



Classified Employee Handbook

2013-2014

Nothing herein shall be interpreted as creating any right or benefit not duly authorized as provided by law, or which is contrary to any law, policy, rule or regulation of the Commonwealth of Virginia or of the State Board for Community Colleges. Nothing herein shall be interpreted as restricting the authority of the State Board for Community Colleges conferred by the Virginia General Assembly.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

It is the policy of Northern Virginia Community College and the Virginia Community College System to maintain and promote equal employment and educational opportunities without regard to race, color, sex or age (except where sex or age is a bona fide occupational qualification), religion, disability, national origin, marital status, or other non-merit factors. Inquiries concerning affirmative action and equal opportunity policies should be addressed to the College's Office of Legal Affairs, whose office is located in Fairfax, 703-323-3266.

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Introduction: NOVA Employee Handbook

NOVA's *Classified Employee Handbook* outlines the most important human resources policies, procedures, and practices of Northern Virginia Community College and complements the Commonwealth of Virginia Department of Human Resources Management's *Employee Handbook* (www.dhrm.state.va.us). **The handbook is not intended to be all inclusive**, nor is it, expressed or implied, a contract of employment. This handbook makes employees aware of what NOVA expects regarding performance, conduct, and responsibility as an employee of the College. It outlines the basic elements of the employment relationship between you and NOVA.

The handbook refers to the Department of Human Resource Management (DHRM) policies for specific details by referring to the appropriate website links. NOVA reserves the right, at any time and without prior notice, to make changes to the policies, procedures, practices, and other statements in this *Employee Handbook*. NOVA reserves the right to establish, change, interpret, or revoke NOVA's policies, procedures, and practices.

It is the employee's responsibility to keep informed about any updates, revisions, or changes.

Employees need to familiarize themselves with this handbook and refer to it when they have a question about NOVA's Human Resources policies and procedures. Feel free to ask for clarification as needed from your supervisor or from NOVA's Human Resources Department.

Chapter 1: Orientation

HR Connections Orientation

Human Resources conducts a HR Connections Orientation for all newly hired full-time employees. The primary purpose of this Orientation is to acquaint new employees with NOVA's mission, culture, and the most important NOVA policies and procedures including IT security, workplace conduct, and overall safety and wellness in the workplace. In addition, the program supplements the new employee hire/offer packet information by clarifying information regarding benefits, HR e-Services, professional development, conflict resolution services, and employee rights and responsibilities. Employees will also have the opportunity to meet and connect with other new hires and key individuals on their campuses.

Employees must complete all necessary employment forms prior to Orientation. Human Resources will collect the completed forms and review all employment verification documentation as required by law.

Division and Department Orientation

On-the-job orientation takes place in the individual divisions and departments and is designed to introduce the new employee to their work unit, their job, and their campus environment. The supervisor is responsible for ensuring all necessary on-the-job training is completed timely and effectively.

Your Supervisor and You

Your immediate supervisor, in addition to supervising and evaluating your job performance, stands ready to help you with any concerns related to your job. Job satisfaction and maintaining morale is everyone's responsibility. Therefore, it is important that you bring any concerns or complaints to the attention of your immediate supervisor. Doing so provides your immediate supervisor the opportunity to take the appropriate steps to assist you and address your concerns or complaints in a timely manner.

Supervisors have full authority to assign duties within the scope of their operation. In turn, managers/Deans/Provosts/ Vice Presidents and others with supervisory responsibilities, have the responsibility to give employees honest and specific performance feedback, set expectations and standards, follow the law and follow all

policies (NOVA, DHRM, VCCS), maintain the public trust and adhere to the VCCS Code of Ethics (<http://www.vccs.edu/WhoWeAre/CodeofEthics>). In turn, it is expected that employees will follow their supervisors' instructions, perform their job responsibilities with care, work well with others, follow the law and all policies (NOVA, DHRM, and VCCS), maintain the public trust and adhere to the VCCS Code of Ethics.

Chapter 2: The College History and Mission

History

Northern Virginia Community College (NOVA) was established in 1964. In 1965, under the leadership of President Robert L. McKee, NOVA began serving students under the name Northern Virginia Technical College. The college was renamed in 1966 when the Statewide General Assembly changed the name of the technical college system to the Virginia Community College System (VCCS).

NOVA is one of the largest community colleges in the country and is the largest institution for higher education in the Commonwealth of Virginia. NOVA began as single building in Annandale and has expanded with campuses in Alexandria, Loudoun, Manassas, Springfield, and Woodbridge. In addition, there are learning centers in Arlington, Innovation Park, and Reston. The Extended Learning Institute (ELI), which offers on-line instruction, was established 1975 to serve students in need of an education that could not be accommodated by the traditional college setting.

NOVA continues to expand and offers over 160 associate degree and certificate programs.

For the complete history of the College and its continued growth visit the college website, www.nvcc.edu.

Mission of the College

With commitment to the values of access, opportunity, student success, and excellence, the mission of Northern Virginia Community College is to deliver world-class in-person and online post-secondary teaching, learning, and workforce development to ensure our region and the Commonwealth of Virginia have an educated population and globally competitive workforce.

College Governance

Virginia Community College System (VCCS)

The Virginia Community College System is the agency responsible for the administration and supervision of the system of community colleges in the Commonwealth of Virginia under the authority of the State Board for Community Colleges.

The chancellor is the chief executive officer of the Virginia Community College System and serves as the secretary of the State Board for Community Colleges. The chancellor is appointed by the State Board for Community Colleges.

It shall be the duty of the chancellor to formulate such rules and regulations and provide such assistance in the office of the chancellor as shall be necessary for the proper performance of the chancellor's duties. The state board prescribes the duties of the chancellor, in addition to those duties otherwise prescribed by law; and, at its discretion, approves the appointment by the chancellor of such agents and employees as may be needed by the chancellor and the VCCS in the exercise of the functions, duties, and powers conferred and imposed by law and to effect a proper organization to carry out these duties.

VCCS Organizational Chart:

<http://www.nvcc.edu/about-nova/attachments/virginiacommunitycollegesystem.pdf>

VCCS Website:

www.vccs.edu

Northern Virginia Community College Board

The NVCC Board is a local advisory board, made up of eleven members, which supports Northern Virginia Community College. They represent the nine jurisdictions that support the College. Those jurisdictions are the counties of Arlington, Fairfax, Loudoun and Prince William and the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park. The College Board has delegated authority from the State Board over local matters and advises the State Board on the curriculum, facilities, and finances of the College.

Administrative Council

The Administrative Council consists of the president's immediate executive staff. The Council reviews matters concerning College policy and administrative procedures and makes appropriate recommendations to the president.

The Administrative Council is composed of the following standing members:

President, Chair

Executive Vice President for Academic and Student Services (CS)

Vice President of Finance

Vice President and Chief Administrative Officer (CS)

Vice President for Institutional Research, Planning and Assessment (CS)

Vice President of Instructional and Information Technology (CS)

Vice President of Workforce Development

Provost (each campus)

College Committees

Several college committees are composed of faculty and staff and, in some instances, students. More information about college and campus committees can be found on the NOVA website: <http://www.nvcc.edu/about-nova/college-governance/index.html>

Educational Foundation

Established in 1979 the Northern Virginia Community College Educational Foundation supports more than 200 scholarships and academic programs throughout the college. The foundation raises private financial support to augment programs and existing services and to attract funds to develop new courses and programs.

For more information visit the following link: <http://www.nvcc.edu/alumni-and-friends/educational-foundation/>

Chapter 3: Equal Opportunity and Employment Laws

Equal Employment Opportunity Policy

NOVA is an equal employment opportunity/affirmative action institution. NOVA's policy of equal employment opportunity covers applicable positions in all phases of human resource administration. This includes, but is not limited to, recruitment, selection, promotion, demotion, transfer, termination, rates of pay or other forms of compensation, selection for training, the use of all facilities, and participation in all College-sponsored employee activities.

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Policy Applies To Disabled

The policy of equal employment opportunity applies fully to qualified persons with known mental or physical disabilities where these persons are able to perform the essential functions of their position, with or without reasonable accommodation. NOVA has the responsibility to make reasonable accommodation to a person with a disability, if requested, and to aid such a person in performing the essential functions of his/her position, unless it can be demonstrated that such accommodation would impose an undue hardship upon the College.

See Americans with Disabilities Act and Complaint Procedure, Appendix A

Persons Invited To Request Accommodation/Job Modification

Employees and other persons who have disabilities and need assistance in attaining any services from the College are invited to request accommodation. Such requests should be directed to the Office of Legal Affairs, 703-323-3266.

Workplace Harassment

NOVA is committed to maintaining a working and learning environment in which students, faculty, and staff can develop intellectually, professionally, and personally. Such an environment must be free of intimidation, fear, coercion, and reprisal. This environment includes all College-sponsored activities on- or off-site, or any leased facility.

Workplace harassment by employees, students, and/or all those who conduct business with or for the College is prohibited. It will not be tolerated, and it is a violation of federal law.

Nothing in this policy shall interfere with the principle of academic freedom.

This policy applies to any case involving an allegation of workplace harassment against an employee of the College. Incidents of workplace harassment when the accused harasser is a student will be processed under the Student Sexual Harassment Policy.

For further information, see [DHRM Policy #2.30 - Workplace Harassment](#)

Sexual Harassment

Sexual harassment is a form of workplace harassment in violation of Title VII of the Civil Rights Act of 1964, as amended, and will not be tolerated. Sexual harassment is defined as 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).

Quid pro quo – A form of sexual harassment when a manager/supervisor or a person of authority gives or withholds a work-related benefit in exchange for sexual favors. Typically, the harasser requires sexual favors from the victim, either rewarding or punishing the victim in some way.

Hostile environment – A form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes, touching, or other conduct of a sexual nature which creates an intimidating or offensive place for employees to work.

Reporting Allegations of Workplace Harassment

Employee who experience harassment in any form, including sexual harassment, should make it clear that such behavior is offensive to them, and upon its occurrence or repetition should report the matter to their supervisors, Human Resources Department, Legal Affairs, provost or provost's designee, College Vice Presidents, or College President.

In no instance will an employee alleging sexual harassment be required or forced to report the problem directly to the alleged harasser.

Supervisor or any other appropriate college officials are to immediately address any act of harassment of which they become aware, calling attention to the college's policy regarding such behavior. Supervisors are to immediately report any possible incidence of harassment to Human Resources. Employees may also use the State Employee's Discrimination Compliant Procedure administrated by DHRM's Office of Equal Employment Services (OEES), the Grievance Procedure for State Employees administrated by the Office of Employment Dispute Resolution (EDR), or the federal Equal Employment Opportunity Commission for relief or remedy for acts of harassment.

Harassment Could Result In Disciplinary Action

Violation or misapplication of NOVA's policy against harassment may result in disciplinary action being taken against the offender, up to and including termination. Managers and supervisors who fail to report and/or allow sexual harassment to continue by failing to take appropriate corrective action shall be considered parties to the act or behavior, even though they may not behave in such a manner. Such managers and supervisors shall also be subject to corrective action.

NOVA's commitment to eliminate harassment from the workplace should not be viewed as a license for employees to engage in unfounded, frivolous, or vindictive actions in violation of the intent of this policy.

Training and Information

In an effort to prevent and avoid incidents of sexual assault and workplace harassment, the College will take affirmative steps to educate all employees on the unlawful nature of

sexual assault and workplace harassment, educate employees on prevention, and clarify reporting procedures of workplace harassment. Training will be presented through ongoing access to on-line Sexual Harassment Training via NOVA Academy and/or HR workshops. Participation is mandatory.

Nepotism

The Code of Virginia does not broadly prohibit the employment of any relative of an existing agency employee within that agency. However, Section 2.2-3106 of the Code does prohibit a State employee from working in the same agency as his/her spouse unless “the employee does not exercise any control over the employment or the employment activities of the member of his/her immediate family and the employee is not in a position to influence those activities.” The term “immediate family” is defined as “(i) a spouse and (ii) any other person residing in the same household as the ...employee, who is a dependent of the ...employee or of whom the ...employee is a dependent.”

Retaliation

Retaliation is any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against one or more individuals for exercising their rights (or supporting others for exercising their rights) under the Commonwealth's EEO policies. NOVA strictly prohibits retaliation against any person for using reporting procedures, or for testifying, assisting, or participating in any manner in any investigation or proceeding involving allegations of harassment or discrimination.

Chapter 4: Compensation

In 2000, the Commonwealth introduced a new compensation management system for all classified employees. This system increases organizational flexibility to attract, retain and reward a high performance workforce and emphasizes career development. This chapter highlights some of the provisions of the program. For further information, review [DHRM Policy #3.05 - Compensation](#) or contact Human Resources, Compensation.

Job Organization Structure

The Commonwealth's job structure is arranged into occupational families, career groups, and roles. These categories are described below.

The **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 of work performed. The seven occupational families are listed below:

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

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, Administrative and Office Support, Education and Support Services, Financial Services, Computer Operations, Public Relations and Marketing, Library Services, Building Trades, etc.)

Role describes an array of similar positions that represent different levels of work or career progression within a career group. For example in the Administrative & Office Support Career Group, the succession of roles would include Administrative & Office Specialist I, Administrative & Office Specialist II, and Administrative & Office Specialist III. These roles include sub-titles and/or

work titles which allow for further grouping and definition of responsibilities.

The Commonwealth's salary structure consists of nine pay bands with broad pay ranges. Pay Bands 1-6 are used by the College and include sub-titles and work titles that correlate to alternate pay bands or hiring salary ranges established by the College. There are 13 pay factors used for pay determination purposes. They are:

- ❑ Agency business need. This describes the specific activities and organizational, financial, and human resource requirements that are derived from the College's mission. In order to be compensable, changes in an employee's duties, abilities, etc., must be relevant to the agency business need.
- ❑ Budget implications. This refers to the short and long-term financial consequences of pay decisions and how salary dollars are managed by an agency.
- ❑ Current salary. This takes into consideration the candidate's or incumbent's present base pay compensation.
- ❑ Duties and responsibilities. This describes the primary and essential work functions performed by an employee or group of employees.
- ❑ Internal salary alignment. This is a fairness criterion that takes into consideration the proximity of one employee's salary to the salaries of others who have comparable levels of training and experience; duties and responsibilities; performance; and knowledge, skills, abilities, and competencies.
- ❑ Knowledge, skills, abilities, or competencies. Knowledge is facts, concepts, principles, meanings or awareness gained through study and/or experience. (What does the person need to know?) A skill is mastery, proficiency or talent in a technique, art or trade. (What skills should the person possess?) Ability is demonstrated competence in doing specific job content actions. It may include behavior, as well as physical and environmental demands for the position. (What abilities should the person have?)
- ❑ Long term impact. This considers the strategic and financial effect of anticipated future salary costs, staffing changes, salary alignment among employees, career growth, and salary reference data changes.
- ❑ Market availability. This is the relative availability of suitable, qualified candidates in the general labor market that is subject to the changes in supply and demand.

- ❑ Performance. This considers previous and/or current work accomplishments or outcomes and behavioral interactions that are assessed as part of the Performance Management Program.
- ❑ Salary reference data. This is a composite of relevant salary information (e.g., average salary range, median salary, weighted average salary, etc.) extracted from available surveys that indicate market pricing for various jobs in the Commonwealth.
- ❑ Total compensation. This includes all forms of cash compensation (e.g., base pay, shift differentials, overtime, on-call pay, bonuses, commission, etc.) and the dollar value of the employer-sponsored benefit package (e.g., health and dental insurance, long and short term disability, paid leave, retirement, life insurance, etc.)
- ❑ Training, certification and license. Training refers to a specialized course of instruction outside the realm of recognized academic degree programs. Certification refers to a specialized course of study resulting in a certificate upon successful completion. License refers to a licensing credential that is required by law to practice one's occupation.
- ❑ Work experience and education. This refers to the relevant employment history and academic qualifications of the employee or applicant.

Pay Practices

In concert with the Commonwealth's job structure, the Commonwealth has developed specific pay practices for setting and changing employee base pay compensation. These practices include Starting Pay, Promotion, Voluntary Demotion, Temporary Pay, Role Change, In-Band Adjustment, Disciplinary or Performance Related Salary Action, and Competitive Offer. These practices are described briefly below.

Important Note: For internal practices, the College may modify percentages for internal alignment and/or budgetary constraints.

Starting Pay - this practice is used to attract highly skilled and competent job candidates (new hires or rehires) to the College's workforce. Salary negotiations for starting pay consider the 13 pay factors. Starting pay is negotiable between the minimum of the pay band up to 15% above the applicant's current salary. The negotiated pay rate may result in a decrease from the applicant's current or most recent salary.

