

**TOWN OF VIENNA, VIRGINIA  
ADMINISTRATIVE REGULATIONS**

<u>Subject:</u>	<u>Regulation No:</u> 2.7	<u>Effective Date:</u> July 1, 2020
<b>CHANGES IN EMPLOYMENT STATUS</b>	Supersedes & Replaces: Promotions, Transfers, and Separations - Last Revised 12/15/16; July 1, 2018; February 1, 2019; July 1, 2019	

**I. PROMOTIONS**

- A. When an employee is moved from one permanent Non-Exempt job classification to another permanent Non-Exempt job classification that has a higher pay range, he or she is considered promoted. The employee's pay rate will be set at, at least, the minimum of the new pay grade or, in the case of overlapping ranges, at the pay rate that will allow for at least a 5% increase above the current pay rate for Non-exempt classifications, as approved by the Town Manager.

As example, a promoted employee's salary will be determined using the following sliding scale:

Number of Grades of Promotion	Percent Increase
1	5%
2	10%
3 or more	15%

- B. For a promotion from a permanent Non-exempt classification to a permanent Exempt classification or promotion from permanent Exempt to permanent Exempt classification, an employee's new salary will be set at, at least, the minimum of the new pay grade using the same methodology as above. The Town Manager may approve exceptions, within budgetary constraints. In all cases, the new pay rate must be within the range of the new grade.
- C. Any recommended promotion of an employee must be submitted in writing to both the Human Resources Director and the Town Manager for consideration and approval.
- D. Promoted employees must serve a twelve-month probationary period in the promoted position, in accordance with the provisions of Administrative Regulation 2.6, and Section 11-3, of the Personnel Code.
- E. A sworn officer who does not meet the prescribed standards as described in the Police Department General Orders is ineligible for promotion.

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**II. DEMOTIONS**

- A. When an employee is moved from one permanent classification to another permanent classification which has a lower pay range (pay grade), they are considered demoted.
- B. The following are examples, though not all-inclusive, of grounds for demotion:
  - 1. When an employee has not met the performance expectations of the current position
  - 2. When an employee is unable to perform the essential functions of the current job with or without reasonable accommodation
  - 3. When an employee voluntarily requests such demotion
  - 4. When an employee willfully violates established standards of personal conduct that do not meet the criteria for dismissal in accordance with the provisions of Administrative Regulation 2.15
  - 5. Any loss of job-required certification or qualification for the current job status
  - 6. When an employee is reclassified to a lower classification
  - 7. When the demotion is an alternative to a layoff
  - 8. When the demotion is the result of a management reorganization
- C. Any recommended demotion of an employee must be submitted in writing to the Human Resources Director for a recommendation and then to the Town Manager for consideration and approval.
- D. Demoted employees must serve another probationary period in accordance with the provisions of Administrative Regulation 2.6, unless the demotion is due to a reclassification, management reorganization, or an alternative to layoff.
- E. Demotions may be appealed in accordance with the provisions of Administrative Regulation 2.18.
- F. As an example, a demoted employee’s salary will be determined using the following sliding scale:

Number of Grades of Demotion	Percent Decrease
1	5%
2	10%
3 or more	15%

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- G. To determine the employee’s new salary, the current salary is multiplied by the percent indicated in the chart above, then subtracted from the existing salary. In all cases, the new pay rate must be within the range of the new lower grade and not higher than the maximum of the new lower pay range.
- H. An exception may only be made by the Town Manager for acceptable business reasons.
  - 1. In the event an employee’s pay remains above the Maximum of the lower pay range, the employee will be considered “red circled,” remaining at the current pay rate until the current pay rate falls within the pay range for the position.
  - 2. A “red circled” employee may receive no increases accruing to his or her pay while the pay is above the Maximum
- I. When an employee would otherwise be laid off because the position is being abolished, there will be no change in salary.

**III. RECLASSIFICATIONS**

- A. A reclassification is the acknowledgement through job assessment that a position should be in a different class of jobs, pay level and grade. It may be warranted when substantive permanent changes in duties, job complexity, knowledge and skills required, accountability and responsibility of a position occur, or when the classification is found to have been misclassified.
- B. Persons in jobs that are re-classified during the review will be placed in the grade on the approved pay plan at the approved salary.
- C. Based on a substantial permanent change in duties and responsibilities, a department head may request that a position be considered for reclassification during the annual budget process. Requests will be reviewed by the Human Resources Director, with a final recommendation to, and authorized by, the Town Manager. Exceptions may be made by the Town Manager.
- D. For purposes of job status and history in a classification evaluation, a person in a job that is reclassified may be considered “promoted” or “demoted,” depending on whether the new classification has escalated or de-escalated in pay grade.

