

Faculty and Staff Manual

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SECTION 3: CLASSIFIED AND WAGE EMPLOYEES

3.1 POLICY SOURCES

Employees should refer to the *Commonwealth of Virginia Employee Handbook 1998* or the *Department of Human Resource Management Manual* for complete policies regarding conditions of employment, benefits, standards of conduct, employee grievance procedures, and other miscellaneous policies.

3.2 CATEGORIES OF EMPLOYMENT

3.2.1 CLASSIFIED EMPLOYEES

Classified employees are employees who occupy positions that are listed in the Commonwealth's Compensation Plan, and who are covered by the Virginia Personnel Act as found in Chapter 10, Title 2.1 of the *Code of Virginia*, once they have completed the probationary period. Classified employees are further defined as:

3.2.1.1 EXEMPT

Employees who are not subject to the overtime provisions of the Fair Labor Standards Act.

3.2.1.2 NONEXEMPT

An employee who is subject to the provisions of the Fair Labor Standards Act, and, thus, must be paid at the rate of one and one-half of the employee's regular hourly rate for all hours worked over 40 in any one week, either in the form of overtime pay or overtime leave.

3.2.2 WAGE EMPLOYEES

Wage employees are not covered by the Virginia Personnel Act, are nonexempt for purposes of overtime compensation, and are used to supplement the work force during seasonal or temporary work loads, to provide interim replacements, or to perform short-term projects, or other jobs that do not require full-time classified employees. Wage employees are limited to working the number of hours initially approved for the position and, without exception, are limited to 1500 hours per year and no more than 39 hours in a work week.

3.3 RECRUITMENT & SELECTION PROCEDURES

In accordance with state and federal guidelines and directives, and the goals of the "Affirmative Action Plan" of Mountain Empire Community College, the following procedures are to be followed in the recruitment and selection of classified personnel. The purpose is to avoid discrimination in employment practices on the basis of race, sex, color, national origin, religious preference, age, disability, veteran status, or any other matter not directly related to the qualifications of the individual

to perform the duties of the job.

I. RECRUITMENT

- A. In the event a new full-time position is established, or a current position is vacated, supervisors must determine which recruitment method best meets their needs. One of the following methods, set out in Department of Personnel and Training Policy No. 2.10, must be selected:

*** Internal Recruitment**

Agencies may elect to use internal recruitment and announce job vacancies only within the agency so that initial consideration is extended to the agency's current employees. This election should be made in consideration of the agency's affirmative action objectives, availability of qualified internal applicants, and other relevant factors.

*** State Employees Only**

In addition to posting job announcements internally, agencies may elect to consider current state employees in other agencies through the external method.

*** Open Recruitment**

Agencies also may elect to use the open recruitment method in which all state employees and the general public are eligible to apply.

- B. Ongoing, part-time positions will be announced to the general public and college employees simultaneously.
- C. Part-time, temporary positions will be posted on official college bulletin boards and published in the "LINK" for a minimum of five (5) days. Part-time, temporary positions are defined as follows:
1. Replacements for permanent employees on extended leave of absence for illness, injury, or other reason; or
 2. Positions which will continue for a period of less than one year.
- D. Part-time student workers will be solicited to fully meet the needs of the hiring department.
- E. The vacancy announcement will list the job qualifications and responsibilities consistent with the requisite knowledge, skills, and abilities. Qualifications should not be so absolutely stated as to discourage otherwise qualified applicants from applying or to automatically preclude applicants from consideration. The following guidelines from the Department of Personnel and Training will be observed:
1. The use of specified years of experience— for example, two years, four years, four to six years—for the purpose of job advertising is prohibited, although applicable or related experience may, in some instances, be required or, in other instances, be preferred.

2. Care should be taken not to overstate educational requirements, nor should educational requirements be so absolutely stated or used so as to preclude from consideration applicants who possess equivalent or sufficient applicable experience or training. However, where educational requirements have been mandated by law, they should be so stated.
 3. Any proficiency levels utilized should be set so as to be reasonable and consistent with normal expectations of acceptable proficiency within the work force. There is really no efficient way to measure proficiency levels in the computer field. Applicants may be questioned regarding computer knowledge and skills during the interview process.
 4. When occupational certifications or licenses are required by law for selected state occupations, such certifications or licenses should be identified as requirements in job announcements and used for recruitment and selection purposes.
- F. Internal vacancy announcements will be distributed within five working days of notification of the approval to hire from the president.
- G. In all cases, the vacancy announcement will be distributed at least five working days before the application deadline.
- H. All announcements and advertisements must include the following data:
1. Last date for receiving applications and the expected date to be filled;
 2. The salary for the position;
 3. Statement that the position is grant-funded, if applicable; and
 4. The statements:
 - * Mountain Empire Community College is an Equal Employment Opportunity/Affirmative Action Institution.
 - * Minorities and women are encouraged to apply.
 - * Applicants needing accommodations due to disabilities should contact the Human Resource Office.
 - * The successful candidate must demonstrate proficiency in oral and written communications.
- I. Active applications (those received in the last six months) will be pulled and considered in the selection process if:

