



***Chesapeake, Virginia
Human Resources
Performance Management System
and
Compensation Plan***

July 1, 2008- June 30, 2009



HUMAN RESOURCES PERFORMANCE MANAGEMENT SYSTEM AND COMPENSATION PLAN

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Article 1

THE HUMAN RESOURCES PERFORMANCE MANAGEMENT SYSTEM

General Principles

It is the fundamental policy of the City of Chesapeake that a fair and uniform human resources performance management system be established for its employees in order to ensure the most effective provision of services to the citizens of the community. This policy is supported by the following philosophies:

Employment shall be based on merit and fitness, without regard to race, religion, age, color, sex, national origin, disability, or marital status.

Just and equitable incentives and conditions of employment shall be established and maintained.

City employees shall be paid in relation to the value of the work they perform and that performance shall be a major factor in justifying salary adjustments and increases.

Objectives and Scope:

The compensation philosophy is:

The City of Chesapeake is committed to recruiting, retaining and motivating an exceptional workforce by providing a competitive compensation structure, competitive benefits program, and a challenging and enriched work environment.

The pay philosophy is:

The City of Chesapeake is committed to establishing salary ranges based upon comparable bench mark positions in the three (3) highest paying local governments in the market while retaining internal equity.

The specific objectives of the City's Human Resources Performance Management System shall include the following:

- Establish and maintain a salary structure, which will attract and retain qualified employees.
- Establish and maintain salary ranges, which will assure internal equity of compensation, based on a systematic evaluation of each job.
- Maintain the salary structure in proper relation to competitive pay practices in the labor markets in which the City competes.
- Assure each City employee a performance and salary review at specified

intervals.

- Provide an effective control of salary payments on a uniform basis and to furnish City management with a consistent and effective means of recognizing and rewarding improved and outstanding performance.

Installation and Administration

Section 1.1 AUTHORITY

The City Manager has been empowered by the City Council through appropriate ordinances for overall administration of the City's Human Resources Performance Management System and Compensation Plan. The City Manager may adopt administrative regulations which supplement the policies expressed herein and establish procedures for their administration. The City Manager is authorized to add new positions to the personnel complement within the framework of the established salary schedules. Under the direction of the City Manager, the Director of Human Resources is responsible for the daily administration of the Human Resources Performance Management System and Compensation Plan.

Section 1.2 DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF HUMAN RESOURCES

The Director of Human Resources shall have the immediate direction and control of the Department of Human Resources and this plan, subject to specific directions relating to his/her duties and responsibilities contained in the City Code and the general supervision of the City Manager. The Director of Human Resources is further required:

- a. To develop and maintain a classification plan containing job descriptions for each position in the classified service of the City, which shall be reviewed no less frequently than annually. Any changes to the plan shall be prepared and submitted to the City Manager for consideration in the preparation of his/her recommended annual budget for the City Council's consideration.
- b. To determine vacancies in the classified service of the City, and to give wide publicity of such vacancies through channels appropriate to each case and to organize plans for the recruitment of competent personnel for the City's service, and to receive applications for such employment.
- c. To develop and provide criteria and guidelines which will reasonably and fairly predict and rate job performance capabilities of applicants for specific vacancies in the classified service of the City.
- d. To keep and maintain a current personnel file on each employee of each department, office and agency of the City, excluding employees of the School Board. Each such department, office and agency shall provide the necessary current personnel information to the Department of Human Resources.