Promotion - When an employee is promoted to a position in a different role in a higher pay band, the promotional increase is negotiable between the minimum of the new pay band up to 15% above the current salary. Promotional salaries may not be below the pay band minimum, even if this rate exceeds 15% above an employee's current salary. Also, an employee's pay may not exceed the maximum of the new pay band.

Voluntary Transfer - There are two types of recognized transfers: competitive and non-competitive. The pay practices for each vary as explained below.

Voluntary transfer - competitive- When an employee competes for a different position in the same pay band, the employee's salary is negotiable between the minimum of the pay band up to 15% above the current salary. The position may be in the same or different role; the increase may not exceed the pay band maximum; and, in some situations, the negotiated salary may be less than the employee's current salary.

Voluntary transfer - non-competitive - When an employee requests a transfer to a different position in the same pay band, the employee's salary is negotiable between the minimum of the pay band up to 10% above the current salary. Again, the position may be in the same or different role; the increase may not exceed the pay band maximum; and, in some situations, the negotiated salary may be less than the employee's current salary.

Demotion -There are three demotion activities: voluntary, performance or disciplinary, and in lieu of layoff. The pay practices for each of these types of demotions are explained below.

Voluntary - An employee may initiate a demotion as a result of a competitive (recruitment within the same agency or to a different agency) or non-competitive selection (employee request within the same agency) process. The employee's salary is negotiable from the minimum of the lower pay band up to the employee's current salary. If the employee's current salary exceeds the maximum of the lower pay band, the agency may freeze the salary for up to six months. After six months, the salary must be reduced to the maximum of the new pay band.

Performance or Disciplinary - Management may initiate a demotion for discipline or performance reasons (refer to DHRM Policy #1.40 – Performance Planning and Evaluation and Policy #1.60 - Standards of Conduct). There are two types of demotion that could take place as described below.

Demotion Within the Same Pay Band - The employee may be assigned less responsibility in the same pay band. If this occurs, the College must redefine the duties of the employee to reflect a decrease in the level of responsibility. The employee's salary also must be reduced a minimum of 5%.

Demotion to a Lower Pay Band - The employee may be assigned to a role in a lower pay band. Again, the College must redefine the duties of the employee to reflect a decrease in the level of responsibility. In this case, the employee's salary must be reduced to at least the maximum of the lower pay band and may be placed at any rate within the lower pay band as long as there is a minimum of 5% reduction in pay.

In Lieu of Layoff - Pay practices for this type of demotion are found in DHRM Policy #1.30 - Layoff.

Temporary Pay - The College may provide temporary pay to an employee who is assigned different duties on an interim basis or because of the need for additional assignments associated with a special time-limited project, in the same or different role, in the same or higher pay band. Temporary pay is a non-competitive, management- initiated practice and is paid solely at the discretion of the College.

Temporary Pay - Higher Pay Band - When temporary pay is granted for assuming the duties of a different role in a higher pay band, management may grant 0-15% above the employee's current salary as long as the rate does not exceed the maximum of the higher pay band.

Temporary Pay - Same Pay Band - When temporary pay is granted for assuming the duties of the same or different role in the same pay band, management may grant 0-10% above the employee's current salary as long as the rate does not exceed the maximum of the pay band.

Role Change- This is a non-competitive action in which a position is changed to a different role in a higher, lower, or same pay band. There is no change in position number. Below are the salary actions that may be taken.

Upward Role Change- This occurs when a position is changed to a different role in a higher pay band. Management may grant a 0-10% salary increase. The salary must be increased to at least the minimum of the higher pay band but the new salary may not exceed the maximum of the higher pay band.

Downward Role Change - This occurs when a position is changed to a different role in a lower pay band. The employee's salary remains unchanged, unless it exceeds the maximum of the lower pay band. If it does exceed the maximum, the salary is maintained for a six-month period, and then reduced to the maximum of the pay band.

Lateral Role Change - This occurs when a position is changed to a different role in the same pay band. Management may grant a 0-10% salary increase. The salary may not exceed the maximum of the pay band. A salary increase due to a lateral role change is considered similar to an in-band adjustment and counts toward the 10% fiscal year maximum for in-band adjustments.

In-Band Adjustment - This is a non-competitive pay practice which allows management flexibility to provide salary growth and career progression within a pay band. In-band adjustments range from 0-10%. An employee may receive more than one in-band adjustment (including a lateral role change) within a fiscal year provided the increases do not exceed 10% total. (Each percentage increase is added to the employee's current salary.) The employee's base salary may not exceed the maximum of the assigned pay band and employees who are at the maximum of their assigned pay bands are not eligible for in-band adjustments. Below are reasons for which an in-band adjustment may occur:

- ❑ In-band adjustment due to change in duties
- ❑ In-band adjustment due to professional/skill development
- ❑ In-band adjustment for retention purposes
- ❑ In-band adjustment for internal alignment

Competitive Offer - The College may provide competitive salary adjustments to employees who are deemed critical to the College's mission and on-going operations when the employee receives a job offer from another state agency (internal competitive salary offer) or from outside state government or other entities not subject to the Virginia Personnel Act (external competitive salary offer). A competitive offer may not occur within the College itself. When providing a competitive salary adjustment, the College will:

- ❑ verify the employment offer; and
- ❑ assess the criticality of retaining the employee, the impact on agency operations if the employee separates, and the difficulty in recruiting to replace the employee.

Internal Competitive Salary Offer - When an employee receives a higher salary offer in the same or higher pay band from another state agency, there may be only one counter offer from the College. The amount of the competitive offer may not exceed the amount of the job offer from the other agency, or the maximum of the current pay band. The other state agency may not make a second offer in response to the College's

counter-offer.

External Competitive Salary Offer - When an employee receives a salary offer from an organization external to the Commonwealth (e.g., private, not-for-profit, public non-state agency, or State non-classified), the College may make a competitive offer not to exceed the amount of the job offer, or the maximum of the pay band.

Paydays

Paydays occur twice a month. When a payday occurs on a State holiday, employees normally are paid the day before the holiday. If a payday occurs on a weekend, employees normally are paid on the Friday before. Payroll checks are not distributed to employees before the date on the paycheck.

Employees can find the Pay Calendar on the DHRM website, <http://www.dhrm.virginia.gov/payandholidaycalendar.html>

Direct Deposit

NOVA participates in the Commonwealth direct deposit system, which deposits employee paychecks directly to their personal bank accounts. All employees are required to participate in direct deposit.

Payline

Payline provides employees access to their pay history including past paycheck stubs and previous W-2s up to the last five years. Paycheck stubs are no longer mailed out to employees. The only way to access pay history is through Payline. Employees must register for access to Payline at <https://payline.doa.virginia.gov>.

It is essential that all newly hired employees review their first paycheck for accuracy. Any errors should be reported to Payroll immediately.

Questions regarding Payline should be directed to the Payroll Department.

Chapter 5: Performance Evaluations and Performance Management

Probationary Period

All classified employees must serve a probationary period of 12 months from the date of State employment or re-employment. The 12-month probationary period may be extended for up to 18 months if the employee is out on leave for more than 14 consecutive calendar days, for performance reasons, or if an employee moves to a new classified position during the last six months of probation. The probationary period cannot exceed 18 months. If at any time during the probationary period it is decided by the employee or by the supervisor that the employee is not suited for the job, the employee may be terminated or allowed to resign.

During the probationary period, an employee is not eligible to use the State Employee Grievance Procedure. All employees, however, are protected against discrimination in any condition of employment because of race, color, religion, national origin, sex, age, disability, military status, or political affiliation. An employee who believes he/she has been discriminated against may file a discrimination complaint with NOVA's Human Resources Department, the Office of Legal Affairs, the Office of Equal Employment Services at the Department of Human Resource Management (DHRM), or with the federal Equal Employment Opportunity Commission (EEOC).

DHRM Policy #1.45 - Probationary Period, governs the probationary period.

Probationary Progress Review

Supervisors will complete the Probationary Progress Review at three and six months from the employee's hire date. Upon completing the Probationary Progress Review, supervisors will meet with the probationary employee to discuss performance. If the employee's performance is unsatisfactory at any time during the probationary review period, the employee may be terminated.

Approximately three weeks prior to the completion of the employee's probationary period, the supervisor will again meet with the probationary employee and conduct the final probationary review. During this final meeting supervisors will decide to either conclude probation or extend the probationary period to further assess performance. Supervisors must contact Employee Relations or their HR Campus Consultant before deciding to extend the probationary period.

Performance Management

The Position Description

At the beginning of employment and when an employee moves to a different position, an employee's supervisor will meet with the employee to review the employee's position description. At NOVA this process is done on- line through NOVA Applicant Tracking System (NATS). The position description, titled Employee Work Profile (EWP), describes the core responsibilities of the position. Based on the position duties, the supervisor establishes performance measures/outcomes and performance expectations for each core responsibility. The core responsibilities identify what the employee is expected to do. Measures for core responsibilities tell employees how much, how well, and in what time frames they are expected to perform the duties. Employees sign their position description electronically to acknowledge that they have received their position description. If desired, employee can print a hard copy.

Interim Performance Evaluations

Supervisors may conduct interim evaluations at any time during the performance cycle. Interim evaluations are intended to provide performance feedback to employees on their progress toward meeting their measures for core responsibilities during the probationary period or the performance cycle. They also are used to obtain an evaluation from a supervisor who departs during an employee's performance cycle or to provide documentation in support of a disciplinary action under the Standards of Conduct.

Notice of Improvement Needed/Substandard Performance

This is used to communicate the need for immediate improvement in the performance of one or more core responsibilities as identified in the position description. An improvement plan is developed and regular feedback meetings are conducted to assess progress towards meeting the performance standards. The improvement plan can be issued for no less than 30 days and can be extended. The maximum time period is 180 days total.

See [DHRM Policy #1.40 - Performance Planning and Evaluation](#)

Annual Performance Evaluation Process

Supervisors are expected to monitor employee performance and discuss performance with their employees regularly throughout the evaluation year (October 25-October 24). At the yearly performance evaluation meeting, Supervisors will discuss with employees how their performance has met the measures for core responsibilities that were developed for that particular yearly performance cycle prior to the start of the new yearly evaluation cycle, (October 25).

If the yearly performance evaluation meeting cannot take place within this time frame, the supervisor needs to notify the employee in a timely manner and at the time of the notification propose an alternate meeting date and time. This notification needs to be done in writing or via email.

Assessing the previously established core responsibilities and corresponding performance measures, the supervisor evaluates the employee's performance over the course of the yearly evaluation cycle. Employees are encouraged to do a self-assessment and to submit the document to their supervisor for consideration in completing the yearly evaluation. Performance of each core responsibility is evaluated by determining the degree to which the employee has met each measure. Then the overall performance level is determined. The performance ratings are Extraordinary Contributor, Contributor, and Below Contributor. The ratings are defined in [DHRM Policy #1.40 - Performance Planning and Evaluation](#).

The ***Acknowledgement of Extraordinary Contribution*** recognizes or commends employees for exemplary accomplishment or performance. Receipt of one or more acknowledgement form does not automatically entitle an employee to the Extraordinary Contributor rating on their annual evaluation. However, an employee must receive at least one Acknowledgement of Extraordinary Contribution during the performance cycle to be eligible for an overall Extraordinary Contributor rating on the performance evaluation conducted in the same performance cycle. It is important to note that an Acknowledgement of Extraordinary Contribution must be given to the employee by their immediate supervisor.

Notice of Improvement Needed/Substandard Performance

An employee who receives at least one Notice of Improvement Needed/Substandard Performance during the performance cycle may receive an ***overall Below Contributor*** rating on the performance evaluation conducted in the same performance cycle. Receipt of one or more of these forms does not automatically warrant a Below Contributor rating. However, employees receiving one or more Improvement Needed Action Plans may not receive a rating of Extraordinary Contributor during or at the conclusion of the same performance cycle.

Written Notice: An employee who receives a formal disciplinary action in the form of a Written Notice cannot receive an overall Extraordinary Contributor Rating for that particular yearly evaluation cycle.

Overall Below Contributor Rating –90 day-Re-evaluation

If an employee receives an overall Below Contributor rating for the yearly evaluation cycle, the employee will receive a 90 day Needs Improvement plan and will be re-evaluated. If the employee fails to meet the standard at the end of the 90 day period, the agency can demote or terminate. Transfers occur only through the regular application process and it is not NOVA's practice to resolve performance or conduct issues through automatic transfer or transfer requests.

A reviewer, the supervisor's supervisor, reviews the evaluation to ensure consistency.

When the evaluation is completed and the reviewer's signature is obtained, the supervisor discusses the evaluation with the employee. The employee is asked to sign the evaluation to document the review and receives a copy. When the formal evaluation is completed, the Position Description is reviewed; revised if needed, and signed to establish duties and measures for the new performance cycle.

DHRM policies currently provide that effective December 1 of each year, if funding is allocated, incentive increases will be granted to employees, based on their overall performance. Pay increases depend on funding actions taken by the General Assembly and the Governor each year.

Appeal Procedure

If employees have concerns about their evaluation, they can request a review by the higher level authority within their chain of command. Employees have 10 workdays from the date of receipt of the yearly evaluation to appeal to the reviewer. Please review the policy below

[DHRM Policy #1.40 - Performance Planning and Evaluation](#)

Employee Service Recognition Awards

At NOVA, each campus and division may develop a recognition program to highlight the contributions and excellence of their staff. Recognition programs need to follow the guidelines as outlined in the DHRM policy.

[DHRM Policy # 1.20 - Employee Recognition Programs](#)

Educational Foundation Outstanding Service to the College Award:

Each year the NVCC Educational Foundation sponsors an award program to recognize outstanding employee service. Employees are eligible for this award after three consecutive years of full time employment. Award requirements:

- An employee must be nominated by another member of the college community. Any member of the faculty, staff or student body may nominate another member.
- Endorsement from the employee's immediate supervisor and appropriate administrative council member
- A statement of accomplishments
- Copies of the annual evaluation of the employee from the past three evaluation periods
- Optional Additional Documentation: Classified employees may include letters of commendation from students or other beneficiaries regarding their outstanding service

Additional information can be found on the following link:

<http://www.nvcc.edu/about-nova/directories--offices/administrative-offices/evpresident/recognition/recognition-faculty.html>

Chapter 6: Work Hours

Hours of Operation

The College's established public service hours are 8:30 a.m. until 5:00 p.m., Monday through Friday. Consideration must be given to assure that all offices are covered during these hours.

The standard workweek for all full-time classified employees normally is a five-day, 40-hour week for every seven-day period. At times, employees may be required to work beyond 40 hours in the seven-day pay period. Supervisors are responsible for scheduling office coverage as needed to meet the business needs. Employees are expected to work the schedules assigned to their positions.

Alternative work schedules such as four 10-hour days, rotating shifts, flexible hours and job sharing, must be approved by the immediate supervisor and the Director of Human Resources.

When working outside of your scheduled work hours, especially weekend hours, please notify College Police. We request that you do so in an email or by phone so officers will include a safety check as appropriate.

[DHRM Policy #1.25 - Hours of Work](#)

Telecommuting

College employees have the option to telecommute pending approval from their supervisor and the Human Resources Director. Telecommuting allows employees to work from home during specified hours and/or days.

Telecommuting employees must still adhere to the College work schedule. **Telecommuting may not be used to provide care for family members or in place of leave.** All employees interested in telecommuting should review the [DHRM Policy #1.61 - Telework](#) and NOVA's [Telecommuting](#).

Lunch and Breaks

Employees who work at least six consecutive hours are allowed a lunch break of 30 minutes except in situations where shift coverage precludes such lunch breaks.

Lunch breaks are not included in the count of hours worked per day. When employees are required to work during their lunch, that period shall be counted as time worked.

Employees, at the supervisor's discretion, also may be granted a 10-15 minute break in the morning and in the afternoon outside of the 30 minute lunch break. The break period and the lunch period may not be used to compensate for late arrival or to permit early departure. Additionally, they cannot be accumulated nor can they be used to cover time off for other purposes.

Lunch periods and breaks will be scheduled by supervisors to prevent disruption of services to the public.

DHRM Policy #1.25 - Hours of Work

Breastfeeding/Lactation Policy

NOVA supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday. Employees seeking time away from work to express breast milk must request time off, in advance, from their supervisor in accordance with their unit's procedure for requesting time away from work. For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break time to express milk for her newborn. Two break times of no more than 15-20 minutes in length will be approved as paid break time. You may request for reasonable unpaid break time and/or use your meal times for this purpose.

Please work with your supervisor to meet your needs for a clean, private, comfortable space with an electric outlet, a chair and a small table/counter/flat surface for the breast pump.

Nursing mothers should be prepared, if no refrigerator is available, to carry cooler and cold packs for personal storage of expressed milk. If an employee has access to a refrigerator, breast milk may be stored in the refrigerator. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper store, refrigeration and tampering.

Note: The College is not liability for loss or damage of the employee's personal equipment.