1. The applicants call or write asking to be considered for the vacant position; or
2. The supervisor wishes to enlarge the pool of applicants.

II. SELECTION

The following procedures will apply in the selection of candidates for interview and in the decision to hire:

- A. Action:** If current position is being vacated, a letter of resignation will be forwarded to the President with copies to the immediate supervisor, Human Resource Officer, and appropriate dean.
Responsibility: Employee
- B. Action:** The President will respond to the resignation, as appropriate, with copies to supervisor and the appropriate dean.
Responsibility: President
- C. Action:** The immediate supervisor will review the hiring procedures and the position description with the Human Resource Officer and the appropriate dean. If revisions are made to the position description, a new form will be typed and forwarded to the Human Resource Officer with the Personnel Requisition Form. The Personnel Requisition Form should include any dollar limitations on salary for grant-funded positions. The Human Resource Officer will forward the Personnel Requisition Form and the position description to the appropriate dean and the President for approval. When approval has been received, the recruitment process will begin.
Responsibility: Supervisor Human Resource Officer
- D. Action:** The vacancy announcement will be prepared and will list the job qualifications and responsibilities consistent with the requisite knowledge, skills, and abilities.
Responsibility: Human Resource Officer
- E. Action:** The Human Resource Officer will send a copy of the vacancy announcement to the EEO/AA Officer who will review the qualifications required to ensure that they are job-related and consistent with our EEO/AA commitment and DPT guidelines.
Responsibility: Human Resource Officer/EEO/AA Officer
- F. Action:** Vacancy announcements will be sent out, consistent with **SELECTION** policies **A**, **B**, and **C** above.
Responsibility: Human Resource Officer
 1. Announcements to the general public and state employees will be made using the following sources:
 - a. Local newspapers;
 - b. Wise County/City of Norton Chapter of the NAACP;

- c. Virginia Employment Commission;
 - d. DPT's RECRUIT;
 - e. Official college bulletin boards; and
 - f. College newsletter, the "Link."
2. Announcements to state employees only will be made using the following sources:
- a. Virginia Employment Commission
 - b. DPT's RECRUIT
 - c. Official college bulletin boards; and
 - d. College newsletter, the "Link."

G. Action: All applications received will be processed as follows:

- 1. The demographic information tear-off portion will be removed and forwarded to the EEO/AA Officer; and
- 2. Applications will be forwarded to the appropriate supervisor and screening committee for review and selection.

Responsibility: Human Resource Officer

H. Action: A screening committee will be established for all classified positions. The committee will consist of three or more members. Classified staff serving on the committee should be at the same or higher grade level of the position being advertised (DPT Policies and Procedures Manual, Section VI, Number 2.10 – Hiring).

Responsibility: Human Resource Officer/Supervisor

I. Action: The Human Resource Officer will submit to the supervisor a list of employees who have not recently served on a screening committee from which the supervisor will choose the committee.

Responsibility: Human Resource Officer/Supervisor

J. Action: The EEO/AA Officer and Human Resource Officer will brief the supervisor and screening committee on the College's EEO/AA commitment, appropriate screening criteria, guidelines for the selection process, and allowable interview questions and techniques.

Responsibility: EEO/AA Officer/Human Resource Officer/Screening Committee
Committee responsibilities will include the following:

- 1. Select chairperson;
- 2. Complete a rating sheet on the candidates using established criteria;

3. Identify top candidates (minimum of three);
4. Indicate reasons for selection/nonselection of all applicants on the Interview and Selection Report;
5. Develop, and submit to the EEO/AA Officer for approval, interview questions related to job qualifications and work tasks and duties;
6. Forward recommendations to interview, applications, and other records to the supervisor for review;
7. Upon approval, check references for the top candidates using MECC-P5 form (telephone reference form);
8. Interview top candidates (minimum of three);
9. In alphabetical order, for those candidates interviewed, present written strengths and weaknesses to the supervisor in a meeting; and
10. Submit all remaining committee notes, rating forms, and other evaluation forms to the Human Resources Officer for recordkeeping purposes.