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**IV. TRANSFERS**

- A. When employees change from one permanent classification to another permanent classification in the same pay grade, they are considered transferred. Transferred employees must serve a probationary period of 12 months in the new job, in accordance with the provisions of Administrative Regulation 2.6 and Section 11-3 of the Personnel Code.
- B. A recommended transfer of an employee must be agreed to in writing by the receiving supervisor and the supervisor relinquishing the employee; then submitted to the Human Resources Director for review and the Town Manager or designee for and approval.

**V. SUBSTANTIAL ADDITIONAL FUNCTIONS OR ASSIGNMENT**

- A. When an employee is assigned substantial additional functions or an assignment of significant added impact of a temporary nature, not normally a part of his/her job responsibilities pursuant to the job description, that employee will receive additional compensation for the period of time he or she is performing the additional duties or assignment.
- B. The minimum time required under this section is 20 continuous workdays.
- C. The pay adjustment will reflect the additional responsibilities, skills, knowledge and abilities required and the added assignment’s relevance and parity to other positions in the Town. The Human Resources Director in counsel with the department director will determine this, with final approval by the Town Manager.
- D. Once the special assignment is complete, as determined by the department director, the relevant pay adjustment will cease.
- E. This section does not apply to general and customary additional responsibilities anticipated of any Town job for which there is no consideration for additional pay.

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**VI. SPECIAL ASSIGNMENTS & CERTIFICATIONS**

A. Town Wide

1. Employees who serve as Town wide Employee Trainers/Instructors across departments (not department specific), delivering a variety of classes for which they themselves have received trainer instruction, as determined by the Human Resources Director and authorized by the Town Manager, will receive a \$175 gross stipend for each full session of class taught.
2. The designated Safety Trainer will receive an annual stipend of \$1,300 per year for fulfilling that ancillary responsibility, with the Town Manager’s approval. The stipend will be a supplement to the hourly rate, in compliance with the FLSA, and will cease immediately when the employee stops performing as the Town’s Safety Trainer, as determined by the Human Resources Director, with the Town Manager’s approval.
3. Employees who achieve professional certification not required as part of the job, but which adds value to the Town’s objectives, as pre-approved by the department head and authorized by the Town Manager, will receive a one-time recognition stipend of \$175 net.
4. An employee assigned to Crew Chief status, by virtue of meeting the criteria outlined in Appendix A, will receive a stipend of 2% of salary for the period of assignment.
  - a. The number of Crew Chiefs in each division will be authorized by the department directors of Public Works and Parks and Recreation and will not exceed one per crew.
  - b. The period of assignment will generally be 12 months, which will automatically extend unless, (a) the employee is found to be unable to perform the duties, with or without reasonable accommodations, or (b) the supervisor, through the department director, authorizes a rotation to another qualified crew leader.

B. Police Personnel Special Assignments

1. During the period that a law enforcement officer is assigned and performing the duties of a Field Trainer, as defined within Police Department regulations,

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he or she will be compensated at the rate of \$4.25 added to the base pay.

- a. The stipend will cease when the training has ended, as determined by the Police Chief or his or her designee.
  - b. This stipend may be adjusted from time to time as approved by the Town Manager in response to labor market fluctuations and changes to the Town’s pay plan.
2. During the period that a Police Dispatcher is assigned and performing the duties of Police Dispatcher Trainer, as defined within Police Department regulations, he or she will be compensated at the rate of \$3.00 added to the base pay.
- a. The stipend will cease when the training has ended, as determined by the Police Chief or his or her designee.
  - b. This stipend may be adjusted from time to time as approved by the Town Manager in response to labor market fluctuations and changes to the Town’s pay plan.
3. When an officer is assigned the temporary duties of Acting Shift Sergeant in the absence of the full-time Sergeant, he or she will receive an adjustment of 5.0% added to his/her hourly pay rate for the period in which he/she is performing that function. The minimum number of hours required under this section is 12 continuous hours for shift personnel.
4. Whenever police personnel are assigned to an assignment that reduces the two-workweek cycle from 84 hours to 80 hours, he or she will receive a 3.5% increase in salary. In order to be eligible for this additional salary payment, the assignment must be for at least 30 days and will last for the term of the reassignment.
- a. When the employee is relieved of the assignment and returns to the 84 hours per two-week work cycle, the additional salary benefit will cease.