Fair Labor Standards Act (FLSA) Requirements

Each non-exempt employee of the college is covered under the federal Fair Labor Standards Act (FLSA). A series of tests is applied to the responsibilities and tasks assigned to the

position to determine whether the position is non-exempt under the Fair Labor Standards Act. Contact Human Resources, Compensation Unit with questions about the exempt status of a position.

The FLSA governs minimum compensation rate to be paid employees and the compensation that must be given for hours worked over 40 hours in a workweek (i.e., overtime hours). All non-exempt employees must submit an electronic timesheet each pay period showing all hours worked. **Electronic timesheets must be submitted and approved by the Monday following the pay period end date.**

Exempt employees are not required to submit a timesheets each pay period. Exempt employees are only required to submit a timesheet during pay periods in which they have used leave or are required to as part of a modified work schedule. All absence requests are submitted electronically through the College's HR e-Services system.

Inclement Weather/Emergencies

Full time classified employees will be paid for authorized closings due to inclement weather or emergencies such as fire, utility failures, or other forced evacuations as specified in the Department of Human Resources Management (DHRM) and college policies. Closing decisions will be made by the College President or designee.

When inclement weather conditions or other emergencies result in an official change in work schedules, such as late openings or early closings, employees will be paid for the period of the authorized closing or emergency, without charge to their personal leave balances, provided they have worked all or part of their work schedule which was not affected by the closing.

When inclement weather conditions create transportation difficulties that result in late arrivals, the lost time does not have to be charged to employees' personal leave balances if, in the judgment of management, the lost time was justifiable in view of the weather conditions.

Some employees are designated as essential personnel. Therefore, they are required to come to work during inclement weather/emergencies. NOVA follows the DHRM Inclement Weather Policies for those employees.

[DHRM Policy #1.35 - Emergency Closings](#)

Holidays

NOVA observes 12 holidays in a calendar year, plus any additional days designated by the Governor. According to DHRM policy, when employees transfer between agencies that observe different holiday schedules, they shall observe the holidays of the agency to which they are transferring. No adjustments may be made for possible holidays lost or gained.

DHRM Policy #4.25 - Holidays

Holidays Falling On Saturday or Sunday

Holidays that fall on Saturday will be observed on the preceding Friday, and holidays that fall on Sunday will be observed on the following Monday.

Eligibility for Holiday Pay

Full-time employees are eligible to receive eight hours of compensation for holidays. However, in order to receive holiday pay, an employee must be on full pay status his/her workday before and workday after the holiday period. If the employee is on leave without pay (LWOP) status for any portion of his/her workday before or after the holiday, he/she will not be entitled to holiday pay.

Example 1 - Thanksgiving is the designated holiday and an employee terminates his employment with the college on the day before, which is the last workday he is on paid status with the college. He is not eligible for holiday pay for Thanksgiving Day.

Example 2 - An employee has been on extended sick leave starting June 1st. Her sick leave credits are exhausted on July 1st. She is put on non-pay status the 2nd and 3rd of July. She is not eligible for holiday pay on July 4th.

Holidays Falling During Employee's Vacation

Paid holidays that fall during an employee's annual leave are not counted as days of annual leave.

Holidays Falling On Scheduled Day Off

Employees whose scheduled day off falls on a holiday and who do not work will be paid for the holiday according to college policy. Employees who are required to work on a holiday will receive pay for the hours worked and also be paid for the holiday itself.

Chapter 7: Leave Benefits

The following section describes leave benefits in general. For further detail on the policies concerning leave, please consult the DHRM website, <http://www.dhrm.virginia.gov/hrpolicy/policy.html>

Annual Leave

Employees receive paid annual leave for vacations and other personal needs. Annual leave also may be used to cover sick leave when sick leave balances have been depleted. Annual leave accrues at the end of each completed pay period.

If an employee goes on leave without pay (LWOP) at any time during a pay period, no annual leave is accrued for that pay period.

The rate at which annual leave is accrued during each semi-monthly pay period depends on length of service. Employees may, if they wish, accumulate annual leave, but only a limited amount can be carried over from year to year, depending on length of service. Additionally, there is a maximum balance of annual leave that can be paid upon separation from state service, as shown below.

Years of Service	AL Hours Accrued Per Pay Period	AL Hours Accrued Per year	Maximum AL Carryover Limits	Maximum AL Payment Limits
Up to 5 years	4 hours	96 hours (12 days)	192 hours (24 days)	192 hours (24 days)
5 years	5 hours	120 hours (15 days)	240 hours (30 days)	240 hours (30 days)
10 years	6 hours	144 hours (18 days)	288 hours (36 days)	288 hours (36 days)
15 years	7 hours	168 hours (21 days)	336 hours (42 days)	288 hours (36 days)

20 years	8 hours	192 hours (24 days)	384 hours (48 days)	336 hours (42 days)
25 years	9 hours	216 hours (27 days)	432 hours (54 days)	336 hours (42 days)

DHRM Policy #4.10 - Annual Leave

Sick Leave: Traditional Program –prior to January 1, 1999

Employees hired prior to January 1, 1999, had the opportunity to remain under the sick leave program defined in DHRM Policy #4.55 - Sick Leave or be covered under the Virginia Sickness and Disability Program (VSDP), described later in this chapter. This section describes the sick leave program found in DHRM Policy #4.55.

Sick leave is the State's way of protecting employees against loss of pay when they must miss work because of illness or injury. Sick leave is accrued at the rate of five hours for each completed semi-monthly period, regardless of years of service. If an employee is on leave without pay any time during the pay period, no sick leave is accrued. Employees are urged to use sick leave carefully as it is the only type of paid disability leave available to them.

Sick leave may be used for absences due to illness or injury, or for medical appointments that cannot be scheduled at times other than during work hours.

Sick leave also may be used, up to 24 hours for each event, for an illness or death in the employee's immediate family. Leave for these purposes may not exceed a total of 48 hours in a calendar year. "Immediate family" is defined as the employee's parents/step-parents, spouse, children/step-children/foster children, and siblings/step-siblings. It also includes any other relative living in the employee's home.

Employees also may use 33% of their available sick leave hours during a Family and Medical Leave Act (FMLA) -designated leave period taken for family reasons. See DHRM Policy #4.20 - Family and Medical Leave.

Upon separation from state service, employees with five or more years of state service at the time of separation will be paid 25% of their remaining sick leave balance up to a maximum of \$5,000.

Virginia Sickness and Disability Program (VSDP)

VSDP Plan 1 after January 1999 and before July 1, 2010:

Employees hired on or after January 1, 1999, and employees who chose not to be covered by DHRM Policy #4.55 - Sick Leave are covered by the Virginia Sickness and Disability Program (VSDP) identified as *VSDP Plan 1*. VSDP provides employees with income protection if they become unable to perform their normal job duties because of an illness or injury, either short term or long term. In addition to disability income, VSDP provides employees with sick leave (not the same as found in DHRM Policy #4.55) and family and personal leave that may be taken for short term absences throughout the year.

A copy of the VSDP handbook can be found on the web:

<http://www.varetire.org/Pdf/Publications/VSDPhdbk.pdf>

VSDP Plan 2: if your VRS membership date is July 1, 2010 or later:

There is a one year eligibility waiting period for all new employees hired after July 1, 2010. Employees looking to file a claim need to contact UNUM directly at 1-800-652-5602.

Employees should have the following information ready:

- Job title and agency
- Social Security number
- Date of birth
- Current mailing address
- Brief description of your disability
- Last day you were or will be able to work
- Name, address, phone number, fax number of your doctor or other licensed healthcare professional.

Additional details about what information is needed to begin a claim can be found at

<http://varetire.org/Members/Plan1/Benefits>.

[DHRM Policy #4.57 - Virginia Sickness and Disability Program](#)

Leave without Pay

There may be occasions where an employee has exhausted his/her personal leave balances and therefore must be placed on leave without pay status. When in a Leave without Pay status that is not covered under military leave and not covered under family and medical leave (both of which guarantee reinstatement to one's former position), the employee may be placed on conditional leave without pay.

DHRM Policy #4.45 - Leave Without Pay- Conditional/Unconditional

Conditional Leave without Pay and Employment Status

Conditional leave without pay allows an employee to retain prior accrued sick, annual, and overtime leave balances. However, if the position has been filled prior to the employee's return, there is no guarantee of reinstatement. Instead, reinstatement must be obtained through the competitive hiring practices of the College. If the employee is unable to attain a position prior to the expiration of the conditional leave without pay period, the employee will be separated.

Unconditional Leave without Pay

Unconditional leave without pay (position held) may be granted for illness, educational leave or personal reasons. Employees may be allowed to retain leave balances at the discretion of the President or delegated authority upon commencing an unconditional LWOP status. No leave is accumulated or advanced while on LWOP and no pay is given for holidays during that period. Any period of LWOP in excess of fourteen calendar days (other than LWOP-Layoff) must be reported to DHRM and cannot be counted as active service in determining the annual leave accrual rate, unless leave was for active military duty.

DHRM Policy #4.45 - Leave Without Pay- Conditional/Unconditional

Leave Sharing

The Commonwealth has a leave sharing policy which permits employees to donate annual leave to another employee who may need additional sick leave as a result of personal illness or accident. To receive leave donations, the employee needs to be in an approved Family Medical Leave/LWOP status. The following are the guidelines of the program:

- ❑ Donations may be in the form of annual leave only.

- ❑ Leave may be shared within the Virginia Community College System only, except that family members in two different Executive Branch agencies may share leave with one another within the leave sharing guidelines.
- ❑ Donations are to be made in eight hour increments.
- ❑ Recipients are not required to reimburse leave hours donated unless they receive compensation from another source (e.g., workers' compensation) for the same period, or unless abuse occurs, in which case the recipient may be required to repay the leave and/or may be subject to disciplinary action.
- ❑ Employees who wish to receive leave must contact the Human Resources, Benefits Team.
- ❑ While receiving shared leave, employees will otherwise be considered to be on leave without pay status (e.g., they will not accrue any leave or be paid for holidays).
- ❑ Shared leave may be used only for an employee's personal medical conditions certified by a physician.

DHRM Policy #4.35 - Leave Sharing

Other Leave

There are other types of leave available to employees that are not deducted from their personal sick, family and personal or annual leave balances.

Civil and Work Related Leave

Civil and Work Related leave may be available to use to appear in court under subpoena or summons or to serve as a jury member, to serve on State Boards or Councils, to resolve work-related conflicts or complaints, and to interview for other State positions. When Civil and Work Related Leave is used for court appearances, a copy of the subpoena or summons to appear in court must be provided to Human Resources Department at the time such leave is requested.

DHRM Policy #4.05 - Civil and Work Related Leave

Emergency/Disaster Leave

Employees may be granted paid leave for up to 80 hours annually (without charge to their personal leave balances) to assist areas that have been declared official disaster areas. In order to qualify for this type of paid leave, the situation must meet the criteria outlined in DHRM Policy #4.17 - Emergency/Disaster Leave.

Additionally employees who are victims of disasters that meet the criteria specified in DHRM Policy #4.17 may be granted up to 80 hours of paid leave annually.

Family and Medical Leave

Paid leave (through use of the employee's appropriate personal leave balances) or unpaid family and medical leave of up to 12 weeks is available to eligible employees. In order to be eligible, an employee must have been employed by the State for a minimum of one year and worked 1,250 hours or more in the 12-month period immediately prior to the request.

Such leave may be granted because of the birth of a child or the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (limited to employee's child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes him/her unable to do his/her job. In either case, management may require medical certification regarding the conditions and circumstances of the serious health condition related to the leave.

For more information regarding FML eligibility employees should read DHRM Policy #4.20 - Family and Medical Leave and contact the Human Resources, Benefits Team.

Employees seeking to use FML must contact Human Resources, Benefits Team to obtain the necessary forms.

Leave To Donate Bone Marrow or Organs

Employees may use up to 30 workdays of paid leave in any calendar year, in addition to other paid leave, to donate bone marrow or organs. To be eligible, an employee must be non-probationary classified employee who presents medical certification supporting his/her intent to donate bone marrow or an organ. Employees who are on disciplinary suspension are not eligible to participate in this program.

DHRM Policy #4.37- Leave to Donate Bone Marrow or Organs

School Assistance and Volunteer Service Leave

It is the policy of the Commonwealth to grant employees up to 16 hours of paid leave in any leave year to provide volunteer services through eligible non-profit organizations within or outside their communities. Such service may be provided as a member of a service organization or through authorized school assistance.

§2.2-2821.2 of the Code of Virginia increases from 16 to 24 the number of hours of paid leave in any leave year (in addition to other paid leave) that may be allowed to state employees to serve with a volunteer fire department and rescue squad or auxiliary unit thereof.

Note: This time is not in addition to the 16 hours of paid volunteer service leave to provide other volunteer services or school assistance.

- Members of volunteer fire departments and rescue squads, or auxiliary units thereof, may be granted paid leave under this policy to:
 - respond to emergency situations during working hours; or
 - arrive after the normal beginning of their work shift if an emergency situation to which they responded outside their normal work hours continues beyond the normal beginning of their shift.
- Employees may be granted paid leave under this policy to provide voluntary “hands-on” services to their communities as a part of an organized community service project sponsored by a community service organization. For example, an employee could be granted community service leave to deliver meals to the elderly or to needy community citizens; however, community service leave is not appropriate to attend a planning meeting or social event for the organization providing these services.
- Employees with children may be granted paid leave under this policy to:
 - meet with a teacher or administrator of a public or private preschool, elementary school, middle school, or high school concerning their children, step-children, or children for whom an employee has legal custody; or
 - attend a school function in which such children are participating.

- Additionally, any employee may be granted paid leave under this policy to perform volunteer work approved by any teacher or school administrator to assist a public preschool, elementary school, middle school or high school.
- Employees may be granted paid leave under this policy to assist in the education of their child, step-child, or child for whom the employee has legal custody in state-approved home education curricula, including meetings with local school board officials and required field trips.
- Employees must receive approval from their supervisors prior to using community service leave.
- Additionally, if response to emergency situations as a member of a volunteer fire department or rescue squad will result in tardiness, employees must notify their supervisor according to college procedures to secure approval.
- Documentation of the employee's participation in a community service event may be required by supervisors.

Community service leave may be used in increments of one hour at a time. A maximum of 16 hours of paid leave per leave year will be made available to current employees on January 10 of each year and to new employees upon beginning employment.

Employees who are members of a volunteer fire or rescue squad departments *must* be granted an additional 8 hours of paid leave to be used exclusively for the purpose of providing firefighting and rescue services.

DHRM Policy #4.40 - School Assistance and Volunteer Service Leave

Military Leave

Military leave, with and without pay, is used for service in the armed forces of the United States. Requests for Military Leave must be accompanied by a copy of the military orders. For more information on the above, refer to the DHRM leave policy or contact Human Resources.

DHRM Policy #4.50 - Military Leave

Bereavement Policy

The state has no stand-alone bereavement policy. VSDP participants may charge personal leave as well as annual leave for bereavement. [DHRM Policy #4.57 - Virginia Sickness and Disability Program](#)

Non-VSDP employees may use sick leave to charge an absence arising from bereavement in the immediate family. Up to 48 hours of sick family leave in a calendar year. The relationship category as defined under sick leave applies.

[DHRM Policy #4.55 - Sick Leave](#)

Reporting Absences and Tardiness

Employees should request leave as far in advance as possible. Leave requests should be made electronically through HR e-Services system. Employees can find instructions on submitting leave requests on the NOVA website under HR e-Services at

<http://www.nvcc.edu/faculty-and-staff/human-resources/e-service/index.html>

In the case of sick leave use, this may not always be possible. When sick leave is used that is not in accordance with College policy or internal procedures, it is considered an unscheduled absence.

In case of unscheduled leave supervisors may request a doctor's note as per DHRM policy.

Employees should check with their supervisors on the internal procedures for reporting absences or tardiness. Employees who are unable to report for work and who are not on previously approved leave, are required to give reasonable notification to their immediate supervisor. Notification must be made as soon as employees are aware that they will not be able to report to work and preferably no later than 15-30 minutes prior to their scheduled start time. The preferred method of notification is to call the supervisor at NOVA's work number. Individual supervisors may approve alternative methods of notification such as email or calling the supervisor's cell phone.

If employees are out for more than one day, employees are required to notify their supervisor each day, in accordance with the initial notification procedures, of the continued absence. If employees are out for at least three days for possible reasons that might relate to sick leave, the supervisor will notify Human Resources, Benefits Team.

Failure to report absences as directed and frequent unscheduled absences may result in unapproved leave and disciplinary action, up to and including termination. Per Standards of Conduct, three days of unauthorized leave is considered job abandonment and may result in termination.

Employees must report their leave within one workday of their return to work.

Overtime

Overtime is time worked by a non-exempt employee in excess of 40 hours in the employee's workweek. The time worked over 40 hours is compensated at a time and a half rate.