K. Action: After the screening committee identifies finalists, but before the interviews are scheduled, the supervisor will review all records and recommendations with his/her supervisor, the EEO/AA Officer, the Human Resource Officer, and the appropriate dean. Additional candidates may be selected for an interview given adequate justification and consensus with the aforementioned.

Responsibility: Supervisor

L. Action: With the approval of the President and the appropriate dean, all finalists will be contacted and an interview schedule will be arranged. Telephone interviews may be arranged as a tool to choose the top finalists if funds and/or time are limited. The schedule may include the following:

1. Screening committee, if appropriate;
2. Supervisor;
3. Dean, if appropriate;
4. President, if appropriate.

Responsibility: Human Resource Officer

M. Action: Conviction checks and driver's record checks will be conducted on designated security sensitive positions prior to making an official job offer. The supervisor will have the finalists sign an authorization form for release of information during the interview process. The release form will be forwarded to the Human Resource Manager to initiate the process.

Please refer to SECTION 3.7 CRIMINAL HISTORY AND DRIVER'S RECORD INVESTIGATIONS FOR NEW HIRES policy for detailed information

Responsibility: Supervisor and Human Resource Officer

- N. Action:** After interviews are completed, the Screening Committee will present the written strengths and weaknesses to the supervisor in a meeting. At that time, written comments about each candidate will be discussed.
Responsibility: Screening Committee
- O. Action:** The supervisor will prepare a written hiring recommendation and will complete the bottom section of the Interview and Selection Report and forward all records and recommendations to the Human Resource Officer who will then forward them to the EEO/AA Officer who will then forward them to the appropriate dean who will then forward them to the President.
Responsibility: Supervisor/Human Resource Officer/EEO/AA Officer/ Dean
- P. Action:** Once the decision has been made, but prior to making the offer, the supervisor will discuss the basis for the hiring with the committee. If the screening committee feels the integrity of the process has been violated, the committee should voice their concerns to the college president.
Responsibility: Supervisor
- Q. Action:** The President will send an approval to hire to the supervisor who will then contact the candidate.
Responsibility: President/Supervisor
- R. Action:** The supervisor will forward all records to the Human Resource Officer.
Responsibility: Supervisor
- S. Action:** The application of the person hired will become part of the personnel file and the unsuccessful applicants will be notified that the position has been filled.
Responsibility: Human Resource Officer
- T. Action:** The supervisor will send a memo to the screening committee notifying them of the person hired.
Responsibility: Supervisor

III. REPORTS AND RECORD KEEPING

- A. Action:** Records must be completed and maintained on each applicant a minimum of three years, as follows:

 1. The Interview and Selection Report will indicate those interviewed, the reasons for rejecting those not selected, and the reasons for choosing the one hired.
 2. An Applicant Data Summary will be prepared on the race and sex of all applicants.
 3. The following records will also be maintained:

- a. A list of newspapers in which ads were placed, giving the date the announcement appeared;
- b. List of all groups (agencies, minority groups, etc.) to which an announcement was sent;
- c. Date of internal announcement; and
- d. Interview records, including the names of the screening committee members, questions asked during the interview process, candidate responses to interview question, and the report of interviewee's strengths and weaknesses.

Responsibility: Human Resource Officer/Screening Committee Chair/Supervisor

B. Action: A copy of the application tear-off sheet will be retained by the EEO/AA Officer.

Responsibility: President

Revised July, 1992
Revised July, 1993
Revised April, 1995
Revised September, 1997
Revised January, 1998

3.4 WORK HOURS

It is the intention of Mountain Empire Community College to provide services and support to day, evening, and weekend students and faculty. All services are available Monday through Friday: 8 a.m. to 4:30 p.m. with extended hours at the beginning of each semester. The Office of Continuing and Distance Education is open Monday through Thursday: 8 a.m. to 7 p.m. In addition, the Wampler Library and The Learning Place are open on Saturday from 10 a.m. to 2 p.m. Supervisors are expected to establish schedules for employees that provide the appropriate office coverage while maintaining a 40-hour week for full time employees. Work hours for full-time employees are further restricted as indicated in 3.4.3. Work hours for wage employees are restricted as noted in 3.2.2. Other than to accommodate the College's extended hours of operation; supervisors may not adjust employees' schedules without the prior approval of the Vice President of Financial and Administrative Services.