- e. To maintain a roster of all persons in the classified service, except School Board employees, which shall specify as to each such person (1) the class title of the position held, (2) the salary or pay, (3) any changes in class title, salary or pay, and (4) such other data as may be deemed useful or significant.
- f. To certify all payroll changes except those of School Board employees. No payment for personal services shall be made to any person in the classified service, except employees of the School Board unless it shall be certified by the Director of Human Resources or designee that such person has been appointed and employed in accordance with the provisions of this plan.
- g. To develop and provide criteria and guidelines consistent with and in conformity to the provisions of paragraph c. of this section by which members of the classified service may be qualified for advancement in the service of the City.
- h. To seek to resolve impartially and/or adjust difficulties arising out of or relating to the employment relationship, and to that end, the Director of Human Resources shall have free and unencumbered access to all data relating to any specific difficulty.
- j. To obtain criminal history record information, either personally or through designee(s) authorized by the Director, on each applicant selected for City employment, each applicant selected for employment under contract with any City agency, each applicant selected for long-term or on-going City volunteer service, and certain individuals participating in activities or events through co-sponsoring organizations.
 - (i) All applicants and individuals providing service to juveniles, elderly or disabled individuals in accordance with Code of Virginia Section 19.2-392.02 and regulatory agency requirements will be fingerprinted in order to obtain criminal history record information from the Central Criminal Records Exchange of the Department of State Police and the Federal Bureau of Investigation. All other applicants will be subject to a criminal history record check from the Central Criminal Records Exchange of the Department of State Police.
 - (ii) Criminal history information considered in accordance with this section shall include outstanding warrants, pending criminal charges, and records of conviction. Records of dispositions which occurred while an applicant was considered a juvenile shall not be referenced unless such dissemination is authorized by court order, federal regulation or State statute.
 - (iii) The criminal history information provided in accordance with this section shall be used solely to assess eligibility for public employment or service, and shall not be disseminated to any person not involved in the assessment process.

Article 2

POSITION CLASSIFICATION

Section 2.1 DEFINITION

There shall be an approved system of grouping positions into appropriate classes, including (1) schematic index to the class specifications; (2) the class specifications; and (3) rules for administration.

- a. For position classification purposes, a position is a group of currently assigned duties and responsibilities requiring the full or part-time employment of one person. A position may be occupied or vacant.
- b. A class is a group of positions (or one position) that: (1) has similar duties and responsibilities, (2) requires like qualifications, and (3) can be equitably compensated by the same salary range.
- c. The class title is the official designation or name of the class as stated in the class specification. It shall be used on all personnel records and actions. Working or office titles may be used for the purposes of internal administration.
- d. The position code number is a series of numbers, which identifies a group of occupational classes and delineates specific classes within the various groups.

Section 2.2 UNCLASSIFIED SERVICE

There shall be unclassified and classified services in the City. The unclassified service shall consist of:

- a. Officials elected by the people and persons appointed to fill vacancies in elective offices, except the Sheriff, Treasurer, and Commissioner of Revenue shall be members of the classified service.
- b. The members of boards and commissions, the City Manager, the City Clerk, the City Attorney, the City Real Estate Assessor, the City Auditor, and persons appointed by the judges of the courts of record.
- c. Employees of the School Board.
- d. Licensed physicians and dentists employed by the City in their professional capacities.
- e. Persons temporarily employed in a professional or scientific capacity or to conduct a special inquiry, investigation, examination or installation, if the City Council or the City Manager certifies that such employment is temporary and that the work should not be performed by employees in the classified service.

- f. Seasonal, on-call, or substitute workers.

Section 2.3 CLASSIFIED SERVICE

The classified service shall be comprised of employees and positions other than those listed as unclassified in the preceding section.

Section 2.4 ORIGINAL APPOINTMENTS

All original appointments in the classified service shall be made from an eligible list prepared and certified by the Department of Human Resources. All new employees shall serve a probationary period as described in Article 4 herein.

Section 2.5 PROMOTIONS

Vacancies in higher positions in the classified service shall be filled, as far as practicable, by promotion from lower classes, even if a transfer to another department is necessary.

Section 2.6 CREATION OF CLASS SPECIFICATIONS

Prior to the establishment of a new position, the head of the department or division involved shall complete a job description covering the duties, responsibilities and minimum qualifications for the proposed position. The Department of Human Resources shall review the job description, make any necessary changes and assign the position to an existing class. If a suitable class does not exist, the Director of Human Resources shall develop a new class specification and shall recommend the new class to the City Manager for approval.

