available for work. If the next day (Friday) is a

holiday, the agency cannot assume that the employee is unavailable to work simply because he or she was on leave on Thursday. There must be compelling evidence that the employee is not available to work (e.g., is hospitalized or out of town on personal business), or the employee's holiday pay may not be withheld.

The language in Policy 4.25 provides an opportunity for withholding holiday pay for exempt employees in specific situations that avoid the risk of noncompliance with the FLSA.

EMPLOYMENT & CAREERS

Executive Directive 8 - Directing All State Agencies to Actively Recruit Qualified Applicants with Disabilities for Employment Opportunities

On October 23, 2007, Governor Kaine signed [Executive Directive 8](#), which directs all state agencies to actively recruit qualified individuals with disabilities for employment opportunities in state government. The Directive reminds state agencies of the advantages of tapping into an underused but qualified labor market to fill open positions. The following are recommendations for implementing the Directive:

- ✓ Review existing practices relating to the employment of people with disabilities. This step is necessary to ensure that no barriers exist in the recruiting/hiring process.
 - Is staff knowledgeable of the Americans with Disabilities Act?
 - Is staff knowledgeable of the Code sections of the Virginians with Disabilities Act?
 - Are partner agencies (VCU-RRTC, DRS, and DBVI) included in recruitment options?
 - Are hard-to-fill positions a source of employment opportunities?
 - Are Essential Job Requirements included on the Employee Work Profiles?
 - Do agency job announcements clearly state a willingness to make accommodations during the application and interview process?
 - Is the agency prepared to make the accommodations that may be needed?
 - Are resources (e.g., telework) being used to assist in accommodating workers with disabilities?
 - Do the interview criteria meet the appropriate standards?
 - Do testing procedures measure the actual ability of an individual to perform job functions?
- ✓ Expand existing efforts for recruiting, accommodating, retaining, and advancing people with disabilities.
 - Use VCU-RRTC to obtain workers through the staffing companies.
 - Use DRS and DBVI to obtain workers that are not affiliated with the staffing companies.

- Learn more about working with people with disabilities. Increased awareness will help with establishing a system for educating and sensitizing staff at all levels on the value of hiring people with disabilities.
 - Learn to see the person before the disability.
 - Before positions become vacant, seek out opportunities to develop relationships with organizations, agencies, and programs that represent or train people with disabilities.
 - Consider wage positions, internships, and on-the-job training opportunities to increase the employment numbers of qualified individuals with disabilities.
 - Seek out qualified professional organizations that represent and serve people with disabilities.
- ✓ Attend training offered by DHRM through the partnerships.
 - ✓ Submit the report of agency efforts to recruit and hire people with disabilities to the Secretary of Administration on July 1st of each year. More information will be forthcoming on the report.

Resources and information for recruiting and hiring people with disabilities are available on DHRM's Website at <http://www.dhrm.virginia.gov/recruitment/recruitingthedisabled.html>. Please contact Pat Waller at patricia.waller@dhrm.virginia.gov if you any questions or comments about the Directive's implementation process.

PMIS/CIPPS UPDATE

The Department of Accounts has issued Payroll Bulletin 2008-02, describing the implementation schedule for agencies using both PMIS and CIPPS to participate in the process of automated updates from PMIS to CIPPS. The Bulletin is available at: http://www.doa.virginia.gov/Payroll/Payroll_Bulletins/Payroll_Bulletins_Main.cfm.

As the new process is implemented, it will be very important for PMIS changes to be accurate and timely. It will be equally important for changes to be made in PMIS first, rather than in CIPPS.

Please remember that the PMIS fields that are not related to payroll need to be kept up-to-date as well. For example, agencies should update PMIS to reflect changes to fields such as email addresses or phone numbers as they occur, rather than hold them for batch updates.

HR staff should also be conscious of PMIS effective dates as they relate to the pay period dates (e.g., an effective date of 11/24 will process in the 11/10 to 11/24 pay period even if it was meant to be effective on 11/25). HR should coordinate with the payroll office to create a schedule of cutoff dates for current activity. Otherwise, changes being passed to CIPPS may cause payroll certification amounts to be inaccurate. For example, if a pay action is taken in PMIS on Tuesday, it will update CIPPS on Wednesday night. If Wednesday is the night the agency pays and payroll staff aren't aware of this action's passing, the certification amount will not be current and the agency will have to respond to DOA as to why there is a discrepancy.

Questions about the PMIS/CIPPS Update process should be sent to the DHRM Help Desk at ihelp@dhrm.virginia.gov. Payroll questions should be directed to the Department of Accounts at payroll@doa.virginia.gov.

WORKFORCE PLANNING

Legislative Sessions and Workforce Planning

An agency's workforce plan is a means of publishing the alignment between the agency's strategic plan and its strategic human resource plan. For that reason, agency workforce planners should be attuned to changes in state government that may affect an agency's overall strategic plan, especially when budget shortfalls are anticipated.

Workforce planners will want to identify legislative actions that will affect their agencies' activities that may impact their ability to hire, develop, and retain staff.

Please note that this year the General Assembly's expected schedule is:

Regular Session convenes
January 9, 2008 (the second Wednesday in January)

Regular session adjourns
March 8, 2008 (Sessions in even-numbered years are 60 days.)

Reconvened session occurs
April 16, 2008 (sixth Wednesday after the regular session adjourns)
(This session may conclude in a single day. The Virginia Constitution does not allow it to be longer than three days, unless it is extended by a vote of its members.)

NETWORKING

Networking among agencies benefits everyone. It is important that we all support our colleagues from other agencies when they request Employee Work Profiles, agency policies and practices, salary data, or just an opportunity to discuss an idea or problem. We hope someday to enjoy a statewide repository of resources that everyone can access. For now, however, it remains important to exchange printed information the old-fashioned way. Thank you for being responsive to each other.

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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