3.4.1 BREAKS

Classified employees may take a 30-minute lunch period and two 15-minute breaks, one in the morning and one in the afternoon. The lunch period and the breaks must be used separately and normally may not be used to extend the lunch period and/or breaks. Neither the lunch period nor the breaks may normally be used to compensate for an employee's late arrival or early departure, or to cover time off for other purposes.

3.4.2 RECORDING & REPORTING HOURS WORKED

Nonexempt classified employees must record hours worked and leave taken on the VCCS-44A “Non-exempt Classified Employee and Hourly Employee Record of Hours Worked” unless using an automated form approved by the Human Resources Officer. The workweek begins at 12:01 a.m. Friday and ends at 12:00 midnight on the following Thursday. The form must be signed by the supervisor and submitted to the Payroll Office by 4:30 p.m. each Friday.

Wage employees must record hours worked on the “Time and Attendance Report for Hourly Employees” form. Completed and approved forms for wage employees are due to the Payroll Office by noon on the Thursday preceding the Monday pay date. Hours submitted to the Payroll Office on Thursday are paid two weeks from the following Monday.

3.4.3 OVERTIME COMPENSATION POLICY

Mountain Empire Community College will compensate all nonexempt employees at time and one-half leave for all hours worked in excess of forty hours per work week. Employees are responsible for working required overtime. Supervisors are responsible for utilizing alternate work schedules to avoid the use of overtime hours and for requesting the approval of the Vice President of Financial and Administrative Services prior to assigning work in excess of 40 hours per week to an employee. In situations that cannot be anticipated, supervisors are authorized to assign work in excess of 40 hours per week to an employee in order to provide appropriate services to students or others. Overtime hours normally shall not be authorized except where required by exceptional circumstances of an emergency or temporary nature. Annual leave, sick leave and holidays are not included in computing overtime in a workweek. This agency’s established workweek is 12:01 a.m. Friday through 12 midnight Thursday. This workweek is used when computing overtime hours worked.

Overtime Leave: Overtime leave will be credited on the basis of one and one-half hours for each hour of overtime worked. The maximum accrual is 240 overtime leave hours (**160 actual hours worked x 1.5 = 240 overtime leave hours**). Once the maximum accrual has been met, additional overtime hours must be paid at a rate equal to one and one-half of the employee’s regular rate of pay. There is no twelve-month time limit on using overtime leave. An employee can continue to accrue overtime leave until the maximum accrual limit is reached. Upon an employee’s termination, the overtime leave balances will be paid at the employee’s ending regular hourly rate of his/her average regular hourly rate over the last three years of employment, whichever is higher. The employee will be allowed to take the overtime leave as soon as possible based upon supervisory approval and the operating needs of the division.

Compensatory Leave: Compensatory leave will be credited hour for hour for time worked beyond the required hours in a workweek in which no more than 40 hours are worked. This may happen when a state holiday, rest day, or inclement weather day is authorized by the supervisor to be worked in a week when an employee has taken

paid leave such as annual, sick, compensatory, or overtime leave. Compensatory leave must be taken within one calendar year of the date earned or it will lapse. Employees will be allowed to take the compensatory leave as soon as possible based upon supervisory approval and the operating needs of the division.

Note: The Human Resources Office will be responsible for maintaining and monitoring the records of overtime leave and compensatory leave earned and used by employees. The employee is responsible for accurately recording hours worked and leave taken and submitting time sheets as required. The employee's immediate supervisor will be responsible for acquiring the necessary approval, monitoring and verifying leave earned and taken, and providing employees the opportunity to use earned leave.

Questions concerning this policy should be directed to the Human Resources Officer.

3.5 MECC COMPENSATION REFORM POLICY

Effective July 1, 2001

GUIDELINES FOR ADMINISTERING COMPENSATION REFORM (PAY PRACTICES AND IN-BAND ADJUSTMENTS)

In accordance with requirements of the Department of Human Resources Management (DHRM), and the Virginia Community College System (VCCS), Mountain Empire Community College (MECC) adopts the following salary administration plan regarding Pay Practices and In-Band Adjustments. These guidelines will be reviewed on an annual basis for any necessary revisions.

The mission of the VCCS is to provide comprehensive higher education and workforce-training programs and services of superior quality that are financially and geographically accessible and that meet individual, business, and community needs of the Commonwealth. In conjunction with the Commonwealth of Virginia's compensation philosophy, and in support of the VCCS mission, MECC has developed a compensation plan to attract and pay employees in a manner sufficient to support, develop and maintain a high performance workforce that provides quality services in a fiscally responsible manner, including the provision of enriching and lifelong learning opportunities to students within its service region. The following plan for administering Pay Practices and In-Band Adjustments is designed to support this philosophy and MECC's Goal "To recruit and retain excellent employees."