Section 2.7 MAINTENANCE OF LIST OF CLASSIFICATIONS

- a. Each time a vacancy occurs, the department head or designee shall determine if a review of the classification is necessary prior to advertising. If a significant change in duties or qualifications is required, a position description shall be completed by the department head and submitted to the Department of Human Resources for review of the classification of the position. The Director of Human Resources may waive this requirement in cases where he/she has determined that no material changes have occurred.
- b. It shall be the duty of each department head to submit to the Director of Human Resources new Job Content Questionnaires for all affected positions each time a department or division under his/her jurisdiction is permanently or substantially reorganized.
- c. The Director of Human Resources may require departments or employees to submit position descriptions or Job Content Questionnaires on a periodic basis, or any time he or she has reason to believe that there has been a change in the duties and responsibilities of one or more positions.
- d. Each time a new class is established, a class specification shall be written and incorporated into the existing schematic list of classes. Likewise, an abolished class shall be deleted

from the list of classes.

- e. At least annually, the Director of Human Resources shall conduct a general review of the list of classifications submit to the City Manager recommendations relating to amendments and adjustments.

Section 2.8 INTERPRETATION OF CLASS SPECIFICATIONS

The class specifications shall be descriptive and not restrictive. The use of a particular description as to duties, qualifications or other factors shall not be held to exclude others of similar kind or quality. Class specifications shall be intended to indicate the kinds of positions which shall be allocated to the classes established. In a series of classes, such as the police classes, the specifications for all classes should be reviewed as a unit.

Section 2.9 OFFICIAL COPY OF THE LIST OF POSITION CLASSIFICATIONS

The Director of Human Resources shall be responsible for maintaining an official copy of the list of position classifications. The official copy shall include a schematic list of class titles and class specifications including all amendments thereto. A copy of the official list should be available for review by the public under reasonable conditions during business hours.

Section 2.10 CLASSIFICATION APPEALS

A classification appeal is the review of duties, responsibilities, and requirements for a specific position. All classification appeals must be submitted in writing by the department head to the Director of Human Resources.

Article 3 COMPENSATION PLAN

Section 3.1 COMPOSITION, ADOPTION AND AMMENDMENTS

The compensation plan shall consist of four salary schedules for the following groups of positions: public safety sworn non-management positions; public safety sworn management positions; general employees; and seasonal/substitute employees.

The public safety salary schedule for sworn non-management positions shall be a step plan. The salary schedules for public safety sworn management positions, general employees, and seasonal/substitute employees shall contain a series of salary grades each grade having a minimum, market rate, and maximum salary.

The schematic list of classes shall specify the salary grade for each class of position with due regard for the salary grades for other classes; the relative difficulty, responsibility and characteristic duties of positions in the class; the minimum qualifications required; the prevailing rate paid for similar employment outside the City service; and any other factors that may properly be considered to have a bearing upon the fairness or adequacy of the salary grade.

The Director of Human Resources shall periodically prepare and recommend to the City Manager a compensation plan. The City Council shall adopt the compensation plan by ordinance, with or without modifications. When adopted by the City Council, the compensation plan shall remain in effect until amended by the City Council. When a compensation plan has been adopted, the City Council shall not increase or decrease salaries of individual members of the classified service. The Director of Human Resources will recommend any adjustments to the compensation plan to the City Manager for consideration in the preparation of his or her recommended annual budget.

Section 3.2 NEW EMPLOYEES

Generally, a new employee shall be paid the minimum rate of pay for his or her class. If a potential employee will not accept the minimum rate of pay, the City Manager's staff, department head, or other management level employee, as designated by the City Manager, may enter into negotiations for a starting salary within the assigned salary grade.

The minimum rate for each class is based upon the assumption that a new employee meets the minimum qualifications stated in the class specifications. If it becomes necessary to appoint a new employee of lesser qualifications, he or she should be started at a salary below the minimum rate for the class to be determined by the department head. When the employee demonstrates to the department head's satisfaction that he or she meets the minimum qualifications, the employee will be advanced to the minimum of the salary grade.