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**VII. CAREER PATH PROGRESSION AND REGRESSION**

- A. The policy for career path progression is reflected in A.R. 2.35. The increase for each level of career progression is 3.5% not to exceed a total of 10.5%, and must be to at least the minimum of the new pay range. It is not to exceed the maximum of the pay range.
- B. When an employee is not able to perform at the level to which he or she has progressed, his or her job level will be regressed to the level at which he or she is able to perform.
- C. The regression in pay will coincide with the percentage of increases previously received in progression. Exceptions may only be authorized by the Town Manager.

**VIII. TEMPORARY ALTERNATE DUTY – NON-JOB RELATED INJURY/ILLNESS**

- A. The Town of Vienna will make every effort to reasonably accommodate employees who become temporarily incapacitated from a non-job-related illness, accident or injury, pursuant to the Americans with Disabilities Act (ADA) and A.R. No. 1.4.
- B. In such case, the Human Resources Director will enter into an interactive dialogue with the employee and follow the processes outlined in A.R. 1.4, to determine whether the Town can reasonably accommodate the employee, pursuant to the ADA.
- C. In the event that the Town cannot reasonably accommodate the employee without undue hardship, consistent with the ADA, then the Town will proceed with employment termination, in accordance with Section XI, of this regulation.

**IX. RESIGNATION**

- A. When a permanent employee leaves the Town's service voluntarily after notifying the supervisor in writing ten working days prior to departure, he or she is considered to have resigned in good standing. The Town Manager may make exceptions for good cause.
- B. Employees who resign in good standing are eligible for re-employment pursuant to the provisions of Administrative Regulation 2.2.

**X. LAY-OFFS**

- A. An employee may be laid off when a position is eliminated or as a result of lack of work or

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funds. Wherever possible, the employee will receive written notice at least 30 working days prior to the effective date of layoff but, in an emergency, no less than 10 working days.

- B. When a position is eliminated in one department or division, the Town will make every effort to place the employee in another authorized vacant position, if that employee meets the requirements of the job.
- C. The employee will be placed within the appropriate pay range of the new job, at a rate of pay that does not exceed the maximum of the pay range, as authorized by the Town Manager.
- D. Length of employment, seniority in a classification, performance evaluations, and/or upheld disciplinary actions will be utilized in determining the order of lay-off, if more than one employee in the same classification is affected.
- E. Any recommended layoff of an employee must be submitted in writing to the Human Resources Director for review and the Town Manager for approval.
- F. Employees laid off will receive preference for re-employment in accordance with the provisions of Administrative Regulation 2.2, subject to Department Director and Town Manager approval.

**XI. TERMINATIONS**

- A. Employees of the Town of Vienna are employed at will. This administrative regulation and others do not alter or modify the at-will nature of employment with the Town. The Town reserves its right to dismiss any individual with or without cause, provided there is no statutory violation in doing so.
- B. An employee may be dismissed for no cause or for violating policies, procedures, rules or accepted standards of personal conduct, as stated in Administrative Regulation 2.15. If the employee is terminated for cause, specific reasons for dismissal will be documented in writing.
- C. An employee may be dismissed if he or she becomes physically or mentally unable to perform the essential functions of the position, with or without reasonable accommodations, in compliance with the requirements of the ADA.



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- D. Any proposed termination of an employee must be submitted in advance to the Human Resources Director for review and the Town Manager for final approval.
- E. Whenever possible, the employee will be given ten (10) days' advance notice of dismissal, or as authorized by the Town Manager. If, in the opinion of the Town Manager, immediate dismissal is justified, pay may be tendered in lieu of this notice. If the dismissal is the result of actions on the part of the employee involving criminal activity and immediate dismissal is necessary, the granting of advance notice or pay may not be authorized. The Town Manager makes the final decision on these matters.
- F. Employees who are dismissed from employment will not be eligible for re-employment with the Town of Vienna, except as determined by the Town Manager at a future time.
- G. Qualified employees may appeal their termination in accordance with the provisions of A. R. 2.18, Grievance Procedures.
- H. At the discretion of the Town Manager, a director may be terminated from employment with or without cause. If terminated without cause, a director will receive 30 days' notice and severance pay, if applicable, pursuant to Section 11-7, of the Town's Personnel Code.

**XII SEPARATION PROCEDURES**

Whenever an employee separates, either through resignation, lay-off, retirement, or dismissal, the following procedures will be observed:

- A. The department head will immediately notify the Human Resources Department in writing of impending separations.
- B. Resignations and retirements must be accompanied by signed statements of intent by the employee.
- C. A memorandum to the Town Manager from the department head, with accompanying justifying documentation, must accompany all personnel actions when there is an intended involuntary separation; i.e., termination.