3.5.1 PAY PRACTICES

I. Starting Pay

- Definition: Beginning pay for an individual not employed on a full-time basis or for rehires to the state workforce. Flexibility in starting pay is provided to attract highly skilled, competent individuals.
- MECC Policy: Negotiable from minimum of pay band up to 15% above current salary not to exceed pay band maximum. Exceptions for starting pay more than 15% will be submitted to the VCCS Chancellor for approval. The

Human Resource Manager will ensure compliance with starting pay policy and obtain agency management approval for necessary transactions.

II. Promotions

- Definition: This practice allows the advancement of an employee to a different position in a higher pay band through the college's recruitment and selection process.
- MECC Policy: Negotiable from minimum of new pay band up to 15% above current salary; salary may not be below the minimum of the new pay band. The Human Resource Manager will ensure compliance with all promotions and obtain agency management approval for all promotion increases.

III. Voluntary Transfers (Competitive)

- Definition: This practice is an employee-initiated movement to another position in the same or different role in the same pay band. The employee may seek the transfer through the recruitment and selection process.
- MECC Policy: Negotiable from minimum of pay band up to 15% above current salary not to exceed maximum of the pay band. The Human Resource Manager will ensure compliance with all transfers and obtain agency management approval for each.

IV. Voluntary Transfers (Noncompetitive)

- Definition: This practice is an employee initiated or agency initiated movement to another position in the same or different role in the same pay band through a noncompetitive process.
- MECC Policy: Negotiable from the minimum of the pay band up to 10% above the current salary not to exceed pay band maximum. The Human Resource Manager will ensure compliance with all transfers and obtain agency management approval for each.

V. Voluntary Demotion

- Definition: This practice is an employee initiated movement to a different role in a lower pay band through the recruitment and selection process or through noncompetitive means.
- MECC Policy: Negotiable from minimum of the pay band up to current salary not to exceed pay band maximum. (Salary may be frozen above maximum for six months – each position in this category will be reviewed for final salary compensation) The Human Resource Manager will ensure compliance with demotions and obtain agency management approval for each.

VI. Temporary Pay

- Definition: This practice applies when the college assigns an employee to perform different key (essential) duties on an interim basis or for critical assignments associated with a special time-limited projects. MECC will not exercise temporary pay to cover recruitment periods.

- MECC Policy: For duties and responsibilities in a higher pay band, 0 to 15% above the current salary not to exceed pay band maximum; for the same pay band, 0 to 10% increase not to exceed pay band maximum. The Human Resource Manager in conjunction with supervisors and agency management will determine the established time period and pay increase if appropriate for all temporary pay practices.

VII. Role Change

- Definition: This practice allows the college to change a position to a different role in a higher, lower, or same pay band. (Role change replaces the term position reallocation). A salary increase due to a lateral role change counts toward the 10% fiscal year maximum for in-band adjustments.
- MECC Policy: 0 to 10% increase, or to minimum of higher pay band for upward role change not to exceed pay band maximum. No change in salary unless above maximum of the lower pay band for downward role change in which case salary is reduced after 6 months to the maximum of the lower pay band. 0 to 10% increase, not to exceed pay band maximum, for a lateral role change. Role changes above pay band 3 (per MECC delegated authority) will be submitted to the VCCS Human Resources Office for approval). The Human Resource Manager will ensure compliance with this pay practice and obtain agency management approval for all role changes.

When determining salaries for the above pay practices, college management will take the following pay factors into consideration:

- Agency Business Need
- Duties and Responsibilities
- Performance
- Work Experience and Education
- Knowledge, Skills, Abilities and Competencies
- Training, Certification and License
- Internal Salary Alignment
- Market Availability
- Salary Reference Data
- Total Compensation
- Budget Implications
- Long Term Impact
- Current Salary

These pay practices will occur only if MECC has sufficient funding to cover the increases in salary costs.

Required documentation for each pay practice will include:

- Pay Practice Request Form – (includes salary being requested, justification, and certification of funds) completed by the supervisor and submitted to the Human Resource Manager.

This form must be approved and signed by the appropriate dean.

- Employee Work Profile (EWP) – completed by the supervisor and submitted to the Human Resource Manager with the Pay Practice Request Form.
- Pay Action Worksheet (PAW) – completed by the Human Resource Manager and submitted to the agency head for approval.