Permission to work any hours over one's regular schedule must be authorized by the employee's supervisor in advance of the extra time worked if possible.

Chapter 8: Other Benefits

To access information about the various benefits programs available to classified employees, please visit [NOVA Benefits information](#) or [DHRM Employee Benefits](#).

To sign up for health and flexible benefits, please use [EmployeeDirect](#).

Group Life Insurance

Employees participate in the group life insurance plan administered by the Virginia Retirement System (VRS). The plan provides life insurance and accidental death and dismemberment coverage during active employment. The coverage amount for natural death is the employee's salary, rounded to the next highest thousand dollars, then doubled. The accidental death benefit is double the natural death benefit. In addition, any member of the Group Life Insurance plan is eligible to purchase additional life insurance at a value of up to four-times his/her salary through the State's optional life insurance program and may elect coverage for his/her spouse and children.

Details can be found on the Virginia Retirement System (VRS) website at <https://web1.lifebenefits.com/lbwcm/pd/vrs>.

Health Insurance

Employees may select a health insurance plan from the Commonwealth. These include a Preferred Provider Organization (PPO), High Deductible Plans, and in some geographic areas, a health maintenance organization (HMO). These programs offer various levels of coverage, co-payment, and deductible provisions.

The State pays a certain amount toward each employee's health insurance premium. Employees may choose employee only coverage (the lowest-cost option), dual coverage for the employee and one dependent, or family coverage (the highest cost option). The State pays a portion of the cost of providing coverage for dependents, and the employee pays the remainder.

[COVA Care](#)

[Kaiser Permanente](#)

[COVA HDHP](#)

[COVA HealthAware](#)

Flexible Benefits

Through the Commonwealth's Premium Conversion program, employees pay their health insurance premiums before their taxes are calculated, resulting in more spendable income.

Employees also may enroll in Medical and Dependent Reimbursement Accounts. These programs allow employees to pay some dependent care and medical care expenses with before tax dollars, to reduce taxes and increase spendable income. There are important restrictions employees need to understand before enrolling in the reimbursement accounts programs.

<http://www.dhrm.state.va.us/genlbenefits/flex/overview.html>

Enrollments and changes for health and flexible benefits may be made through [EmployeeDirect](#).

Long Term Care

The Commonwealth of Virginia offers long term care insurance to eligible state covered under the Virginia Sickness and Disability Program. Under long-term care, individuals receive assistance with normal activities of daily living, such as eating, dressing, and getting in and out of bed.

<http://www.varetire.org/pdf/publications/vsdp-handbook.pdf>

Voluntary Group Long Term Care

Eligible employees may be eligible to enroll in the Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program. Long term care insurance helps to reimburse charges for services received at home, in the community or in a nursing facility. You will qualify for these benefits if you find you need help performing any two of the following everyday activities: bathing, dressing, eating, continence, toileting or transferring. You may also qualify for benefits if you suffer from a severe cognitive impairment requiring substantial supervision. The carrier is Genworth.

For more information, visit Genworth at <https://www.genworth.com/cov>

Virginia Retirement System (VRS)

The Virginia Retirement System (VRS) is a defined benefit retirement plan. VRS provides monthly retirement benefits to vested employees who have retired. These benefits are in addition to monthly benefit payments from Social Security. VRS also provides disability retirement benefits for employees who are permanently and totally disabled from performing their jobs.

Employees hired after July 1, 2010 are required to contribute 5% of their salary toward their retirement. The contribution is taken as a payroll deduction.

Employees can find more information about VRS through their website at <http://www.varetire.org/>

Virginia Law Officers Retirement System

Virginia Law Officers Retirement System (VALORS) is a defined benefit retirement plan for campus security personnel. Please see the VALORS Member Handbook at: <http://www.varetire.org/Pdf/Publications/valors.pdf>

Deferred Compensation (DCP) and Tax Sheltered Annuities (TSA)

The Commonwealth's Deferred Compensation Plan (DCP) and tax sheltered annuities (TSA) allows fulltime and part-time employees to set aside money each pay period for additional retirement savings. This deferral is deducted from employees' pay before state and federal taxes are withheld, thereby reducing the overall amount of taxable income. Upon withdrawal, each payment employees receive from a plan trust is subject to regular federal and state income taxes as it is received.

The Deferred Compensation has a cash match provision in the DCP and TSA. Employees can receive a match amount, on a semi-monthly basis, that is 50% of an eligible participant's DCP or TSA deferral or \$10 per pay period subject to budget revisions.

[457 Deferred Compensation/Defined Contribution Plans](#)

[403 \(B\) and 457 Information](#)

Payroll Deductions

Various voluntary and mandatory payroll deductions may be made from employee paychecks. The deductions required by federal and state laws are State and federal income tax, social security (OASDI), and Medicare (HI).

Voluntary deductions are those approved by the State's Comptroller and made at the direct request of the employee. These include, but are not necessarily limited to Virginia Credit Union deposits, Commonwealth of Virginia Campaign charitable contributions.

Payroll deductions also can be made for tax sheltered annuities, supplemental insurance, and the Virginia Governmental Employee Association.

For detailed information about the different voluntary deductions, go to the following websites:

[Virginia Credit Union](#)

[Apple Federal Credit Union](#)

[Commonwealth of Virginia Campaign \(CVC\)](#)

[Virginia Government Employee Association \(VGEA\)](#)

Legal Resources

Legal Resources is a benefit program available to salaried employees offering limited legal services at a group rate of \$18.00 per month. New employees may enroll within 60 calendar of employment or during the annual open enrollment period which is the month of October every year. Open enrollment elections take effect January 1 of the following year. Premiums are eligible for payroll deduction. Contact Human Resources for enrollment materials.

Savings Bonds

Employees can longer have monies for the purchase of savings bonds deducted on the payroll. However, employees can set up an account with TreasuryDirect and have amounts posted to their TreasuryDirect accounts via payroll through the normal direct deposit process.

[TreasuryDirect](#)

For more detailed information about savings bonds and other savings through TreasuryDirect, employees should visit the link below:

<http://www.frb services.org>

All employees interested in purchasing bonds via direct deposit should contact Payroll.

Workers' Compensation

An employee who suffers an injury or illness arising out of and in the course of his/her employment may be entitled to workers' compensation benefits, leave, pay for time lost from work, and payment of medical treatment. In order to have a workers' compensation claim considered for benefits, the Employer's Accident Report must be filled out and sent to Human Resources within 24 hours of the incident.

If medical attention is required, a list of panel physicians is provided to the employee. Any unauthorized medical treatment will not be covered. All payments for injuries and illnesses are considered to be in a pending status until a compensability decision is given.

NON-VSDP MEMBER: If a claim is compensable, classified employees are entitled to up to 92 calendar days (528 work hours) of full pay from the College based on their work time missed. In general, these 528 hours are covered through two-thirds compensation paid by workers' compensation beginning after the eighth day of lost time and one-third compensation paid by the College. The first seven calendar days of absence and the remaining third beginning on the eighth day are paid by the College. (NOTE: Employees who are covered under the Virginia Sickness and Disability Program will have their benefits coordinated with Workers' Compensation.)

After 528 hours of workers' compensation leave, if employees continue to be eligible for workers' compensation benefits, these payments continue. Employees must use accumulated personal leave, if available.

VSDP MEMBER - hired after 1999: Virginia Sickness and Disability Program participants who suffer work-related injuries that are deemed compensable, will be provided primary benefits according to terms of the Workers' Compensation Act. VSDP disability benefits are secondary. Details can be found in the VSDP Handbook, pages 10-11. Additional questions should be directed to the Human Resources, Benefits Team.

<http://www.varetire.org/Pdf/Publications/VSDPhdbk.pdf>

All time away from work must be authorized by the panel physician. All employees are entitled to payment for medical treatment, including prescription drugs, as long as it is related to the injury or illness and treatment was provided by an authorized physician.

Employees receiving workers' compensation must follow the rules and regulations established by the college. If an employee has any questions regarding his/her claims, he/she should call Human Resources, Benefits Team.

Chapter 9: Professional Development

For NOVA to excel as a leading educational institution, it is important for faculty and staff to actively engage in continuous learning, professional growth, and high performance. To that end, NOVA provides and encourages access to a wide range of professional development opportunities aimed at building or reinforcing job-critical competencies and promoting positive behavior changes that lead to strengthened job performance.

NOVA offers:

- Tuition Assistance
- Professional Development funding for conference and workshop attendance
- Classroom and instructor-led structured training to strengthen essential job skills.
- 24/7 access to over 750 online e-learning courses through the NOVA Academy on a wide range of essential job competencies and leadership development.

In addition, the College encourages each employee to take responsibility for their professional growth and career path. Self-assessments, career guides and other helpful career development information is available through the DHRM website at http://jobs.virginia.gov/cd_main.html.

Managers and supervisors at each level in the College administration are expected to lead by example and actively promote, support, and encourage employees to participate in professional development planning and activities that support the department's and work unit goals, process improvement efforts, professionalism, and service excellence.

Required Training

Effective with the 2013 Spring Semester, classified staff are required to complete all mandatory compliance training within the established timeline of completion as noted in the offer/contract letter and as part of the onboarding process. The compliance training has an established timeline of completion. The mandatory compliance training modules, listed below, are available 24/7 through the web based NOVA Academy and, for IT, through MOAT. Employees and their supervisor will receive an electronic notification that the required training has been assigned. Failure to complete the compliance training in a timely manner may impact continued employment with NOVA.

Mandatory Training based on Federal, State Law, DHRM or VCCS policy			When			Modality		Length of Session	Mandated By
Mandatory Training	Faculty	Staff	Upon hire	Annual	Every three years	In-person	On-line		
MOAT—IT Security Awareness	✓	✓	✓	✓			✓	90 m	Information Technology Resource Management (ITRM) Information Security Standard SEC 501-01
Preventing Workplace Harassment*	✓	✓	✓		✓		✓	40 m	DHRM EEO Policy 2.30 VCCS Policy 6.1200; 6.1211
Fundamentals of EEO Law* (preventing Discrimination)	✓	✓	✓	Within past 12 months if on Search committee			✓	30 m	DHRM EEO Policy Policy 2.05 EEO VCCS policy 6.2000
Alcohol & other Drugs Policy*	✓	✓	✓	✓			✓	30 m	DHRM Policy 1.05 Title 2.2, of the Code of Virginia and (for federal contractors and grantees) the federal Drug Free Workplace Act VCCS Policy 7.1000 (NOVA Faculty Handbook 7.1000 section D.
Preventing Workplace Violence*	✓	✓	✓		✓		✓	30 m	DHRM Policy 1.80, Workplace Violence Policy Executive Order 41 (2011) VCCS Policy 7.1100 Emergency Information/Safety
Ethical Decision Making*	✓	✓	✓		✓		✓	30 m	ARMICS Risk Management;
Emergency Management and Planning									
Terrorism Security Awareness*		✓	✓		✓		✓	45 m	Executive Order 41 (2011)
Emergency Drills—tornado; fire	✓	✓		✓		✓			Executive Order 41 (2011)
Higher Education									
CLERY*	✓	✓	✓	✓		✓	✓	30 m	U.S. Department of Education; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
FERPA	✓	✓	✓	✓		✓	Included in MOAT	30 m	Family Educational Rights and Privacy Act

The above training courses are located in NOVA Academy, which can be found on the NOVA website under Human Resources at <https://covkc.virginia.gov/nvcc>.

The required training as outlined above may require additional classroom training. Also, to be in compliance with federal and state laws, VCCS and NOVA requirements, additional training will be assigned as needed.

Other Training as Assigned

Departments and managers may require additional, specific training depending on their needs.

NOVA Academy

NOVA Academy is the Learning Management System (LMS) used at the College to deliver and track 24/7 access to online training and in-person course registration. NOVA Academy is also the College's portal to over 750 online training modules shared across state agencies throughout the Commonwealth of Virginia. The LMS records an employee's real-time progress on course completions on a user's transcript that can also be viewed by the supervisor.

Please refer to the Basic User Guide and Supervisor User Guide for step-by-step instructions on how to navigate NOVA Academy. Employees can access these reference tools at <http://www.nvcc.edu/faculty-and-staff/human-resources/professional-development/index.htm>.

NOVA Professional Development Budget Plan

The Professional Development Budget Plan provides funding for group participation at the College level to strengthen job competencies and promote overall professional development. The plan is also designed to be supportive of campus-specific programs and campus specific requests by faculty and staff who wish to participate in professional development activities, such as conferences, peer group meetings, and VCCS programs.

The Professional Development Budget Plan funds, among others, classified staff. Large sub-groups may be identified for specific developmental programs.

The Plan works in concert with the Virginia Community College System (VCCS) faculty and classified staff professional development opportunities. Employees are encouraged to take advantage of funding offered at all three levels: VCCS, College, and campus. For information about VCCS staff professional development opportunities, visit the VCCS website:

<http://www.vccs.edu/FacultyStaff/ProfessionalDevelopment.aspx>.

Application Process for Attending Conferences/Workshops and other Professional Development Activities

Eligibility

- Classified staff and full time faculty are eligible to receive professional development funding.
- The theme/topic of the activity (seminar/workshop/conference) must be job related, or prepare the employee for positions of greater responsibility within NOVA.
- The activity must not be offered in a similar format and/or level seminar, workshop or mini-course within NOVA.

Funding Utilization

- Registration for the event
- Hotel/lodging per NOVA travel policies and procedures

Professional Development Funds may not be utilized for the following:

- Mileage
- Travel
- Meals

Submission Application Deadline

In order to ensure full consideration, the NOVA Professional Development Activity Application must be completed and funding requests need to be received at the home campus Provost Office or designee at least 14 business days before the end of the

registration date for the event. College Staff should request funding through Human Resources, Training and Development. If an application is received within less than 14 business days, funding may not be approved.

Classified Employee Tuition Assistance Program

The College provides tuition assistance and access to NOVA classes free of charge to qualified employees who apply. Tuition assistance and access to NOVA classes are neither a guaranteed benefit nor an entitlement of employment at NOVA. Access to tuition assistance is limited based on the availability of funds. Priority for tuition assistance is given to education or training directly related to job performance.

Eligibility

Salaried full-time and part-time P-3 employees are eligible to apply for tuition assistance and for access to NOVA classes free of charge.

This policy provides for tuition and associated laboratory fees, but the individual employee is responsible for paying for any admission fees, student activity fees, course books and materials, or other fees not tied to an individual course. Tuition assistance is

limited to six credit hours per semester. During the first six months of employment P-3 classified staff are eligible to apply for tuition assistance in job-related credit bearing NOVA courses. The employee's supervisor is responsible for designating whether a course is job-related when he or she approves a request for tuition assistance.

Job-related course work contributes directly to the improvement of skills, abilities or knowledge needed in the performance of the employee's current job to meet one of the following objectives:

- a. To provide training for new employees meeting only minimum qualifications who were appointed to positions because better qualified applicants were not available.
- b. To provide training in the use of new or modified methods, technology and equipment.
- c. To provide training in skills and knowledge required by changes to the employee's current position.

After six months of employment P-3 employees may apply for tuition assistance for non-job related courses and may take NOVA courses at no charge for general interest. An employee may take a maximum of six credit hours of course work per semester under this policy.

Types of Courses and Funding Amounts

The maximum credit hour load is 6 credit hours (or the equivalent CEU value) per semester for all employees. Full-time classified employees may apply for and receive up to \$1,900 per fiscal year. Part-time (P-3) classified employees can receive a percentage of \$1,900 based on the number of hours they were hired to work. For example, a 50% P-3 classified employee is eligible to receive up to 50% of \$1900, or \$950.

NOVA Courses

Requests for tuition assistance in the form of free NOVA course tuition must be approved through HR prior to registering for a course. NOVA credit courses do not count toward the financial limits set for tuition assistance. The maximum credit hour load is 6 credit hours (or the equivalent CEU value) per semester for all employees.

Accredited College and University Courses and Continuing Education Courses

Requests for tuition assistance must be approved through Human Resources prior to registering for a course. Please submit the required Educational Assistance Form with supporting documentation at least two weeks prior to the start of the course and/or registration deadline of the College. After six (6) months of employment, full-time and part-time P-3 employees may apply for tuition assistance for course work at regionally accredited colleges and universities. Qualifying academic courses must enable classified staff to complete degree programs that will enhance job performance or support the college's mission. Therefore, a copy of verification of acceptance into a degree program must be submitted with requests for tuition assistance when the purpose of the course work is "degree related."

Tuition Assistance Approval Process

Requests for Education Assistance go through an approval process utilizing the Employee Educational Assistance Request, form 105-043. Employees seeking tuition assistance must get approval from their immediate supervisor and from the supervising Administrative Council member before submitting their request with all required documentation to Human

Resources for final review and approval.