All current and future full-time employees shall receive a competitive wage rate which shall be established and implemented by the City Manager. This rate shall be reviewed periodically by the Director of Human Resources, who shall recommend to the City Manager any appropriate changes based on the federal poverty guidelines, federal

minimum wage, and other relevant information.

Section 3.3 SALARY INCREASES

- a. Periodic Salary Increases: Upon the recommendation of the City Manager and at the sole discretion of City Council, employees may be granted periodic salary increases. Except as specifically adopted by City Council, granted increases shall not exceed the maximum of the salary grade for an employee's class of position. Periodic salary increases are defined as general wage increases, merit or performance based increases, competitive wage rate increases, equity based increases, or market adjustments.
- b. Bonuses/Incentives: The City Manager may provide for additional compensation for employees outside the parameters of the compensation plan through the establishment of incentive plans and performance and experience bonuses. All programs shall be under the purview of the Department of Human Resources.
- c. Special Allowances: The City Council may provide for compensation in the form of special allowances to members of the unclassified and classified service, which amounts are outside of the parameters of salary ranges provided in this plan.

Section 3.4 PROMOTIONS

A promotion is the placement of an employee in a position in a higher job classification as the result of a competitive hiring process. Promotional increases will be administered by the Department of Human Resources in accordance with established policy.

Section 3.5 DEMOTIONS

A demotion is the placement of an employee in a position in a lower job classification due to a request by the employee, unsatisfactory job performance or disciplinary action. Demotional decreases will be administered by the Department of Human Resources in accordance with established policy.

Section 3.6 RECLASSIFICATIONS

Reclassification is the study of actual tasks, duties, and responsibilities which may result in a change to the job classification or job description.

Section 3.7 REALLOCATIONS

A reallocation is a change to the distribution of budgeted positions within a department due to organizational and staffing needs.

Section 3.8 OVERTIME

- a. Overtime shall be authorized for emergencies only, except when regularly scheduled work hours exceed Fair Labor Standards Act (FLSA) standards for the granting of overtime.
- b. Overtime pay or leave shall be awarded to employees other than sworn police, fire and corrections employees for all hours over forty (40) hours worked in a workweek. A workweek is defined as seven (7) consecutive days or one hundred sixty-eight (168) consecutive hours. The beginning and end of workweeks shall be set at the discretion of management, with approval by the Director of Human Resources, and may be different for different groups of employees. Overtime pay shall be paid at the rate of one and one-half (1½) times the regular rate of pay for all hours worked over forty (40) hours in a workweek. Overtime leave shall be awarded at one and one half (1½) times the number of hours over forty (40) hours worked in a workweek. Overtime pay shall be awarded at a "half-time" basis for those employees who receive a fixed salary for a fluctuating workweek.
- c. Overtime pay or leave shall be awarded to sworn police, fire and corrections employees for all hours worked during the work period in excess of the regularly scheduled hours for such personnel. A work period is a regular, repeating work cycle between seven (7) and twenty-eight (28) days. The length of the work period shall be set at the discretion of management, with approval by the Director of Human Resources, and may be of different lengths for different groups of employees within these divisions or departments.

Overtime pay or leave awarded shall be as follows:

- (i) If regularly scheduled hours for the work period are less than or equal to the overtime standards set by the FLSA. Overtime pay shall be paid at one and one-half (1½) times the regular rate for all hours worked in excess of regularly scheduled hours. Overtime leave shall be awarded at one and one-half (1½) times the number of hours worked in excess of the regularly scheduled hours.
- (ii) If regularly scheduled hours for the work period exceed the overtime standard set by the FLSA. Overtime pay shall be paid at one-half (½) times the regular rate for all hours worked that exceed the limit set by the FLSA but are equal to or less than the regularly scheduled hours for the work period. Overtime leave for such hours shall be awarded at one half (½) times the number of hours worked which exceed the limit set by the FLSA but are equal to or less than the regularly scheduled hours for the work period.