3.5.2 IN-BAND ADJUSTMENTS

The following guidelines for administering In-Band Adjustments are designed to support the compensation plan philosophy. MECC's policy is to recruit, retain, develop, and reward a qualified, committed and diverse workforce that provides quality services in a fiscally responsible manner. MECC will increase the base-pay when available funding is supportive of a base-pay salary adjustment. In-band bonuses will be awarded as an interim measure only when budget constraints require time to develop funding to support a base-pay salary adjustment. All In-Band Adjustments are non-competitive. These pay actions are to be requested by the supervisor on the In-Band Adjustment Request Form.

I. Changes in job duties and responsibilities

- Definition: Employees may be provided a base salary increase for assuming new duties or changes in duties. The purpose of this salary increase is to recognize an employee's increase in duties and responsibilities. In-band adjustments are noncompetitive.
- MECC Policy: In order to be considered for an In-Band Adjustment, changes in duties should be a change of at least 15%. Based on a classification review, these changes do not warrant a new role change with a higher pay band assignment. The employee must have successfully performed the new duties and responsibilities for at least a 180-day period. Copies of the old and new employee work profiles should be submitted to the Human Resource Manager by the supervisor. The employee may receive from 0 to 10% increase in base salary if approved. The Human Resource Manager will review the employee work profiles, the requested percent of increase, and discuss each issue with management ensuring compliance with guidelines. Any position higher than pay band 3 must be submitted to the VCCS Human Resource Office for approval.

II. Application of new Knowledge/Skills/Abilities from education, certification, licensure, etc.

- Definition: For individuals who attain professional certifications or licenses or degrees, incentives may be provided in the form of tuition reimbursement or salary increases.
- MECC Policy: Incentives for individuals who attain professional certifications, licenses or degrees will be provided within the constraints of limited resources available to MECC for such actions and will be prioritized based on the application of mission-critical analyses of recruiting and retention issues. MECC will not support retroactive payment to those who possess these certifications, licenses or degrees prior to June 1, 2001. Employees

must request approval in advance for consideration of their planned goal in order to be compensated once the goal is attained. This should be done in the form of a memo to the supervisor stating the planned goal, how it will be achieved, and time frame. The supervisor should sign and date the memo for approval. The supervisor will work with the Human Resource Office and college administration to determine if incentives will be provided upon completion of the goal. Credentials that are requirements for a job by State Code, or are required for selection and taken into consideration at the time starting pay is negotiated, cannot be used as a basis to support subsequent compensation adjustments. MECC will provide reimbursement for all job-related credit classes successfully completed at MECC up to the award of the first associate degree. Additional job-related courses or training will be considered for reimbursement through the Professional Development Committee. No additional compensation will be provided for those courses for which reimbursement of tuition and fees is made by the college. Salary increases are noncompetitive and limited to 10% within a fiscal year in the event they are given instead of tuition reimbursement. In order to be eligible an employee must be rated at the Contributor level or higher. Funding must be discussed and certified if available at the time the employee requests approval of the planned goal.

III. Retention (i.e. responding to salary market changes, labor market fluctuations, etc.

- Definition: An increase granted to prevent employees from seeking employment outside the agency in occupations that have high visibility in the labor market when salaries have not been as competitive with the marketplace. (Typically, in-band adjustments for retention are granted to all employees in a particular functional area to avoid turnover).
- MECC Policy: Retention adjustments should be initiated by the supervisor on the In-Band Adjustment Request Form. If retention adjustments are requested for a group of positions in the same role, documentation must include: the number of vacancies experienced in the past three years; the starting pay rates used to fill the vacancies; and MECC's efforts to recruit to fill the vacancies during this period. Data relative to the number of qualified applicants responding to recruitments for the past three years must also be included. An employee may receive a 0 to 10% increase within a fiscal year. In order to be eligible an employee must be rated at the Contributor level or higher. The Human Resource manager will review all documentation and meet with management to obtain approval for the amount of increase to be awarded. The increase will be granted at one time. Available funding will be certified prior to initiating the in-band adjustment request.

IV. Internal Alignment, salary compression and other internal inequities

- Definition: An increase granted to align an employee's salary more closely with those of other employees within the same agency who have comparable levels of training and experience, similar duties and responsibilities, similar performance and expertise, competencies, and/or knowledge or skills.

- **MECC Policy:** This pay action could be initiated by either the supervisor or Human Resource Manager (who has access to all salary information) on the In-band Adjustment Request Form. An employee may be granted an increase of 0 to 10% in salary within a fiscal year. In order to be eligible an employee must be rated at the Contributor level or higher to receive the increase. The Human Resource Manager will review the adjustment and meet with management to obtain approval for the amount of increase to be awarded. The increase will be granted at one time. Available funding will be certified prior to initiating the in-band adjustment request.