Administrative Council members approve tuition assistance requests according to College and campus priorities. Tuition assistance funds are allocated based on a priority system as follows:

- a. Employee is in need of job related course work
- b. Employee is enrolled in a degree program and needs to take course to fulfill a requirement for his or her job-related degree
- c. Employee seeks knowledge from course for his or her personal enrichment

Class Time and Flexible Work Schedules

If class time conflicts with an employee's normal work schedule, supervisors may allow the employee to adjust their work schedule as long as business operations and service standards can be maintained. Employees who are granted permission to adjust their work schedule must ensure they work the total number of hours required per week. Exempt employees must make up time spent in class or take leave.

Supervisors may adjust work schedules to avoid overtime liability. Adjustment to work schedules may include requiring the employee to use annual, compensatory, overtime leave, or VSDP family and personal leave (for VSDP participants). Adjustments may also take the form of reducing the work schedule, however an employee's work schedule may not be reduced below fifty percent (50%) of a normal 40-hour a week work schedule without affecting the employee's health insurance benefits.

Classified employees must attach and submit a revised work schedule with the completed Employee Educational Assistance Request if class time is scheduled during the employee's normal work hours. The supervisor shall maintain a copy of the employee's revised work schedule, and is responsible for monitoring work schedule compliance.

If NOVA is requiring an employee to take a course, the employee must be compensated for time when attending the course whether the course time falls during the normal work schedule or outside of the normal work schedule. The supervisor shall consult Human Resources before requiring an employee to complete a course.

For non-exempt classified employees, time in a work related class during normal work hours is considered hours of work when computing any overtime liability. Class time outside normal work hours is not considered hours of work for computing overtime if the employee's attendance is voluntary (employee-requested).

Studying must be done on the employee's own time. On-line and distance learning courses must be pursued during non-work hours.

Procedures to Request Tuition Assistance and NOVA Free Tuition

Requests for tuition assistance and NOVA free tuition must be approved through HR prior to registering for a course. No reimbursement will be made for courses in which the employee enrolled prior to receiving approval from Human Resources.

Employees must submit a current and completed an Employee Educational Assistance Request, form 105-43 through the supervisory chain, to the responsible administrative council member, and to Human Resources for approval. The employee must ensure that all requested information is completed prior to submitting the request to Human Resources. When submitting a request through the supervisory chain, the employee should also be mindful of registration deadlines, and allow several business days for the approval process to take place. Incomplete or inaccurate information will result in delays and may prevent approval. Human Resources will review, take action and notify the employee of the status of the request, and a copy of the approved request will be returned to the employee.

When an employee is submitting a request for tuition assistance for coursework at another college or university, verification of acceptance into a degree program must be attached to the request.

Requests for course work at another college or university must include documentation that shows the current tuition rate at the school.

For NOVA courses, the employee must ensure that a copy of the approved request is provided to a campus business office to establish eligibility for free tuition in NOVA credit courses.

Tuition Payment for Courses

If the request will involve a tuition payment, HR will prepare a promissory note and will send it to the employee as a part of the approval process. Free NOVA tuition does not

involve a promissory note.

When a course under this policy is paid for by the College, the benefiting employee is required to remain in NOVA's employ for six months from the start of the course. Leaving before that time has elapsed is a violation of the promissory note and will require the tuition be repaid pro rata to the College.

Tuition Reimbursement

After the employee receives notification of approval for the tuition assistance request from Human Resources, the employee may register, paying the cost of tuition to the institution where the course is taken. Employees who receive tuition assistance in any form from any outside entity are not eligible for tuition reimbursement from NOVA. After successful completion of the course, the employee will be reimbursed when they submit the following documentation to Human Resources:

1. A copy of the approved Employee Educational Assistance Request (Form 105-43).
2. Proof of a satisfactory grade in the course (grade report or transcript)
3. Proof of tuition payment by canceled check or credit card bill
4. A signed promissory note
5. Partially completed Internal Purchase Requisition/ Check Request (Form 105-11) with the employee's name as the suggested vendor. The Human Resources Department will submit all requisite documentation to the Office of the Controller.

Pre-payment of tuition

An employee may request that tuition be paid directly from NOVA to the college or university where the employee is taking the course. If the request for assistance is approved, Human Resources will prepare the promissory note and will return it to the employee with confirmation of approval. After receiving this confirmation, the employee may register for the coursework. The promissory note will need to be executed and returned to Human Resources with an invoice from the school. The executed promissory note stipulates that the employee will reimburse the College for tuition paid, in the event the employee receives a grade less than a "C" in the course, in the event the employee withdraws from the class and does not qualify for a refund, or in the event the employee leaves College employment prior to the conclusion of the course.

If a satisfactory grade is not obtained, the employee will be ineligible for further tuition assistance until the full repayment has been made. The promissory note may be cancelled if the employee repays the tuition or if the employee presents proof of a grade of a “C” or better in the course while the employee continues to work at NOVA.

Non-Enrollment and Non-Completion of Approved Coursework

Courses must be completed with a satisfactory grade. Credit hours must be obtained in credit bearing courses or, CEUs must be earned in Continuing Education classes. A grade of “C” or better is considered satisfactory. In Continuing Education courses, a “P” is satisfactory.

When an employee drops a course, or when the employee does not enroll, or when the employee does not obtain a satisfactory grade, the employee must notify HR and the supervising administrative council member in writing. If an employee receives an “I” grade, the tuition assistance authorization will be extended through the next full semester.

Employees may audit NOVA credit courses they take under this program for no tuition, provided that registration is accepted for “audit” or a change to audit occurs prior to the census date. If employees take NOVA courses under this program for a grade they must complete the course with a satisfactory grade as defined above or the employee will be obligated to repay the equivalent tuition for that course to the College.

Termination of Employment

When an employee terminates employment prior to completing a course with a satisfactory grade and when tuition was prepaid for the course, the employee is responsible for repayment of tuition to the college. The employee must contact Human Resources prior to the last day of employment to confirm repayment arrangements.

Employees who are terminated as a result of a reduction in force, or military reservists who are activated for duty after enrollment in course work for which tuition assistance has been approved, will be allowed to complete the approved course work without obligation for repayment of the tuition assistance.

Eligibility for Educational Assistance That Includes Leave

Educational leave may be given in one of two forms. NOVA may grant leave with partial

pay, or educational leave without pay. Educational leave may be available to full-time P-3 classified staff and is contingent upon availability of funds. Full-time P-3 classified staff should have completed at least three years of satisfactory service with the VCCS. Educational leave requests must be for job-related degrees that can be utilized within NOVA. Educational leave with pay will be granted only for taking credit bearing courses in an approved course of study to complete a college level degree.

Benefits and Compensation While on Educational Leave

During an educational leave, classified employees will not accrue sick or annual leave, but the period will be counted in determining the rate of annual leave accrual. VSDP participants will have their advancement of Sick and Family/Personal Leave when they return to active employment dependent on total state service. Group life insurance contributions are made on the full salary for VSDP and non-VSDP participants. Retirement contributions are not made, but the time lost can be purchased upon return to active status. Health insurance will remain in force, but employees who have an

educational leave without pay must make arrangements for payment of their health insurance with the Human Resources Department prior to beginning the educational leave. If the employee has an educational leave with pay, the base salary will not exceed 50% of the salary in effect on the last workday prior to the period of educational leave. The base will be adjusted for cost of living increases at the time the increases become effective for all State employees.

Procedures for Requesting Educational Leave

The deadline to apply for educational leave is provided in the NOVA Working Calendar. An Educational Assistance Request, form 105-43 will be used to request educational leave. Completed forms must be submitted through the supervisory chain to the appropriate Administrative Council authority, and to the HR department by published deadlines. Human Resources Department will review the educational leave request for completeness and forward it to the office of the president for approval. The president responds and notifies Human Resources. Human Resources will communicate the decision to the employee and the employee's supervisor. If the request is approved, Human Resources will prepare a confirmation letter that will include the terms and length of leave and will address the effect of the leave period on salary, benefits, retirement and the timeframe to notify the college of the employee's return to full-time employment. Human Resources will assist the employee to execute a mandatory promissory note. The promissory note will be adjusted to reflect any cost of living increases which occur during the leave period.

When returning to work from an educational leave, the employee will provide a grade report or transcript to show that satisfactory grades in the coursework were obtained.

Educational Leave and Promissory Note

Employees receiving a leave with pay must execute a promissory note for the total amount of salary to be paid while on leave. Human Resources will assist these employees to execute this note. The note will be executed on the first day of the leave and interest will begin to accrue on the date study is terminated. The note and interest will only be canceled in their entirety by immediate return to employment at NOVA on the first scheduled workday after completion of the period of educational leave for a period equal to twice that of the period of absence; if the employee returns to NOVA for a lesser period of service, the employee must repay within one year following termination of employment (on a pro-rata basis) the portion of the note which has not been fulfilled by employment.

Educational Leave and Work Continuation Requirements

Employees will be required to work a period twice that of the paid leave period. An employee who does not return to the College from a leave with pay, or resigns prior to the completion of the promissory obligation must repay within one year following termination of employment (on a pro-rata basis) the portion of the note which has not been fulfilled by employment.

The Professional Development Committee

The Professional Development Committee supports NOVA's commitment to continuous learning and excellence by providing recommendations in regards to college-wide training and Professional Development initiatives as charged and requested by the President or the Chair of the Professional Development Committee. In addition, the committee administers the Adjunct Faculty Grant program and selects the Adjunct Faculty Grant recipients. The committee studies, identifies, prioritizes and forward recommendations to the President through the Chair of the Professional Development Committee. The Committee is appointed by the President and consists of the following members:

Provost, Chair*

Associate Director of Training and Professional Development, Human Resources

Chair Personnel Services Committee

Chief of Police

Director of Emergency Management

Director of the Office of Student Mental Health and Behavior

Coordinator CETL

Director TAC

Director of QEP/Compliance

Director of IT Client Services

Chair Dean's Working Group

Chair Academic Deans Council

Chair Learning and Technology Deans Leadership Council

Two at large members (teaching or professional faculty and/or classified staff): One from the Senate and one from the Personnel Services Committee.

Members and at large members can vote.

*The Chair shall be rotated bi-annually among the Campus Provosts.

Chapter 10: Employee Relations

NOVA is committed to promoting a respectful, collaborative, positive work environment where employees are productive and can perform at their best. To that end, it is important that each employee is familiar with the wellness and conflict resolution services that are available to them.

Employee Assistance Program (EAP)

All state health plans offer classified employees and their dependents an employee assistance program (EAP) for a broad range of behavioral concerns, such as marital or family/parenting difficulties, legal and financial problems, mental health issues, child or elder care, grief counseling, and alcohol or drug abuse assessment.

The Employee Assistance Program (EAP) is a confidential assessment and referral service. When EAP refers an employee to a doctor or treatment facility for care, health coverage may be available through the employee's health benefits plan.

A supervisor can encourage an employee to use EAP services in an effort to address performance/conduct issues that may be adversely affecting work performance.

COVA Care and COVA HDHP:

Anthem: 855-223-9277

www.anthemeap.com

COVA HealthAware:

Aetna: 888-238-6232

www.covahealthaware.com

Kaiser Permanente HMO:

ValueOptions: 866-517-7042

Conflict Resolution Management

NOVA expects employees to work together in a spirit of cooperation and collaboration and do so in a courteous and respectful manner. Managing relationships can, at times, be a challenge. At any time employees can contact the Human Resources, Employee Relations or their HR Campus Consultant for guidance and information in regards to conflict resolution and relationship management.

<http://www.nvcc.edu/faculty-and-staff/human-resources/employee-relations/index.html>

Formal conflict resolution Options

Employees are encouraged to bring their complaints to their immediate supervisor and/or higher levels of college management prior to the initiation of a written grievance.

A **grievance** is a formal difference or dispute between an employee and a co-worker or management, the College, or the Virginia Community College System. For example, if an employee believes that a policy or procedure was applied unfairly and/or in a different manner than it was applied to others, and as a consequence suffered some adverse impact on their employment, they have the option of filing a grievance.

An alternative to initiating a grievance is to request **mediation**. Employee Relations is available to assist employees with mediation requests.

Office of Employment Dispute Resolution

The DHRM's Office of Employment Dispute Resolution (EDR) provides guidance on the use of the grievance procedure, suggests options for dealing with work-related concerns, provides information on personnel policies and employee rights, and sponsors a mediation program.

Mediation

Mediation is a process in which employees in conflict, guided by specially trained and experienced mediators, discuss the issues in an open, honest, and confidential forum and arrive at a mutually satisfactory agreement. All State employees, including probationary and non-classified, may use the process to resolve work-related issues.

Participation in mediation is voluntary. Employees cannot be required to participate and, at any time during the process, they are free to stop the process.

Further details on mediation can be obtained from Employee Relations or at <http://www.dhrm.virginia.gov/employmentdisputeresolution.html>

Classified Employee Grievance Procedure

The General Assembly has mandated that all non-probationary classified state employees must have access to a grievance procedure to resolve certain employment complaints or disputes. Any formal discipline (i.e., written notices and terminations, suspensions, transfers, or assignments issued in conjunction with such written notices) and dismissals for unsatisfactory performance are automatically qualified for a hearing. In addition, if there are facts which may support one or more of the following actions, a grievance may be qualified for a hearing:

- (1) unfair application or misapplication of policies, procedures, rules, and regulations;
- (2) discrimination on the basis of race, color, religion, political affiliation, age, disability, national origin, or sex;
- (3) arbitrary or capricious performance evaluation;
- (4) retaliation for participating in the grievance process, complying with any law or reporting a violation of such law to a governmental authority, seeking to change any law before Congress or the General Assembly, reporting a violation to the State employee Fraud, Waste and Abuse Hotline, or exercising any right otherwise protected by law; or
- (5) adverse employment actions -- for example, terminations, transfers, assignments, demotions, and suspensions -- which are not accompanied by formal discipline (a Written Notice but which are taken for disciplinary reasons.

EDR counselors may be reached at (888) 23-ADVICE.

EDR website: <http://www.dhrm.virginia.gov/employmentdisputeresolution.html>

Filing a Grievance: An employee who has tried to resolve a complaint informally with the appropriate party and finds no satisfactory resolution may initiate a grievance with his/her immediate supervisor or file a grievance with Human Resources, Employee Relations within 30 calendar days of the event being grieved.

Upon receipt of the grievance, Employee Relations notifies the immediate supervisor or the party who is identified by the grievant. If the supervisor is the one who receives the grievance, he/she needs to notify Employee Relations immediately.

Employee Relations administers the Grievance Process to ensure due process and compliance with the Grievance Policies and Procedures.

Employee Relations Confidentiality Statement

Employee Relations and/or your designated HR Campus Consultant is available to provide guidance and resources and will keep information received in consultation with employees and supervisors confidential to the extent requested and allowed by law.

Human Resources may initiate an internal investigation based on information received. All employees are expected to fully cooperate in such investigations and expected to maintain confidentiality to ensure the quality of the investigation.

When the information that is shared with Human Resources indicates that any person or property is in danger, that prohibited harassment/discrimination may have occurred or that a serious violation of NOVA or Commonwealth of Virginia policies has occurred, Employee Relations or your HR Campus Consultant will communicate with the appropriate person(s) or division, or administrative council member as required by law or policy.

Discretion will be used by Employee Relations or HR Campus Consultant in communicating sensitive information. Individuals receiving the information are compelled to use discretion in order to protect the person who reported the situation to the extent possible.

Retaliation against any person who reports a situation or who is involved in a grievance or complaint, or a follow-up investigation is prohibited and will not be tolerated. Acts of retaliation should be reported to Human Resources immediately.

Wellness Programs

CommonHealth

Quarterly programs cover a variety of health and wellness subjects and are presented in a variety of formats, including on-site programs and video presentations, that make it easy to participate. Not only are the programs educational and fun, they help you stay fit and healthy. Programs include strategies and resources on coping with stress, anxiety, and depression, weight loss and, stop smoking programs.

CommonHealth

Healthy Virginians

Weight Watchers

<http://www.dhrm.virginia.gov/veterans.htm>

Chapter 11: Standards of Conduct

Standards of Conduct

It is anticipated that NOVA employees will apply themselves fully to their work and the work of the college. Included in this assumption is that employees will report to work punctually as scheduled, perform their work assignments in a timely and professional manner, and follow all NOVA , VCCS, and DHRM policies, procedures, and practices.

Conduct that interferes with operations will not be tolerated. The Commonwealth of Virginia has a set of rules governing the professional and personal conduct and acceptable standards for work performance of employees. The Standards of Conduct Policy is promulgated by the Department of Human Resource Management (DHRM) and is applicable to all NOVA employees.