Overtime pay and leave for all hours exceeding the regularly scheduled hours for the work period shall be awarded as set-out in subsection (i) above.

- d. Those employees who are authorized for overtime pay or leave, and whose normal work schedule would not require working on holidays and Sundays, will receive time and one half (1½) for work on such days.
- e. The Director of Human Resources shall designate those positions which are eligible for overtime pay or leave ("non-exempt" positions) and those which are not eligible for such pay or leave ("exempt") in accordance with the standards of the FLSA.

Section 3.9 PART-TIME EMPLOYMENT

When employment is on a part-time basis, only the proportionate part of the rate for the time actually employed shall be paid.

The annual salary of part-time employees shall be determined by reference to the salary grade to which the employee's position classification is assigned. The part-time employee's annual salary shall be such proportionate part of the full-time annual salary as reflects the hours worked by the part-time employee.

ARTICLE 4 PROBATIONARY PERIOD

Section 4.1 DURATION

The probationary period shall be six (6) months with the following exceptions: Dispatchers assigned to the emergency operations center shall serve a probationary period of eighteen (18) months. New employees appointed to sworn Police, Fire or emergency medical services positions shall serve a probationary period of twenty-four (24) months. Employees reinstated to sworn Police, Fire or emergency medical services positions shall serve a six (6) month reinstatement probationary period and any time remaining in the initial twenty-four (24) month probationary period at the time of separation.

Section 4.2 TERMINATION

Probationary employees may be terminated from employment at any time during the probationary period, including any extension thereof, at the sole and complete discretion of management. Such employees shall not have recourse through the grievance procedure.

Section 4.3 EXTENSION

With the prior approval of the Director of Human Resources, an employee's probationary period may be extended up to six (6) months. Based on extenuating circumstances, a department head may request, and the Director of Human Resources may approve, a second extension of the probationary period not to exceed an additional six (6) months.

Section 4.4 PROMOTIONAL APPOINTMENTS

The probationary period shall be used in connection with promotional appointments in the same manner as it is used for original entrance appointments. The duration of promotional probationary periods shall be the same as those for new employees set forth in Section 4.1. If an employee is removed for inability to perform his or her work satisfactorily during the promotional probationary period, he or she shall be eligible for reinstatement to his or her former position, if vacant, or considered for other vacant positions related to the employee's experience and qualifications.

Section 4.5 PROBATIONARY EVALUATION

At any time during the probationary period the department head may, and before the end of the probationary period, the department head shall forward to the Director of Human Resources a performance appraisal which indicates:

- a. that the employee has been advised of his/her accomplishments, failures, strengths and weaknesses;
- b. whether the employee is performing satisfactory work;
- c. whether the employee should be retained in the position; or

d. whether the employee should have his/her probationary period extended.

Section 4.6 OTHER EMPLOYMENT WITHIN THE CITY

Probationary employees shall not be considered for other employment within the City without prior approval from his or her department head.

ARTICLE 5 PERFORMANCE EVALUATION

Section 5.1 OBJECTIVE

The primary purpose of the employee performance evaluation shall be to inform employees about how well they are performing their work and how they can improve their work performance. The performance evaluation is also used in determining salary increases; as a factor in determining order of layoff; as a basis for training, promotion, demotion, transfer or dismissal; and for such other purposes as may be deemed advisable.

Section 5.2 PERIOD OF EVALUATION

On original appointment or upon promotion, all employees except temporary workers shall be evaluated prior to the end of probation and at least annually thereafter. An employee shall not be eligible for a pay raise until the performance evaluation form has been completely processed.

The Department of Human Resources shall have oversight for the development of performance evaluation forms.