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**XIV. APPLICABLE DOCUMENTS**

Appendix A – Crew Chief Position Criteria

<i>Signature of Town Manager:</i>	<i>Date:</i>
	July 14, 2020

**CREW CHIEF**  
**POSITION CRITERIA**

**March 2, 2018**

General Summary

Coordinates and participates in the daily work of a team of maintenance workers. Coordinates daily staffing, materials, and equipment needs; provides on-site guidance and training; schedules; develops basic work procedures; ensures safety requirements are met; prepares and maintains records. Work is performed outdoors in all types of weather conditions, often near moving traffic, or indoors depending upon the work assignment. The work environment includes exposure to drafts, noise, dust, grease, and dirt with extended periods of standing, walking, bending, crouching, and lifting light to very heavy objects and equipment.

Major Duties:

- Meets with supervisor to accept assignments; determine goals, objectives and projects.
- Coordinates the daily work of maintenance workers or others, using appropriate safety standards.
- Assigns the proper equipment to perform tasks.
- Assists with estimating material requirements to perform projects.
- Performs daily field work of crew.
- Acts in the absence of the supervisor.
- Assists with administrative and coordination duties.

**Coordinates the daily work of maintenance workers or others.**

Assists in determining daily work priorities; assigns daily work to maintenance workers or others.

Reviews work orders and inspects job sites to determine scope of work; contacts others to clarify directions.

Determines routine work procedures; provides technical guidance and on-site training to crew(s) or others.

Resolves basic personnel, procedural or technical problems as they occur daily; meets with supervisor when issue cannot be resolved at his or her level.

Assures all safety requirements are met.

Reviews technical/service manuals for new equipment and/or materials.

Inspects work sites to identify both daily and short-range maintenance and service needs.

Instructs staff and others on application and utilization of equipment and specialized materials.

May attend work meetings on supervisor's behalf.

**Performs daily field work of crew.**

Reads and interprets blueprints, work plans, and work orders.

Participates in daily work activities of assigned crew or as assigned.

Performs repairs and maintenance work on equipment and machinery.

May assist in special recreation events, as needed.

Assists in emergency or stand-by operations as needed.

**Performs administrative duties**

Assures that supplies and equipment are available and delivered to work sites.

Maintains records such as work completed, time and attendance records; prepares simple as-built drawings

Assists in the hiring process and provides input to performance appraisals.

Provides information to assist in the design and development of special projects.

May schedule and monitor the work of contractors, utilities and other agencies.

May assist in evaluating and ordering supplies and equipment.

Performs duties as acting supervisor in cases when supervisor is on leave.

Performs other related duties as required or as directed by supervisor.

**Supervision**

- Received: General supervision. Work assignments are reviewed by immediate supervisor, but individual is expected to work independently according to standard procedures and/or instructions.
- Given: This is a non-supervisory position; however, acts as the "in-charge" person on the assigned job site, providing technical guidance and direction, and coordinating the daily work of the crew(s) or others.

**Minimum Qualifications**

- Reading comprehension to read technical materials
  - Reviews technical/service manuals for new equipment and/or materials

- Reads and interprets blueprints, work plans and work orders.
- Writing skills to prepare routine correspondence.
  - Maintains records, such as work completed, time and attendance records
  - May assist in evaluating and ordering supplies and equipment.
- Arithmetic skills to add multiply or divide numbers of three digits or more.
  - Performs computations to determine amount of supplies or materials required for specific jobs.
- Interpersonal skills to explain rules and procedures clearly.
  - Resolves basic personnel and/or customer relations, procedural or technical problems as they occur daily.
  - Determines routine work procedures; provides technical guidance and on-site training to crew(s).
  - Instructs staff and others on application and utilization of equipment and specialized materials.
- Problem solving skills to apply standard procedures to clearly defined problems.
  - Resolves basic procedural or technical problems as they occur daily.
  - Performs minor repairs and maintenance work on equipment and machinery.
- Computer skills
  - Must be competent using software and tablets for email and record-keeping.
  - Responsible for performing updates and inputs to Town's maintenance management system concerning time log, equipment and materials used for maintenance, repair or replacement and the associated asset identification.
- Considerable knowledge of all aspects of the type of work in the area of assignment.
- Special licensure or certifications may be required for individual positions depending on area of assignment.