DHRM Policy #1.60 - Standards of Conduct provides guidance to employees and supervisors by outlining (1) standards of appropriate conduct; (2) behavior that is unacceptable; and (3) corrective actions that agencies may take to address behavior and employment problems. The standards apply to full-time and part-time classified and non-probationary employees (generally, those covered by the Personnel Act). In addition, agencies may refer to the Standards of Conduct in evaluating the behavior of employees not covered by the Personnel Act. The Standards of Conduct also explain procedures for imposing suspensions either during investigation of employee behavior or as part of the discipline.

The Standards of Conduct policy addresses workplace conduct or behavior and outlines a three-tier system based on the seriousness of the behavior and the corresponding agency response. While discipline or even termination may be required, the goal of the Commonwealth is always for the employee to be a constructive, contributing member of the work force. Therefore, **progressive discipline** is recommended, so that minor and/or first offenses generally receive such corrective actions as counseling or other informal corrective actions. Major and/or repeated offenses generally should result in more severe consequences, including an official Written Notice and, in the most serious cases, termination. The policy explains the importance of **due process** and how it is applied, especially when suspension, termination, disciplinary demotion, or disciplinary transfer may result. Due process gives the employee an opportunity to respond to the allegations before discipline is imposed.

Note that although DHRM Policy #1.60 describes a variety of actions that may be addressed through the disciplinary process, the list of actions in the policy is not all-inclusive. Listed actions are intended as examples of the levels of severity of possible infractions.

Supervisors and managers should become familiar with the Standards of Conduct, and should review them carefully when applying any disciplinary action. Discipline under the Standards of Conduct will not be based on any employee's race, color, religion, national origin, political affiliation, sex, disability, military status, or age.

As with all workplace issues, please contact Employee Relations or your designated HR Campus Consultant if you have questions or concerns about the Standards of Conduct, or about specific situations.

Non-probationary employees may challenge disciplinary actions through the Employee Grievance Procedure, which is administered by the DHRM's Office of Employment Dispute Resolution (EDR).

The standards were developed to protect the well-being and rights of all employees. *The standards are intended to be examples but not all-inclusive.* Accordingly, an offense which, in the judgment of management, although not listed in the policy, seriously undermines the effectiveness of the college's activities or the employee's performance, is to be treated consistent with the provisions of the Standards of Conduct Policy. To paraphrase from the policy, conduct offenses are broken into three categories (Group I, Group II, and Group III) based on their severity, as outlined below.

DHRM Policy #1.60 - Standards of Conduct

Group I Offenses

Group I offenses include types of behaviors least severe in nature but which require correction in the interest of maintaining a productive and well-managed work force. An accumulation of three active Group I notices normally will result in a suspension of up to five workdays. An accumulation of four active Group I notices normally will result in termination. Group I offenses include, but are not limited to:

- (a) Unsatisfactory attendance or excessive tardiness.
- (b) Abuse of State time, including, for example, unauthorized time away from the work area, use of State time for personal business, and abuse of sick leave.

- (c) Use of obscene or abusive language.
- (d) Inadequate or unsatisfactory work performance.
- (e) Disruptive behavior.
- (f) Conviction of a moving traffic violation while using a State-owned or other public-use vehicle.
- (g) Violation of the State's and college's policies on Alcohol and Other Drugs, Harassment (including Sexual Harassment), or Equal Employment Opportunity may be considered a Group I offense depending on the nature of the violation.

Group II Offenses

These offenses include acts and behavior which are more severe in nature and are such that a single Group II offense may result in a suspension of up to 10 workdays and an accumulation of two Group II offenses normally should warrant termination.

- (a) Failure to follow a supervisor's instructions, perform assigned work, or otherwise comply with established written policy.
- (b) Violating a safety rule where there is not a threat of bodily harm.
- (c) Leaving the work site during work hours without permission.
- (d) Failure to report to work as scheduled without proper notice to supervisor(s).
- (e) Unauthorized use or misuse of State property or records.
- (f) Refusal to work overtime hours as required.
- (g) Inappropriate/non-therapeutic interaction with client.
- (h) Violation of the State's and college's policies on Alcohol and Other Drugs, Harassment (including Sexual Harassment), or Equal Employment Opportunity may be considered a Group II offense depending on the nature of the violation.

Group III Offenses

These offenses include acts and behavior of such a serious nature that a first occurrence normally should warrant suspension of up to 30 workdays or termination.

- (a) Absence in excess of three days without proper authorization.
- (b) Falsifying any records, including, but not limited to, vouchers, reports, insurance claims, time records, leave records, or other official State and college documents.
- (c) Willfully or negligently damaging or defacing college records, college property, or property of other persons (including, but not limited to, employees, students, supervisors, and visitors).
- (d) Theft or unauthorized removal of State and college records, college property, or property of other persons (including, but not limited to, employees, students, supervisors, and visitors).
- (e) Gambling on State property or during work hours.
- (f) Fighting and/or other acts of physical violence.
- (g) Violating safety rules where there is a threat of physical harm.
- (h) Sleeping during work hours.
- (i) Participating in any kind of work slowdown or similar concerted interference with State operations.
- (j) Unauthorized possession or use of firearms, dangerous weapons, or explosives.
- (k) Threatening or coercing persons associated with any college department (including, but not limited to, employees, students, supervisors, and visitors).
- (l) Criminal convictions for illegal conduct occurring on or off the job that clearly are related to job performance or are of such a nature that to continue employees in their positions could constitute negligence in regard to the college's duties to the public or to other college employees.
- (m) Failure of an employee whose job requires carrying a firearm or authorization to carry a firearm to report conviction for a "misdemeanor crime of domestic violence" (refer to DHRM Policy #1.60).

- (n) Violation of the State's and college's policies on Alcohol and Other Drugs, Harassment (including Sexual Harassment), or Equal Employment Opportunity may be considered a Group III offense depending on the nature of the violation.

NOVA's effectiveness, to a large measure, depends not only on technical expertise, but also on the ethics and standards of professional conduct of its employees. Compliance with the Standards of Conduct Policy not only enhances employee performance, but that of the college as well. Employees should always attempt to ensure that their conduct reflects favorably on themselves and the college in recognition of the public's trust for the care of students and the public's resources.

NOVA's employees also adhere to the VCCS's Code of Ethics:

<http://www.vccs.edu/WhoWeAre/CodeofEthics/tabid/795/Default.aspx>

Chapter 12: Other Information and Responsibilities

Alcohol and Other Drugs Policy

Federal law and DHRM Policy #1.05 - Alcohol and Other Drugs prohibit the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol or other drugs in the workplace. These policies also prohibit employee impairment on the job due to the use of alcohol and other drugs. Policy allows the Commonwealth to discipline employees who are convicted of violating any criminal drug law, and certain alcoholic beverage control laws governing driving while intoxicated.

Alcohol and Other Drugs Testing

NOVA adheres to the procedures for administering regulations for commercial motor vehicle carriers promulgated by the U.S. Department of Transportation and the Federal Highway Administration, under the Code of Federal Regulations, for employees who hold commercial driver's licenses (CDLs).

Change of Name, Address, and/or Telephone Number

Local income tax withholding will be taken for employees who reside in the District of Columbia, Maryland, and West Virginia. A move to or from Virginia or among one of these locales will require the employee to fill out new tax forms.

To Change a Name: A name change is an official change to your personnel and pay records. It is essential that any change in name(s) be officially made as soon as practicable after such changes become effective. A copy of your revised social security card is required. There may be other forms to complete reflecting the name change, e.g. a savings bond card or a retirement record for optional retirement carriers. Check with Human Resources to assure that all such data is accurately reported. Originals should be sent to Human Resources.

To Change an Address: Human Resources is required to maintain a current address and telephone number (home and work) for each member of the faculty and staff. Employees are to use the Human Resource e-Services self-service feature to keep an address current. If the move is in or out of Virginia or to one of the listed locales for which NOVA withholds taxes, new tax forms must be promptly submitted. Affected employees need to closely monitor tax withholding as it appears on their pay stub/earnings statement.

To Change a Phone Number: It is imperative that employees use the self-service feature of Human Resources e-Services in keeping their home and emergency numbers updated and current.

Conflict of Interest

In keeping with the Conflict of Interest Act of the Code of Virginia of 1950, as amended, NOVA employees are prohibited from using information gained while performing their job to influence or further their own personal interests.

Confidentiality of Records

Many NOVA employees will work in capacities where confidential information concerning the plans and affairs of the college or of students will be handled. It is of great importance that employees not discuss such plans or records with persons not authorized to have access to them. If there is a question as to whether the information should be released, then the inquiry should be referred to the appropriate College administrator.

Dress Code/Personal Appearance

NOVA employees are the College's representatives to the public and their appearance has an impact on the public's image of the College. Employees' dress, grooming, and personal hygiene should be appropriate to the work situation. Employees are expected to dress in a manner that is appropriate in a business environment and appropriate within the context of their day-to-day job responsibilities. Employees are encouraged to talk with their supervisors when they have questions.

Email Phishing

Responding to email phishing attempts is a violation of the College IT policies. Employees found responding to email phishing attempts will have their IT access immediately suspended, be required to undergo MOAT training and will be issued a Letter of Concern that will be kept in the supervisor's file. Repeated response email phishing may result in formal disciplinary action according to the DHRM Standards of Conduct.

The IT department makes every effort to warn employees about ongoing phishing attempts and email scams. Employees should take heed of these warnings and contact the IT Help Desk before they respond to suspicious emails.

The College will *never* ask employees for their email username or password. Employees should not share their username and passwords with other employees. Sharing login information is a violation of the College IT Computer Use Agreement. Violating the IT agreements can result in disciplinary action up to and including termination.

Copies of the IT Agreements can be found on the NOVA website,
<http://www.nvcc.edu/legal/>

See IT Security Measures and Compliance section of the Handbook.

Employment Outside the College

No employee shall engage in any other paid employment, public or private, without prior written approval of their immediate supervisor and the Director of Human Resources, unless authorized by law. Every employee is under a continuing obligation to seek prior approval in writing of any employment outside the College. Prior approval of outside employment must be obtained for each particular employment opportunity. Approval of the employment opportunity will be given for the duration of the employment period, not to exceed one year, at which time the employee may request that the approval be renewed.

Requests for outside employment will not be approved if the outside employment will involve any of the following:

- work during any hours the employee is expected to work for the College;

- interference with the employee’s ability to devote the expected time and attention to work or performance of duties with the College;
- use of annual or other leave at a time when such leave would not be otherwise approved;
- use of property belonging to or under contract with the College;
- violation of the State and Local Government Conflict of Interests Act, including any of the following:
 - contracting or subcontracting with the Commonwealth or having an interest exceeding \$500 annually in any contract or subcontract with any State agency in violation of the Act.;
 - performing work that relates to the employee’s specific paid duties for the college or that enables the employee to receive additional payment for college job duties; or
 - purchasing goods or services provided by the College.

Approval of outside employment may be rescinded if any of the above circumstances arise during the course of the outside employment. An employee must complete a 105-115 Classified Outside Employment Request and Approval form prior to obtaining outside employment. The immediate supervisor and Director of Human Resources must approve the request. Failure to request and obtain prior written approval of outside employment as required by College policy may result in disciplinary action, up to and including termination.

Employment Verification

If employees wish the College to verify employment information requested by outside sources, such requests should be directed to Human Resources Department at AskHR@nvcc.edu. The College only releases job-related information, such as employment status, job title, date(s) of employment, and annual salary information. A signed release with the employee’s signature must accompany any request for salary information.

For detailed salary information, requests should be faxed to Payroll Department at 703-323-3241.

Employee Suggestion Program

NOVA encourages the use of employee suggestions to improve the success of its operations and to share the benefits of these ideas with the employee making the suggestion. The Employee Suggestion Program (ESP), is a way to share ideas with people who can act upon them. Employees' ideas will be evaluated and, if appropriate, implemented. Ingenuity in developing a successful suggestion will be recognized and employees may receive awards of money or extra time off from work as per DHRM policy. Employees wishing to submit their suggestions should do so with who is the most appropriate person or division, Provost, or contact their supervisor or Human Resources.

Gifts, Gratuities, or Rewards

NOVA employees are in a position of public trust and, therefore, may not accept gifts, gratuities, favors, or rewards for any services they provide in connection with their employment. It also is unlawful for employees to solicit, offer, or accept any money or anything of value in exchange for an appointment, selection for a position at a higher salary grade, or special privilege with any State agency. Violations of this policy will be handled through the Standards of Conduct.

Intellectual Property

Although employed by the State, many employees work on projects or develop materials that also have worth outside of State government. The Intellectual Properties policy ensures that the work of State employees is protected from unlawful use by other organizations (**Code of Virginia 2.2-28222**).

A. General Policy

Any intellectual property that can be copyrighted or patented, regardless of format, is covered by the College policy published in the *Administrative Services Procedures Manual*, Section 29. The policy applies to all College employees including any students paid by the College to produce intellectual property.

The College may claim an interest in intellectual property with market value produced by College employees when it was produced within the course of College employment and with the substantial use of state facilities or funds. The College encourages and recognizes the creative efforts of its employees by sharing any financial returns equitably with creators. The policies and procedures set forth in Section 29 of the *Administrative*

Services and Procedures Manual address procedures for notification, determination of equities, and conditions of ownership for patents and copyrights.

B. Distance Learning Education Materials and Rights

The rights of authors to intellectual property developed for use in NOVA courses are described in Section 29 of the *Administrative Services Procedures Manual* (ASPM) and are derived from Section 12 of the *VCCS Policy Manual*. For more information, see Section 29, Copyright and Intellectual Property, of the *Administrative Services Procedures Manual*.

IT Security Measures and Compliance

All employees are expected to comply with all IT policies and procedures. Failure to do so may result in formal disciplinary action and may impact the yearly evaluation. For more information on NOVA's technology policies and procedures:

www.nvcc.edu/legal

NOVACard

Your NOVACard is your employee ID badge. It is your official form of NOVA identification. Employees are encouraged to carry around their NOVACard while they are on campus. The NOVACard allows you to access buildings, garages and print services in the library.

To obtain a NOVACard or replace a lost NOVACard contact your campus [NOVACard office](#).

For safety and security reasons, NOVA employees may be asked to show their ID.

Parking Services

Parking permits are required for all faculty and staff vehicles parked in any lot or garage on NOVA's campuses. College employees can obtain free parking permits online through the [Parking Services website](#) or in any campus Parking Services office. Parking permits must be renewed annually.

Each NOVA campus has designated lots and garages for faculty and staff parking. See the [Parking Services website](#) for more details.

Personal Mail

Employees are prohibited from using NOVA's postal service for private use. This includes, but is not limited to, sending or receiving gifts, shipments or advertisements not related to conducting official College business.

Section 27.1 Official Business Only Policy in the *Administrative Services Procedures Manual* (ASPM) details the NOVA's policy on mail distribution.

Political Activity

Political activities of employees in State agencies that are funded in whole or in part by federal loans or grants are subject to the provisions of the Hatch Act, a federal law limiting political activities of government employees. Whether an employee is subject to the restrictions of the Hatch Act or not, he/she may not campaign for himself or herself, or anyone else during the hours when he/she is employed to work.

Printed Material

Information released to the print and electronic media should follow policy established by the College.

<http://www.nvcc.edu/faculty-and-staff/marketing/index.html>

Solicitation and Distribution of Materials on College Property

The College welcomes and respects the free expression of ideas. In order that these activities not be disruptive to the regular operations of the College, conditions of time, place, manner, and frequency will generally be established by the campus dean of students. The following procedures will apply:

A. Student, Employee, or Other College-related Groups and Activities

1. When no special facilities, equipment, or services (e.g., rooms, audiovisual equipment, duplicating equipment, maintenance or set-up services) are requested of the College:

a. Distribution of materials or solicitation may be conducted with prior approval in any appropriate campus area except for the following: classrooms, laboratories, rest rooms, library, administrative and academic offices, doorways, and parking lots.

b. Any material remaining after the distribution or solicitation must be properly discarded. Sponsors will be responsible for any littering.

2. When special facilities, equipment, or services are requested of the College:

a. A Facilities Use form (105-112) must be completed in those cases where a specific room or rooms are required for distribution of materials. Appropriate forms should be submitted to the provost's office or their designee. See Section 31 of the *Administrative Services Procedures Manual* for procedures on use of College facilities.

b. A request for audiovisual or maintenance services must be submitted in accordance with campus policy.

c. Arrangements for facilities use payment and/or services must be made at the time that forms are submitted.

3. Decision by the dean of students on the request for approval to solicit or distribute will be made within five working days, unless good cause exists for additional time, in which case the decision will be made as soon as reasonably possible. The requestor may appeal the decision of the dean to the provost by presenting such an appeal within five working days of the dean's decision. The Provost or their designee will respond to the appeal within five working days, unless good cause exists for additional time, in which case the decision will be made as soon as reasonably possible.