Section 5.3 EVALUATION

Evaluations shall be prepared by the immediate supervisor of each employee and reviewed by the appropriate department head or designee. The City Manager or his or her designee, in his or her discretion, is authorized to review and approve, disapprove or modify evaluations of employees. Any such action by the City Manager or designee shall be documented on the evaluation form. An employee in a supervisory position, who is leaving the position, shall be required to submit performance evaluation forms on all employees under his or her supervision who have not been evaluated within the previous six month period.

Section 5.4 REVIEW WITH EMPLOYEE

Each regular employee shall have the opportunity to review every evaluation made of him or her. Upon a review of the evaluation, the employee shall sign his or her evaluation, noting in writing his or her comments concerning the evaluation.

Section 5.5 APPEAL OF EMPLOYEE EVALUATION

Any regular City employee who feels that his or her performance evaluation is not correct shall have the right to administrative appeal to higher authority up to and including the City Manager. Any determination by the City Manager shall be final.

Section 5.6 CONFIDENTIALITY OF EVALUATIONS

Performance evaluations shall be confidential and shall be made available only to (a) the employee evaluated; (b) his or her supervisor or department head; (c) the Chairperson of a selection committee for a position within the City for which the employee has applied, (d) the Director of Human Resources or designee(s); or (e) the City Manager or designee(s).

ARTICLE 6 LEAVE PROVISIONS

Section 6.1 ANNUAL LEAVE

- a. Vacations shall be scheduled with a minimum disruption of work and, when possible, at the convenience of the employee.
- b. An employee will be entitled to request annual leave with pay as it is accumulated.
- c. Except for employees eligible for compensatory schedules as set out below, annual leave shall be accumulated per month as follows:

Length of Service	Accrual Rate
1-4 years	1 day
5-9 years	1¼ days
10-14 years	1½ days
15-19 years	1¾ days
20 or more years	2 days

Compensating schedules of leave will be developed and administered by the Director of Human Resources to recognize special or unusual work schedules required of certain classes of employees. For the purposes of this subsection, "day" is eight (8) hours.

- d. The annual leave balance of all employees will be reviewed as of December 31 of each year, and all annual leave time accumulated by any employees as of that date in excess of 336 hours will be purged from that employee's leave balance. Employees in Fire and emergency medical services who accrue leave under a compensating schedule will be allowed to carry forward a maximum annual leave balance of 470 hours. If an employee is not granted leave due to operational requirements as determined by the department head, or any injury compensable under the Virginia Workers' Compensation Act, and as a result stands to lose annual leave as of December 31 in any given year, the employee must request an extension for using excess annual leave. Requests for extension must be made to the employee's department head prior to December 31. Any approved extension must require the employee to use the excess annual leave by April 30 of the following calendar year. Any excess carried over and not used by April 30 will be purged from the employee's leave balance.

Department heads may, in their discretion, grant exceptions to the April 30 deadline due to extenuating circumstances. Notification of exceptions to the April 30 deadline must be submitted in writing to the Director of Human Resources no later than April 30.

Every effort will be made to schedule vacations so employees will not lose

accumulated annual leave.

- e. Employees shall be paid for accrued annual leave, up to a maximum of 336 hours (470 for certain employees of the Fire and emergency medical services), at the time of retirement, resignation, termination or death.

Section 6.2 SICK LEAVE

- a. An employee shall be entitled to sick leave with pay as it is accumulated when his or her presence at work would be injurious to his/her health or that of others.
- b. At the request of the department head or the Director of Human Resources, a doctor's certificate may be required for an employee who is absent in excess of three continuous work days or who has a pattern of absenteeism.
- c. Each full-time employee shall accumulate sick leave at the rate of eight hours per month with no maximum limit. Compensating schedules of leave will be developed and administered by the Director of Human Resources to recognize special or unusual work schedules required of certain classes of employees.
- d. Accumulated sick leave may be used to provide necessary care and attendance for a member of the immediate family who is ill or injured, residing and recuperating in the home of the employee and who requires physical care. The use of accumulated sick leave for care and attendance of said family members shall be limited to no more than six (6) days in any one year.
- e. Accumulated sick leave shall not be construed as a job entitlement but rather a job benefit to be used only as stated above.