V. Disciplinary or Performance Related Salary Action

- **Definition:** An action taken in response to an employee's behavior as stated in Policy 1.60, Standards of Conduct in the Department of Human Resource Management Policy Manual. An employee's job duties and responsibilities may be reduced as a result of improper conduct or poor performance.
- **MECC Policy:** A reduction in job duties may result in the employee moving to the same or lower pay band or same or different position. In either case, the employee's salary must be reduced a minimum of 5%. If movement is within the same pay band, the employee's reduced salary cannot be below the band minimum. If movement is to a lower pay band, the employee's reduced salary cannot exceed the maximum of the lower band.

3.5.3 FORM: PAY PRACTICE REQUEST

PAY PRACTICE REQUEST

Date _____

Name _____ Soc. Sec. Number _____ Position Number _____

Current Role Title _____

Type of Pay Practice Requested:

_____ Starting Pay Recommended salary _____

_____ Promotion Recommended % of increase _____

New Role Title _____

_____ Voluntary Transfer (Competitive) Recommended % of increase _____

New Role Title _____

_____ Voluntary Transfer (Noncompetitive) Recommended % of increase _____

New Role Title _____

_____ Voluntary Demotion Recommended salary _____

_____ Temporary Pay Recommended % of increase _____

_____ Role Change Recommended % of increase _____

New Role Title _____

Attach a detailed justification for the requested pay practice and requested salary increase.

Supervisor _____ Date _____

Supervisor's Supervisor _____ Date _____

Appropriate Dean _____ Date _____

Human Resource Manager _____ Date _____

3.5.4 FORM: IN-BAND ADJUSTMENT REQUEST

IN-BAND ADJUSTMENT REQUEST

Date _____

Employee Name _____ Position Number _____

Role Title _____

Type of In-Band Adjustment Requested:

_____ **Changes in Job Duties and Responsibilities** _____% of increase requested
(attach a detailed justification including the new duties and responsibilities)

_____ **Application of new Knowledge/Skills/Abilities from education, certification, licensure, etc.**
_____ % of increase requested (attach a copy of the approved plan and any supporting documentation)

_____ **Retention (i.e. responding to salary market changes, labor market fluctuations, etc.**
_____ % of increase requested (attach the justification and any supporting documentation)

_____ **Internal Alignment, salary compression and other internal inequities**
_____ % of increase requested (attach supporting documentation including comparisons of salary comparisons and job duties)

Supervisor _____ Date _____

Supervisor's Supervisor _____ Date _____

Appropriate Dean _____ Date _____

Human Resource Manager _____ Date _____

3.6 OVERTIME MEALS

Mountain Empire Community College Overtime Meals Policy places the following additional restrictions to the policy stated in the *CAPPS Manual* Section 20335 State Travel Regulations:

1. Administrators and Faculty are not eligible to claim the overtime meal allowance, and
2. The number of hours in overtime status during a normal workday is amended to five or more hours to qualify for the overtime meal allowance.

Questions concerning this policy should be directed to the Business Manager.

3.7 CRIMINAL HISTORY & DRIVER'S RECORD INVESTIGATIONS FOR NEW HIRES

I. PURPOSE

In order to protect its interests and the well being of its students, staff, faculty, and the public, it is the policy of Mountain Empire Community College to conduct criminal conviction and/or driver's record checks on candidates selected for certain positions.

II. POLICY

Conviction checks will be initiated for the selected candidate PRIOR to the official job offer for the following situations:

1. individuals who will be employed in positions identified as security-sensitive, and
2. individuals identified through the employment process as having potentially job-related convictions.

Driver's record checks will be conducted for individuals selected for positions that require the possession of a valid motor vehicle operator's license. The provisions of this policy also apply to wage positions that are subject to operating college vehicles.

The determination of either a job-related conviction or falsified conviction information on the application may result in denial of college employment. In making the determination of job-relatedness, consideration will be given to frequency and severity of the crimes and the age of the individual at the time the crimes were committed. The offer of a security-sensitive position ***is conditional upon the candidate's successful completion of the conviction checks***. Whenever an offer is made in writing, this conditional statement shall be included.

Any information related to convictions will be maintained in the strictest confidence possible. Only essential personnel involved in the hiring process should be informed, on a need-to-know basis. The Human Resource Manager will administer the gathering of this information.