B. Commercial Distribution or Solicitation

No commercial distribution or solicitation is permitted except with the approval of the dean of students or designee. In addition, distribution and solicitation involving faculty and/or staff must have prior approval of the provost. All requests for commercial distribution or solicitation must be reviewed in light of existing contracts. Approval will be subject to regulation as to time, place, and manner to assure non-interference with operations of the College.

C. Distribution or Solicitation Conduct Regulations

All distribution or solicitation must be conducted with regard to conduct regulations contained in this Handbook

D. College Jurisdiction

College jurisdiction extends to the property boundaries of each campus. Jurisdiction also includes all property owned, leased, controlled, used or occupied by the College except where the College may be bound by legal restrictions which may be contrary to these regulations.

E. Posting Printed Materials

Posting of printed materials by students and non-student groups will follow established campus procedures as to location, time limits, and responsibility for removing posted items. Approval

for posting is granted only by the dean of students or designee. Materials printed in a foreign language must be presented in the English translation prior to approval for posting.

F. Failure to Adhere to Regulations

Failure to adhere to these regulations may lead to loss of distribution or solicitation privileges, conduct charges, fines for littering, and legal proceedings.

Privacy and inspections

Information obtained and disseminated in the workplace is the property of NOVA and may not be released except after approval through appropriate channels.

Desks, telephones, lockers, and computers are the property of the College. NOVA reserves the right to enter or inspect an employee's work area including, but not limited to, desks and computer storage disks, with or without notice. In concert with the Fourth Amendment of the U.S. Constitution, such searches will be for work-related purposes and will be reasonable in their inception and reasonable in the scope of the intrusion.

Release of Employment Information

The 1978 General Assembly enacted legislation, effective July 1, 1978, which makes provision for disclosure of information regarding position, job classification, official current salary or rate of pay, and records of allowances and reimbursements for expenses paid for any state employee whose annual rate of pay is over \$10,000 per annum. This information may be disclosed to citizens of the state of Virginia and news media representatives with circulation in or broadcasting in or out of the state. Insofar as practicable, all employees will be advised when such a release of information is authorized by the president.

Resignation/Retirement

Employees **resigning** from their position are requested to give at least two weeks advance notice to their supervisor. Employees must submit a Letter of Resignation 105-021 e-form electronically via the NOVA website at <https://eforms.nvcc.edu/formslibrary/105-021/>.

Employees **considering retirement** are advised to contact Human Resources, Benefits Team to schedule an appointment to discuss retirement options and benefits. Retiring employees are also required to submit a Letter of Resignation/Retirement e-form electronically.

Before a final pay or leave balance check can be released, employees must also complete a Check-Out Sheet for Termination of Employment Form 105-022, which can be found on the online NOVA Forms page (www.nvcc.edu/forms). If an employee is unable to, or fails to complete the checkout form, then the supervisor of the employee will be responsible for completing the checkout form.

To ensure a smooth transition to the next phase of an employee's career, and to provide for the continuation of applicable benefits, employees must complete all benefits-related forms. For a full description of the Exit Procedures, go to: <http://www.nvcc.edu/faculty-and-staff/human-resources/benefits/exit-procedures/index.html>

NOVA invites all employees to participate in an **exit survey**. Exit surveys are coordinated through Employee Relations or HR Campus Consultant at the time of resignation or retirement.

Smoking

Smoking is prohibited in all College facilities.

Use of Electronic Communications and Social Media

Excessive use of internet, cell phone, and social media or any other activity that interferes with overall productivity or quality of work performance will be addressed in the context of performance management, including formal disciplinary action under the Standards of Conduct.

College issued electronic devices (such laptops, cell phones, blackberries, iPhones, video equipment, cameras, etc.), NOVA's faxes, copiers, computers, mail systems, including email, are the property of the College and are for official College business. Employees are responsible for the security of these systems.

It is expected that employees report any loss or damage as soon as possible to the immediate supervisor. Failure to report loss or damage may result in formal disciplinary action in accordance with the Standards of Conduct.

DHRM Policy #1.75 - Use of Electronic Communications and Social Media

<http://www.nvcc.edu/legal/>

Telecommuting

College employees have the option to telecommute pending approval from their supervisor and the Director of Human Resources. Telecommuting allows employees to work from home during specified hours and/or days.

Telecommuting employees must still adhere to the College work schedule. **Telecommuting may not be used to provide care for family members or in place of leave.**

All employees interested in telecommuting should review the DHRM Policy #1.61 - Telework and NOVA's Telecommuting.

Travel

Travel reimbursement, lodging, meals, refer to the *Administrative Services Manual*, Section 5

Use of College Equipment

Personal Use:

No employee shall be permitted to use College materials, equipment, supplies, tools or transportation for personal use unless prior written permission is obtained from his/her department head. Improper usage may result in disciplinary action under the Standards of Conduct.

Breakage or Loss of Equipment:

Employees to whom equipment is assigned are responsible for promptly reporting breakage or loss to their immediate supervisor or designee. In turn, the supervisor/designee should notify the proper College authority promptly.

Employees will be held accountable for breakage and loss caused by negligence in accordance with the Standards of Conduct, which may include payment/replacement cost.

Statement of Economic Interests

Section 2.2-3114 of the Code of Virginia requires that certain employees of state government complete a Statement of Economic Interests as a condition of employment. The Secretary of the Commonwealth shall provide the disclosure form to each employee so designated not later than November 30 of each year. Employees shall file a disclosure form of their personal interests and such other information as specified on the form and thereafter shall file such form annually on or before January 15. Human Resources will notify those employees who are required to complete the form upon hire with the College, or, upon position changes that impact compliance with the Economic Interest law.

Every year, the Director of Human Resources will send an electronic message to the appropriate employees and request they complete the Economic Interest form. All forms need to be turned in to Human Resources.

Visitor's Policy

The College is committed to providing a safe environment for employees, students, and visitors. In order to provide a safe workplace, **NOVA requires that access to all facilities be limited to those with a legitimate business interest.**

Employees are required to provide appropriate identification (NOVA ID card), upon request.

Children at Work/on Campus

College facilities, including the library, cannot accommodate the care of children while parents are working or attending class. Since the College cannot be responsible for the safety and welfare of your children, employees must make arrangements for them off-campus. Children may not be brought into work station and work locations/offices.

Animals at Work/on Campus

Employees are prohibited from bringing animals onto any College owned and/or operated facilities or leave animals unattended on any College property. This policy does not apply to service animals, animals used by law enforcement or emergency

personnel in the exercise of their official duties, or animals used in academic programs, teaching or research.

Recording, Videotaping Conversations, Webcam

The recording of conversations with other College employees, management, or with students, either individually or as a group, without the permission of all subjects being taped or recorded is considered unprofessional and unethical. The unauthorized taping or recording of coworkers, supervisors, or students shall not be done on College property or during College sponsored events. Acts of unauthorized electronic taping or recording of conversations may lead to disciplinary action in accordance with the Standards of Conduct.

Chapter 13: Safety, Violence Prevention, and Emergency Management

Safety

Workplace safety and health is a primary concern of NOVA. General safety rules include, but are not limited to, those listed below:

- (1) Report all injuries or illnesses which occur immediately to the supervisor. An incident form must be completed within 24 hours. Employer's Accident Report Form
- (2) Report all unsafe or unhealthy conditions to the supervisor.
- (3) Observe and obey all safety standards, signs, and instructions.
- (4) Do not block emergency exits or leave emergency exit doors open.
- (5) Do not block aisles, stairs, or passageways.
- (6) Do not abuse or remove emergency fire extinguisher equipment.
- (7) Do not obstruct, remove, or deface safety signs or instructions.
- (8) Report all fires and other safety or health threats in accordance with emergency preparedness procedures.
- (9) Follow the emergency evacuation procedures.
- (10) Do not use equipment without proper training.
- (11) Do not repair equipment without proper authorization.
- (12) Do not remove guards or other safety devices.
- (13) Use appropriate universal precautions, to include proper use of personal protective equipment.
- (14) Check use of electrical appliances such as space heaters, glue guns, Christmas decorations, fans, etc. by contacting the campus Facility Manager, <http://www.nvcc.edu/about-nova/directories--offices/administrative-offices/facilities-planning/staff/index.html>

- (15) To minimize potential electrical hazards, avoid the use of extension cords and multi-outlets. If extension cords or other cords must be used, use them properly to avoid tripping hazards.
- (16) Store heavy items on lower shelves.
- (17) Do not use desks, chairs, or file cabinets as substitutes for stepladders.
- (18) Close drawers immediately after use.
- (19) Properly close cap and store hazardous materials.
- (20) Do not run on stairs, passageways, or hallways.

Workplace safety is every employee's business and responsibility.

All accidents should be reported immediately to the immediate supervisor and others in the chain of command, including the provost and Human Resources, Benefits Team

When injured on the job, an **Employer's Accident Report** needs to be filed with Human Resources, Benefits Team within 24 hours

See Worker's Compensation section of this Handbook.

Violence Prevention

Zero Tolerance

NOVA has zero tolerance for violence. If an employee displays any violence in the workplace or threatens violence in the workplace, the employee is subject to immediate discipline, up to and including termination and criminal charges. No talk of violence or joking about violence will be tolerated.

NOVA defines violence to include physically harming another, shoving, pushing, harassment, stalking (including email stalking) intimidation, coercion, brandishing weapons and threats or talk of violence. DHRM Policy #1.80 - Workplace Violence.

Policy on Weapons

Possession or carrying of any weapon by any person, except a police officer, is prohibited on College property in academic buildings, administrative office buildings, student centers, child care centers, dining facilities and places of like kind where people

congregate, or while attending any College-sponsored sporting, entertainment or educational events. Entry upon the aforementioned College property in violation of this prohibition is expressly forbidden. Faculty, staff, and students may not possess or carry any weapon anywhere on College property except as outlined in Section F of this policy. This section and the entire policy can be found online at www.nvcc.edu/police.

Reporting Workplace Violence

It is everyone's responsibility to prevent violence in the workplace. By treating each other with respect, civility, and courtesy (as noted in the Standards of Conduct and VCCS Code of Ethics), practicing conflict resolution skills and seeking out NOVA's conflict resolution services (contact Human Resources, Employee Relations Unit) as soon as possible, we can minimize the possibility of workplace violence.

Also, employees can help prevent violence by reporting what they see in the workplace that could indicate that a coworker is in trouble or displays concerning behavior. Employees often are in a better position than management to know what is happening with those with whom they work. Employees are encouraged to report concerning behavior or any incident that may involve a violation of the college's violence in the workplace policy. Concerns may be presented to the employee's supervisor, to Human Resources, Employee Relations or reported through NOVAcares, <http://www.nvcc.edu/faculty-and-staff/novacares/index.html> or to College Police.

Any occurrence of employees involved in workplace violence should be reported to College Police and the Director of Human Resources.

Disorderly Conduct

Any employee found guilty of participating in or inciting a riot or an unauthorized or disorderly assembly is subject to suspension or dismissal.

1. When an unauthorized assembly on campus of students and/or College employees has been requested to disband by the president or other designated official, those refusing to comply will be subject to immediate suspension and/or dismissal and legal action.
2. In the event that an assembly appears to be a demonstration related to grievances, those present should be advised that orderly procedures for the hearing of grievances are available and must be followed. College officials will not negotiate with such groups under conditions of duress, such as unauthorized occupation of College property.

3. Any unauthorized occupation of buildings and/or College property by students or College employees constitutes a reason for immediate suspension and/or dismissal from the institution. Furthermore, legal action will be brought against any student or College employee involved in acts on College property that are prohibited by law.

College Safety and Crime Statistics

Each year NOVA completes an Annual Security Report (ASR). The report contains a comprehensive description of how NOVA works to keep students, staff and faculty safe through professional staff, equipment and programs. As a part of the report, crime statistics are included for the previous three years. The report can be located at <http://www.nvcc.edu/current-students/police/college-safety/index.html>.

Clery Act Information

NOVA is committed to providing the campus community and visitors with the safest and most secure environment possible. NOVA encourages campus community members to remain aware of personal safety and work cooperatively with the campus to ensure the security of all.

The NOVA Police Department follows all applicable state and federal reporting laws to ensure a safe campus. The police department follows Federal law that requires the College to collect selected crime statistics, prepare an annual safety report, and make this report available prominently on the NOVA website not later than October 1st annually. Data are collected from the College Police logs, selected Campus Security Authorities (CSAs), the Office of Legal Affairs, Academic and Student Affairs Office (C.A.R.E. Team), Office of Emergency Management and Planning, and the Deans of Students Offices, and local police in jurisdictions where the College conducts off-campus classes and activities.

Reportable offenses for Clery Act purposes are:

- Criminal homicide, including murder and both negligent and non-negligent manslaughter
- Sexual offenses, including both forcible and non-forcible sexual assault
- Robbery
- Aggravated assault
- Burglary

- Motor vehicle theft
- Arson
- Hate crimes and any associated larceny, simple assault, intimidation, or vandalism/destruction of property
- Arrests and/or disciplinary referrals for liquor law violations, drug law violations, or illegal weapons possession

As required by law, this report, which is available in printed or electronic format, provides information about security on campus including: campus community crime statistics, institutional policies on campus security, alcohol and drug use, the reporting of crimes, sexual assault, sexual harassment, and crime prevention. This report also provides phone numbers of helpful community resources. A map of each NOVA campus can be found at:

<http://www.nova.edu/about-nova/maps-directions/index.html>.

Keep this useful reference information where it can be easily located.

Crime Prevention

NOVA works hard to ensure the safety and security of the College community. However, students and employees must take ultimate responsibility for their own safety and that of their personal belongings.

Common sense precautions are the most effective means of maintaining personal security. Here are some practical suggestions:

- Remain alert, pay attention to your surroundings; avoid listening to musical devices such as an iPod to make it more difficult to be taken by surprise.
- Although the campuses are considered safe, students and staff are encouraged to walk in pairs or groups after dark. Students may request a police escort by calling Police Dispatch at 703-764-5000.
- Use the lighted paths and sidewalks on campus; avoid walking in the wooded areas where you cannot be seen.
- Park in well lighted areas, and check the inside of your vehicle before entering it.
- Telephones in campus classrooms, offices, and other selected locations are equipped with “panic buttons” which, when depressed, result in an immediate police response.
- Get to know the campus locations of the Emergency Call Boxes which allow immediate communication with Police Dispatch. The locations are indicated by a blue light.
- Valuable personal property should not be brought on campus. If you choose to bring valuable property onto campus, secure it in an automobile or keep it with you at all

times. Books, book bags, backpacks, electronic equipment and purses are targets for theft. If possible, engrave your property with a unique identifier. The College is not responsible for lost personal property.

- Carry only the credit cards and cash you need for the day, and do not conduct ATM transactions alone, especially at night.
- Carry a small flashlight and whistle with you.
- Notify the College Police, campus security, or a member of the college staff of any individual who appears not to have legitimate business on campus or whose actions arouse suspicion or concern.
- Know the phone number of College Police (703-764-5000). Program it into your cell phone. Remember, call 911 in an emergency.

All members of our College community must work together, as NOVA continues to strive to provide an environment in which students, employees and visitors are safe and secure.

Mandatory Reporting of Child Abuse and Neglect

While everyone should be concerned about child abuse and neglect, certain individuals are required by law to report both actual and suspected instances. In 2012, the Virginia General Assembly (SB 239) added “**any person employed by a public or private institution of higher education**” to the list of “**mandated reporters**” set out in §63.2-1509 of the Code of Virginia. Mandated reporters, including all NOVA faculty and staff, are those persons who in their professional or official capacity are required to report instances of suspected child abuse and neglect to the local Social Services Department or to the Department of Social Services.

What is an abused or neglected child?

The *Code of Virginia* §63.2-100 defines an abused or neglected child as any child under 18 years of age whose parent or any person responsible for his or her care:

- Causes or threatens to cause a non-accidental physical or mental injury;
- Has a child present during the manufacture of a controlled substance or during the unlawful sale of such substance where such activity would constitute a felony violation;
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care;
- Abandons the child;
- Neglects or refuses to provide adequate supervision given a child’s age and level of development;

- Knowingly leaves a child alone in the same dwelling with a person, not related by blood or marriage, who had been convicted of an offense against a minor for which registration is required as a violent sexual offender; or
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material.

Where should NOVA employees report suspected child abuse or neglect?

Any NOVA employee who, in his or her official or professional capacity, has reason to suspect a child is an abused or neglected child, is required to report the matter as soon as possible, but not longer than **24 hours** after having reason to suspect a reportable offense of child abuse or neglect. Employees can report by contacting any local Social Services Department, the Department of Social Services state-wide toll-free child abuse and neglect hotline (1-800-522-7096), or NOVA Police (703-764-5000).