Section 6.3 FUNERAL LEAVE

An employee will be granted funeral leave with pay for three (3) work days if the death of an immediate family member of the employee occurs. For purposes, of this section, "work day" is defined as eight (8) hours for regular employees and 11.2 hours for sworn Fire employees. Generally, funeral leave, if requested, must be taken within ten (10) calendar days of the death of the immediate family member or when the employee is notified of the death; however, exceptions to the ten (10) calendar day period, necessitated by special arrangements for the deceased, may be approved by the department head. The term "immediate family member" is defined as including spouse, parent, guardian, child, brother, sister, grandparent, grandchild, including step, foster, and mother and father in-law relationships. "Immediate family member" will also cover any member of the employee's immediate household who resided with the employee at the member's time of death.

If more time is required, the additional time may be charged to annual leave or leave of absence without pay with the approval of the immediate supervisor.

Funeral leave will also be granted to attend the funeral or similar services of a former or current City employee, providing the employee requesting the funeral leave receives the approval of the immediate supervisor prior to attending the services.

Section 6.4 MILITARY LEAVE

- a. An employee who is a member of an organized reserve force of any armed services of the United States, the National Guard, or naval militia shall be entitled to leave of absence from duties without loss of seniority or accrued leave for all days during which they are engaged in federally funded military duty, to include training duty, or when called out by the Governor under Virginia Code Sections 44-75.1 or 44-78.1. Employees who are members of the Virginia State Defense Force or National Defense Executive Reserve shall be entitled to leave of absence from duties without loss of seniority or accrued leave for all days during which they shall be engaged in training approved by the Governor or his designee pursuant to Virginia Code section 44-204. Such employees shall be entitled to regular pay during such period for up to a maximum of fifteen (15) working days per federal fiscal year. With respect to employees who do not normally work approximately equal workdays on five or more days of each calendar week, the term "workday" shall mean 1/260 of the total working hours such employee would be scheduled to work during an entire federal fiscal year, not taking into account any state holidays, annual leave, military leave, or other absences. Where such employee returns from federally funded military duty and the eight-hour rest period required by the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. Section 4301 et seq., overlaps such employee's scheduled work shift, the employee shall receive paid military leave to the extent of such overlap.
- b. The City shall adhere to applicable provisions of the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. § 4301, et seq., for covered employees in the uniformed services.
- c. An employee who is a member of an officially recognized reserve unit who is involuntarily recalled for mandatory active duty in time of war or declared national emergency shall be placed on military leave without pay, if requested in writing prior to or during the period of active duty. Such employees may draw against their accumulated annual, compensatory, or overtime leave in order to receive leave with full pay during their period of absence. If the employee's compensatory and overtime leave have been exhausted, such employees may draw against their accumulated annual or overtime leave in order to receive leave with full pay during their period of absence. If the employee's compensatory and overtime leave have been exhausted, such employees may draw against their accrued sick leave (not including sick leave bank withdrawals) in an amount equal to the difference between their net Reserve compensation and their net annual City salary. "Net annual City salary" is the monetary compensation received prior to going on active duty plus any cost-of-living increases granted by the City during the period of absence, less

Federal, State, and FICA taxes. "Net Reserve compensation" is the total monetary compensation received for serving on active duty, including base pay, basic allowance for quarters, and any other compensation, less Federal, State and FICA taxes.

Section 6.5 LEAVE OF ABSENCE WITHOUT PAY

A leave of absence without pay may be granted where valid reasons exist and with the prior approval of the employee's supervisor and department head. Consideration of the employee's written request for a leave of absence without pay shall include the reason(s) for requesting the leave, the length of time desired, the workload involved, and the need for a replacement employee. The request should be made at least two (2) weeks before the beginning the period requested. In emergency situations, the department head may waive this notice period. Department heads have the authority to approve requests that are for period of time less than one pay period. Requests for a leave of absence longer than one pay period shall be forwarded to the Director of Human Resources for approval.