INDIVIDUALS EMPLOYED IN SENSITIVE POSITIONS: Positions identified as security sensitive in nature include the following:

- Positions that have access to material levels of cash or negotiable securities.
- Positions that have significant responsibility for the execution or approval of financial transactions.
- Positions that have responsibility for creating, collecting, or accounting for material levels of accounts receivables.
- Positions that have significant inventory control responsibilities, including the receipt and release of inventory.
- Positions with authority for committing the financial resources of the college
- Positions with access to, or responsibility for the college's payroll/personnel and/or purchasing systems.
- Positions that have unsupervised access to college, employee, or student property.
- Positions in the Security Department that have responsibility for the care, safety, and security of people, personal or college property.
- Positions in the Information Technology Department that have access to sensitive data or critical data processing systems.

INDIVIDUALS IDENTIFIED AS POTENTIALLY HAVING JOB-RELATED CONVICTIONS: A conviction check may also be conducted for individuals who have disclosed potentially job-related convictions on the state application or during the interview, or who have been reported as potentially having job-related convictions by previous employers during the course of employment verification or reference checks.

FALSIFICATION OF JOB APPLICATION: The state application for employment used by the college requires an applicant to describe any convictions of a law violation(s), including moving traffic violations or juvenile offenses committed after the fourteenth birthday. The application form includes the following statement certified by the applicant's signature:

I hereby certify that all entries on both sides and attachments are true and complete, and I agree and understand that any falsification of information herein, regardless of time of discovery, may cause forfeiture on my part to any employment in the service of the Commonwealth of Virginia. I understand that all information on this application is subject to verification and I consent to criminal history background checks. I also consent to references and former employers and educational institutions listed being contacted regarding this application. I further authorize the Commonwealth to rely upon and use, as it sees fit, any information received from such contacts. Information contained on this application may be disseminated to other agencies, nongovernmental organizations or systems on a need-to-know basis for good cause shown as determined by the agency head or designee.

It is acceptable and appropriate to inquire about convictions, but not arrests, during the interview process. Supervisors should review the conviction statements on the employ-

ment application of interviewed candidates and should inquire about potentially job-related convictions during the interview. Any information about job-related convictions or falsification of information should be communicated to the Human Resource Manager for further investigation and appropriate action.

Individuals who do not disclose all required convictions on the application may be denied employment for falsification of the application. Convictions determined to be unrelated to the job during the employment process will not be used to influence the selection decision.

III. PROCEDURES

A. Identification of Security-Sensitive Positions

The agency has designated the following departments with security-sensitive positions:

- Business Office – all positions
- Financial Aid – all positions
- Human Resources – all positions
- Information Technology – all positions
- Physical Plant – all positions
- Security – all positions

The Human Resource Manager will initiate the background checks on candidates being considered for positions in these areas.

B. Communication of Policy

A statement indicating this requirement will be attached to each application and sent to the supervisor prior to interviews. The provisions of the conviction check policy will be communicated to applicants and employees using the following methods:

1. Applicant release and disclosure form
2. Departmental employment interviews
3. Employment offer letters

The Human Resource Manager will be available to discuss the provisions and procedures of the policy with supervisors, employees and applicants, as needed.

C. Initiating the Conviction Check

- For positions requiring the conviction check, the selected candidate must sign an authorization form for release of this information to the Human Resource Office. The supervisor will present this form to each candidate interviewed for a position. The candidate recommended for selection will be subject to the

conviction check. The release form will be forwarded to the Human Resource Manager who will order the check to be completed.

- In the event the selected candidate's conviction check is such that a job offer will not be made, the Human Resource Manager will then conduct a check on the next candidate determined by the supervisor, appropriate dean, and president to be the one to receive a job offer.
- The Human Resource Manager orders the initial background check from the state police using the SP-167 request form. If the Human Resource Manager determines that a more extensive check should be completed, it will be ordered.
- The Human Resource Manager will notify the employing supervisor and the appropriate dean of the job-related results of the conviction check.

D. Determination of Job-Related Convictions

Only criminal convictions will be considered in determining an applicant's suitability for employment. Detention and/or arrest without conviction do not constitute valid grounds for employment decisions and cannot play a part in the decision-making process. The Human Resource Manager will review the conviction records on each candidate for whom an order has been issued to determine job-relatedness. If a job-related conviction is identified, the determination to deny employment to the selected candidate will be made by the Human Resource Manager, in consultation with the employing supervisor, the appropriate dean, and legal counsel, if necessary. Applicants will be provided with a copy of the background report in situations of adverse hiring decisions.