Security Measures

The College is committed to providing a safe environment for employees, students, and visitors. In order to provide a safe workplace, **NOVA requires that access to all facilities be limited to those with a legitimate business interest.**

In today's environment, everyone has a role in providing safety. In this light, employees, not in uniform, are required to visibly wear their NOVA ID cards while on NOVA property. The ID cards assist everyone, including public safety officials, to keep a safe workplace. To assist in this, employees may also be required to provide appropriate identification (NOVA ID card) upon request.

Privacy and inspections

Information obtained and disseminated in the workplace is the property of NOVA and may not be released except after approval through appropriate channels. Desks, telephones, all social media, lockers, and computers also are the property of the College. NOVA reserves the right to enter or inspect an employee's work area including, but not limited to, desks and computer storage disks, with or without notice. In concert with the Fourth Amendment of the U.S. Constitution, such searches will be for work-related purposes and will be reasonable in their inception and reasonable in the scope of the intrusion.

Violence Prevention Training:

All new hires must take the on-line mandatory compliance training as outlined in Chapter 9 of this Handbook. All employees must comply with this required training and complete it in a timely manner as indicated.

Safety and Emergency Preparedness Training is offered on a regular basis and is facilitated by the Office of Emergency Management and Planning, College Police, and Human Resources. Training announcements will be made through a wide variety of available NOVA communication channels, such as the Intercom, CETL, the Provost's office, email.

Emergencies

An emergency can occur at any time without warning. Proper planning is essential to minimize the impact of any emergency on college operations and facilities. College personnel should call the appropriate emergency service in the event of fire, accidents, or severe illnesses on campus. The appropriate emergency services will be called if anyone here exhibits symptoms of extreme illness, violent or potentially violent behavior, or other extreme or unexplainable behavior.

The responsibility to investigate crime on campus resides with the College Police who may solicit assistance from other law enforcement agencies in cases where a cooperative investigative effort would best serve the needs of the College community.

Supervisors will inform employees the primary and alternate routes out of the building at which employees work. Supervisors will encourage employees to physically review the different routes in order to gain familiarity. Supervisors will also review procedures for sheltering in place in the event of weather or other emergency requiring people to remain inside.

In the case of external emergencies, efforts will be made to notify employees on campus. However, employee information other than directory information or that permitted by law will not be divulged.

The telephones in campus classrooms, offices, and other selected locations are equipped with "panic buttons." By activating the panic dialer, a message that assistance is needed at that telephone's location is automatically sent to the College Police without having to make a traditional voice call. Activation of the panic dialer from on-campus telephones will generate an immediate police response (for off-campus sites, College Police will make

contact to determine appropriate response), even if the activation was accidental. In an emergency, dial 9-1-1 and do not use the panic dialer.

Employees can find campus police directory, tips on safety and information on community emergency locations on the College website:

<http://www.nvcc.edu/current-students/police/>

<http://www.nvcc.edu/about-nova/emergency/>

Employees are strongly encouraged to sign up for **NOVA Alert** at <https://alert.nvcc.edu>.

All employees should become familiar with the emergency procedures, so that they can be prepared to act in the event of an emergency. Employees can find the Emergency Procedures on the College website.

<http://www.nvcc.edu/about-nova/emergency/campus/index.html>

Reporting an Emergency

General: In emergency situations requiring fire or ambulance response, call 911 and then notify College Police (703-764-5000). Use common sense when requesting emergency response assistance.

Bomb Threat or Possible Act of Sabotage, Fire, and Other Emergencies

<http://www.nvcc.edu/about-nova/emergency/campus/index.html>

NOVA's Emergency Notification Guidelines

<http://www.nvcc.edu/about-nova/emergency/emergency-communication-plan.html>

Chapter 14: Questions?

The Classified Employee Handbook provides you with the most important policies and procedures that govern NOVA employees. This Handbook is a resource and reference tool. We encourage you to refer to this Handbook to access information, resources, and services available to you as a member of the NOVA community.

If you have questions, please contact your supervisor or the Human Resources Department at AskHR@nvcc.edu

For **payroll questions**, contact the **Payroll Department**:

<http://www.nvcc.edu/faculty-and-staff/finance/controller/index.html>

Appendix A: Americans with Disabilities Act and Complaint Procedure

The Americans with Disabilities Act (ADA) gives civil rights protection to individuals with disabilities. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.

The following procedure has been established to provide prompt and equitable resolution of complaints alleging any action prohibited by the ADA:

Complaints by faculty/staff and applicants for employment should be addressed to the Director of Affirmative Action, Minority and Legal affairs (AAMLA) who has been designated to coordinate ADA compliance efforts.

The complainant should file the complaint in writing, state his or her name and address, and briefly describe the alleged violation of the regulations or reason for the complaint.

The complainant should file the complaint within 90 calendar days after he or she becomes aware of the alleged violation.

The Director of AAMLA will conduct an investigation following the filing of a complaint. The investigation shall afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The Director AAMLA will make a written recommendation on the validity of the complaint and a description of the proposed resolution, if any, and submit it to the President for approval. The President will make a decision on the complaint and direct any corrective action to be taken. The final determination will be issued and forwarded to the complainant no later than 120 calendar days after the complainant's original filing.

A complainant may request a reconsideration of the case if dissatisfied with the resolution. The complainant should make a written request for reconsideration to the President within 15 calendar days of receipt of the President's determination. The request must state the specific reasons why the complainant feels that the initial determination was incorrect. After receiving the request, the President will review the matter and issue a final determination within 30 calendar days.

The Director of AAMLA will maintain the files and records relating to all ADA complaints filed by employees and applicants for employment for a period of not less than three years from the date of resolution of the complaint

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by nor shall the use of this procedure be a prerequisite to the pursuit of other remedies. Other remedies include the filing of an ADA complaint with the federal EEOC, or other responsible federal agency. State employees may also file a complaint with the DHRM EEO Office or initiate a grievance under the state grievance procedure www.edr.state.va.us

Appendix B: Sexual Assault/Sexual Harassment Investigative Procedures

In the event of an emergency, the investigative procedures for handling sexual assault by the campus police and/or local authorities apply:

1. Any College employee receiving a report of the initial incident should document details and immediately contact the campus police. The campus police will begin their investigation procedures, which include contacting the Provost; College Vice President; Director of Affirmative Action, Minority and Legal Affairs; or Director of Human Resources, as appropriate.
2. The complainant will be informed of appropriate College or local area resources, including law enforcement, legal services, medical services, and counseling and victim advocacy/support.
3. The complainant's prior sexual history will be excluded from the investigation and College proceedings.
4. When the campus police investigation is concluded, a copy will be given to the Provost or appropriate College Vice President; Director of Affirmative Action, Minority and Legal Affairs; and Director of Human Resources. These authorities will review the circumstances of the alleged incident and the action taken by the campus police that may include notifying the appropriate law enforcement authorities when there is a clear violation of federal, state, or local law. Local enforcement authorities will conduct their own investigation.
5. Based upon the report of the campus police investigation and other investigative material deemed appropriate by the College official(s), the following actions may be taken:
 - d) The College official or complainant may settle the matter through mediation or dismissal of the case.
 - e) The College official may make a recommendation for immediate discipline or dismissal to the President.

- f) Either the complainant or the accused may request a College administrative hearing.
- g) The complainant may report the incident to appropriate law enforcement authorities (this may have already been done by campus police).
- h) The complainant may initiate civil proceedings seeking monetary compensation or other remedy for damages resulting from the incident.

Administrative Hearing Procedure

The complainant or the accused may request a College Administrative Hearing through the Employee Grievance Procedure. Hearings of this type are administrative in nature, not criminal, and therefore are not subject to criminal court procedures. The primary consideration in the administrative hearings is fundamental fairness and adherence to each individual's rights of due process. To meet this standard, a hearing must involve the following three components:

1. **Written notification:** The accused will receive written notice within ten working days of an alleged violation that would enable a reasonable person to recognize that the charge is consistent with the definition of the prohibited behavior as it appears in this policy.
2. **Opportunity to be heard:** The person charged must be given the opportunity to hear the evidence against them and to present their side of the alleged incident. There is no absolute right of counsel or cross-examination in these types of proceedings. The complainant and the accused may consult with an attorney of their choosing during disciplinary proceedings.
3. **Decision on the finding:** A finding will be made only on the basis of what is presented during the administrative hearing. The standard of evidence for disciplinary proceedings is not as stringent as in criminal court proceedings.

Salaried employees (P-3) may opt to use the Grievance Procedure.

Sexual Harassment Investigative Procedures

The College Vice Presidents and Provosts, or their designees shall investigate allegations of sexual harassment and take immediate and appropriate corrective action. Managers and supervisors who allow sexual harassment to continue by failing to take appropriate corrective action shall be considered parties to the act or behavior, even though they may not behave in such a manner. Such managers and supervisors shall also be subject to corrective action. Depending on the circumstances, such corrective measures may result in disciplinary actions, such as demotion from a supervisory position or dismissal from state service.

1. When a College representative receives a report of sexual harassment they must notify the Provost or College Vice President who in turn must notify the Director of Affirmative Action, Minority and Legal Affairs.
2. Both the accused and the complainant must be given a copy of this policy.
3. The due process rights of the accused harasser will be protected.
4. If possible, the problem may be resolved through mediation. The supervisor or other College representative(s) may facilitate this. Both parties will be interviewed, and if possible, a mutually agreed upon resolution will be reached. If this occurs, a record of the agreement will be forwarded to the Director of Affirmative Action, Minority and Legal Affairs.
5. If mediation is unsuccessful, a written complaint will be filed with one of the College representatives (listed above under b.), specifying the facts to support the complaint. This may include the names of anyone who may have relevant information about the incidents and the name of the accused harasser.
6. All allegations of sexual harassment will be investigated initially by the provost (or designee) or College vice president. The accused harasser must be notified within 10 working days of the allegations being made. During this process, both parties involved should be treated with respect and given full opportunity to present their positions with every reasonable effort to maintain the parties' confidentiality.
7. Results of the initial investigation will be submitted to the Director of Affirmative Action, Minority and Legal Affairs for review. The person filing the complaint, the accused, harasser, and witnesses may be interviewed by the Director of Affirmative Action, Minority and Legal Affairs if director determines that a more extensive investigation is necessary. The director then forwards the final investigative findings to the President who will take final action.

Employees may also file a complaint in writing directly to the College President or VCCS chancellor, or take action under:

1. The State Employees' Discrimination Complaint Procedure, administered by the DHRM Office of Equal Employment Services. (See Equal Employment Opportunity Policy 2.05—Forms can be found at <http://www.dhrm.virginia.gov/employeerelations.html>)
2. The Grievance Procedure for state employees, administered by EDR. For information on employee grievance procedure policy, visit the EDR Web site at <http://www.edr.state.va.us/grievance.htm>.
3. U.S. Equal Employment Opportunity Commission, Washington Field Office:

131 M Street, NE
Fourth Floor, Suite 4NWO2F
Washington, DC 20507-0100

Appendix C: Breastfeeding/ Lactation Policy

NOVA supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday. Employees seeking time away from work to express breast milk must provide reasonable notice to their supervisor and Human Resources, Benefits Unit, that they intend to express milk. It is highly recommended that employees notify their supervisor and Human Resources **prior to their return to work** of their intent to express milk during the work day. Doing so allows the supervisor sufficient time to make arrangements necessary to comply with the policy as outlined below.

The provisions of this Lactation Policy meet the requirements of the Fair Labor Standards Act, the Patient Protection and Affordable Care Act (PPACA) and the Reconciliation Act of 2010 (H.R. 4872) as it relates to breaks for nursing mothers as well as Va Code § 2.2.-1147.1 and Va. House Joint Resolution 145.

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her newborn. Two break times of no more than 15-20m in length will be approved as paid break time. You may request for reasonable unpaid break time and/or use your meal times for this purpose. With the supervisor's approval, time used to express milk may be made up at the beginning or end of the day (unpaid break time, paid break time, or unpaid meal time, as well as personal leave, or flexible scheduling can be used for this accommodation).

Please work with your supervisor to meet your needs for a clean, private, comfortable space with an electric outlet; a chair and a small table/counter/flat surface for the breast pump. A private location is a place with an electrical outlet and seating, other than a public restroom or toilet stall, concealed from view and without intrusion by other employees or the public.

Since the breast milk will have to be refrigerated during the day, nursing mothers should be prepared, if no refrigerator is available, to carry cooler and cold packs for personal storage of expressed milk. If an employee has access to a refrigerator, breast milk may be stored in the refrigerator. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering.

Note: The College is not liable for loss or damage of the employee's personal equipment.

Appendix D: Contact Websites

Apple Credit Union	http://www.applefcu.org
ASPM handbook	http://www.nvcc.edu/resources/aspm
CommonHealth	http://commonhealth.virginia.gov/
Commonwealth of Virginia Campaign	http://www.cvc.vipnet.org/
DenoSys	http://www.denosys.com/?CFID=26349&CFTOKEN=71602027
Department of Human Resource Management(DHRM)	http://www.dhrm.virginia.gov Alcohol and Other Drugs Policy 1.05 Annual Leave Policy 4.10 Civil and Work Related Leave 4.05 Compensation Policy 3.05 Compensatory Leave Policy 3.10 Educational Leave 4.15 Emergency Closing Policy 1.35 Emergency/Disaster Leave 4.17 Employee Suggestion Program Policy 1.21 Equal Employment Opportunity Policy 2.05 Family and Medical Leave Policy 4.20 Hiring Policy 2.10 Holidays Policy 4.25 Hours of Work Policy 1.25

<p><u>Layoff Policy 1.30</u></p> <p><u>Leave Sharing Policy 4.35</u></p> <p><u>Leave to Donate Bone Marrow or Organs Policy 4.37</u></p> <p><u>Leave Without Pay - Conditional/Unconditional 4.45</u></p> <p><u>Military Leave 4.50</u></p> <p><u>Overtime Leave Policy 3.15</u></p> <p><u>Performance Planning & Evaluation Policy 1.40</u></p> <p><u>Personnel Records Disclosure Policy 6.05</u></p> <p><u>Probationary Period Policy 1.45</u></p> <p><u>Public & Private Employee Interchange Policy 1.50</u></p> <p><u>School Assistance and Volunteer Service Leave 4.40</u></p> <p><u>Service Recognition 1.10</u></p> <p><u>Severance Benefits</u></p> <p><u>Sick Leave Policy 4.55</u></p> <p><u>Standards of Conduct Policy 1.60</u></p> <p><u>Temporary Work Force Reduction Policy 1.65</u></p> <p><u>Termination/Separation from State Services Policy 1.70</u></p> <p><u>Types of Employment Policy 2.20</u></p> <p><u>Virginia Sickness & Disability Program Policy (VSDP) 4.57</u></p> <p><u>Workers' Compensation Policy 4.60</u></p> <p><u>Workforce Planning 1.90</u></p> <p><u>Workplace Harassment 2.30</u></p> <p><u>Workplace Violence</u></p>

	<u>Virginia Flexible Benefits</u>
Department of Labor	<u>http://www.dol.gov/</u>
Employee Assistance Program (EAP)	<u>http://www.dhrm.state.va.us/genlbenefits/employeeassistance.html</u>
Employment Dispute Resolution	<u>http://www.dhrm.virginia.gov/employmentdisputeresolution.html</u> <u>Grievance Procedure</u>
Healthy Virginians	<u>http://www.healthyvirginians.virginia.gov/index.cfm</u>
Human Resource website	<u>http://www.nvcc.edu/hr</u> <u>Benefits</u> <u>Educational and Training</u> <u>College Working Calendar & Professional Development Plan</u> <u>Commuter Choice Program</u> <u>Emergency Preparedness</u> <u>Internet Policies, Procedures and Plans</u> <u>Computer Use Agreement</u> <u>Administrative Services Procedures Manual</u> <u>HR e-Services</u>
Long Term Care Insurance	<u>Genworth</u>
Military Leave	<u>http://www.elaws.dol.gov/userra/wren/userra.htm</u>
My Virginia (Official Commonwealth of VA Home Page)	<u>http://www.vipnet.org</u>

NOVA Academy	https://covkc.virginia.gov/nvcc/Kview/CustomCodeBehind/Customization/Login/COV_Login.aspx
NOVA Forms page	http://www.nvcc.edu/forms
Payline	http://payline.doa.virginia.gov/
Savings Bond	http://www.treasurydirect.gov/
Social Security Administration	http://www.ssa.gov
VCCA	http://www.vccaedu.org
VCCS	http://www.vccs.edu
Virginia Credit Union	http://www.vacu.org
Virginia Government Employment Association (VGEA)	http://www.vgea.org/i4a/pages/index.cfm?pageid=1
Virginia Retirement System	http://www.varetire.org/ VRS Plan 1 Handbook VRS Plan 2 Handbook VALORS Virginia Sickness & Disability Program (VSDP)
Weight Watchers	http://www.dhrm.virginia.gov/weightwatchers.html

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