If a leave of absence without pay is granted due to reasons of illness, a physician's fitness for duty certification may be required by the supervisor when the employee returns to work to establish fitness for duty and to confirm the days of temporary disability.

An employee on leave of absence without pay does not accumulate annual or sick leave during the period of absence. Unless required by City policy, employee benefits will be discontinued during this period, unless special arrangements are made with the Director of Human Resources or designee, or the Director of Finance.

Section 6.6 OTHER LEAVE

Leave for jury duty and related public service with full pay shall be reviewed and approved by the Director of Human Resources in accordance with state law. Any fees received by the employee for jury duty and related public service shall be returned to the City.

Section 6.7 HOLIDAYS

- a. The City has observe as legal holidays New Year's Day, Lee-Jackson Day, Martin Luther King, Jr. Day, George Washington Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and the following Friday, Christmas Day, and any other legal holiday declared by the Governor of Virginia.
- b. For employees who accrue annual leave at a higher rate because their work schedules includes holidays, these holidays shall be added to their annual leave.
- c. When any holiday falls on a Sunday, the Monday immediately following shall be observed. When any holiday falls on a Saturday, the Friday immediately preceding shall be observed.

Section 6.8 BENEFITS FOR PART-TIME EMPLOYEES

The Director of Human Resources may prorate annual, holiday and sick leave benefits for part-time, classified employees, with regularly scheduled hours, who are appointed to positions for indefinite periods of time without limitation as to the length of service other than continuation of program, position need and/or funding.

Section 6.9 FAMILY AND MEDICAL LEAVE

- a. Eligible employees of the City of Chesapeake shall be entitled to a total of 12 workweeks of leave during any calendar year for one or more of the following in accordance with the Family and Medical Leave Act, as amended:
 - (i) Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
 - (ii) Because of the placement of a son or daughter with the employee for adoption or foster care.
 - (iii) In order to care for an immediate family member of the employee, if such immediate family member has a serious health condition.
 - (iv) Because of a serious health condition that makes the employee unable to perform any of the essential functions of the employee's job.
 - (v) Any qualifying exigency (as determined by the Secretary of Labor) arising out of the fact that a spouse, or son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.
- b. An eligible employee of the City of Chesapeake who is the spouse, son, daughter, parent, or next of kin of a member of the Armed Forces who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, due to a serious illness or injury sustained in the line of duty on active duty in the Armed Forces, shall be entitled to up to 26 workweeks of leave to care for the service member. This military caregiver leave shall be available during a single 12-month period during which an eligible employee shall be entitled to a combined total of 26 weeks of all types of FMLA leave.

Article 7 Salary Schedules

General Pay Schedule

Public Safety Management Schedule

Public Safety Step Schedule

Seasonal, Substitute and On-Call Pay Rate Schedule

Explanation of Codes

These are codes adopted administratively and are not a part of the Human Resources Performance Management and Compensation Plan ordinance.

FLSA Status

EX-A	Exempt Administrative
EX-C	Exempt Computer
EX-E	Exempt Executive
EX-P	Exempt Professional
NE	Non-Exempt

Pay Code Legend

- 1 Non-exempt hourly, full and part time classifications eligible to receive overtime pay or overtime leave for hours worked.
- 2 Exempt classifications not eligible to receive overtime compensation or leave.
- 3 Non-exempt salaried classifications eligible to receive overtime pay or leave for hours worked that exceed FLSA limit.
- 4 Public safety non-exempt classifications eligible to receive overtime pay for hours exceeding the scheduled work week or work cycle and FLSA limit.

Category Legend

- 1 Official/Administrator
- 2 Professional
- 3 Technician
- 4 Protective Services
- 5 Paraprofessional
- 6 Office/Clerk
- 7 Skilled
- 8 Service/Maintenance
- 9 Other