

# WEST VIRGINIA DEPARTMENT OF ADMINISTRATION

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## *Employee Handbook*



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## West Virginia Department of Administration

# EMPLOYEE HANDBOOK

The West Virginia Legislature created the West Virginia Department of Administration (the “Department”) in 1989 as one of seven departments in the Executive Branch of state government. The Cabinet Secretary is the head of the Department and is appointed by the Governor.

The Department provides services in many diverse areas, including financial management, budgeting, purchasing, grounds maintenance, real estate, personnel, information management, computer network systems support, and travel. View the [Department organizational chart online](#).

The West Virginia Department of Administration strives to operate a cost-efficient, customer service oriented department by providing innovative solutions and quality results.

Department employees are encouraged to read this handbook and to use it as a guide. Employees are expected to be familiar with this handbook, and comply with the standards and expectations it lays out.

The Department welcomes any comments or suggestions regarding this handbook. The contact for this handbook is below:

Department of Administration  
Director of Communications  
State Capitol Complex  
1900 Kanawha Blvd., Room E119  
Charleston, West Virginia 25305

# INTRODUCTION and DISCLAIMER

The *Department of Administration Employee Handbook* is designed to provide a general overview of many of the policies, rules, laws, and benefits applicable to Department employees.

The policies, rules, laws, and benefits described in this handbook may not apply to all employees. To determine which policies, rules, laws, and benefits specifically apply to you, it is important that you know your employment category. If you are unsure about your employment category, see Employment Categories in [Section 2: Employment](#) or check with your supervisor or other designated authority in your agency.

This handbook cannot provide an answer for each question or a solution for each situation that arises. This handbook may change from time to time without prior notice.

Employees are always welcome to contact the Division of Personnel (DOP) at (304) 558-3950 for assistance with specific questions.

This handbook references various websites for your convenience. These websites should be updated more frequently than the handbook, and should contain the most up-to-date information. However, in the event that either this handbook or a website referenced herein provides incorrect information, neither can supersede the most current and applicable laws or rules.

This handbook is not a legal document, contract of employment nor does it confer any benefit.

# **SECTION 1: EMPLOYEE INFORMATION**

## **A: AGENCY DRESS CODES**

By accepting employment with the State of West Virginia, you have accepted the responsibility to represent your agency in an appropriate and professional manner. Dress code standards may vary among agencies depending on organizational needs and requirements. Specific questions about the style of personal attire, required safety equipment, and similar matters in your agency should be directed to your immediate supervisor.

The DOP issued a policy on dress codes, which provides guidance to agencies in developing dress standards. See [Section 9: Policies and Bulletins](#) for more information. Check with your supervisor to see if your agency has a specific written dress code.

Department employees who are provided uniforms as part of their employment are required to wear them while on duty.

## **B: CONFIDENTIALITY**

During the course of your employment you will receive, access, and handle information that must be treated as confidential. In all cases, you must follow the policies and procedures established for handling confidential information. When in doubt, ask your immediate supervisor or check with your agency's privacy officer.

All employees of the Department must sign a Confidentiality Agreement once employment begins.

## **C: ALCOHOL AND DRUGS PROHIBITED IN THE WORKPLACE**

The State of West Virginia is a drug and alcohol free workplace. The use, possession, purchase, manufacture, distribution, dispensing, sale of, illegal drugs and alcohol in the workplace is prohibited.

You are required to review the DOP's [Drug- and Alcohol-Free Workplace policy](#) (DOP-P2) and sign the included Employee Acknowledgement Form indicating your receipt of the policy and understanding of its contents and requirements once employment begins.

## **D: FIRE/EMERGENCY EVACUATION**

You are responsible for knowing your work site's plan for evacuation in case of a fire or other emergency. The evacuation procedures for your work site should be posted, and each building

should have a coordinator for emergency situations. Please become familiar with your assigned emergency evacuation route.

Check with your supervisor if you have any questions or feel you need special assistance in the event of an emergency evacuation.

Should an emergency occur, call 9-1-1. If your workplace is in the Capitol Complex, call the Division of Protective Services at (304) 558-9911.

## **E: HEALTH AND SAFETY**

### ***Policy Statement***

Maintaining a safe facility, conducting work in a safe manner, and protecting the safety of employees and the general public are extremely important to the Department of Administration. You have a responsibility to take safety precautions to protect yourself, your coworkers, and the public from unnecessary hazards to health and safety. If you observe an unsafe act or situation, or are injured, notify your supervisor immediately. Please refer to [Section 4: Monetary Issues](#) of this handbook relating to [Workers' Compensation](#) for further information.

If you suffer an injury at work, you and your supervisor must complete a [First Report of Injury - Employee Physician Claim Form](#) and submit it to your agency Benefits Coordinator. If your agency does not have a Benefits Coordinator, submit the form directly to the Department's Payroll Office. Obtain the form from your supervisor, your agency Benefits Coordinator or the Department's Payroll Office.

### ***Duties and Responsibilities***

#### **Employees**

All employees should conduct themselves in a manner that allows for a safe and healthful working environment. Each employee must:

- Comply with the rules and policies set forth in this manual applicable to personal actions and conduct.
- Operate all equipment and vehicles in a safe manner and refrain from removing, displacing, or damaging any safety device installed on equipment or property.
- Notify your supervisor of unsafe conditions or possible violations of the policy.
- Report all accidents according to the proper procedures set forth in this manual and as established by your agency.



## Supervisory Personnel

Each supervisor has a responsibility to ensure that work is performed in a manner that promotes employee safety and keeps losses at a minimum. Each supervisor must:

- Assume responsibility for safe and healthful working areas for all employees while they are under the supervisor's jurisdiction.
- Ensure that all management policies pertaining to safety and loss control are fully implemented for maximum efficiency of each job.
- Take the initiative in recommending correction of deficiencies noted in facilities, work procedures, employee job knowledge, or attitudes that adversely affect health and safety.

## **F: MAIL SYSTEM USE**

Personal use of the State's mail delivery system for matters not related to State business is strictly prohibited.

## **G: TELEPHONE USE/VOICEMAIL**

The West Virginia Office of Technology under the Department of Administration coordinates various forms of telephone service for Department agencies. The telephone systems for both local service and the State's long distance service are to be used to conduct official State business.

Keep personal calls during work to a minimum.

Furthermore, employees working during their normal business hours should have a standard message that, at a minimum, contains their name, title, and agency. Additional language requesting that the caller leave a brief message and return phone number is also acceptable. Any other voice message during normal business hours, including references to the type or location of work being performed, is not appropriate and should be removed. Voice messages should be returned within one business day (i.e. 24 hours) or as soon as an employee's work schedule permits.

When an employee is "on the clock" and available, phone calls should be answered. In these cases, it is not acceptable to allow a phone call to roll to voicemail.

## **H: COMPUTER USE**

Employees of the Department should have no expectation of privacy while using state-owned data and communication systems. Computers and the contents of their systems are the property of the State. The State monitors and collects data from all state-owned devices.

The transmission of obscene, profane, harassing, or intimidating material or messages is prohibited, as is the use of the State's communication systems in violation of any policy, rule, or law. Misuse of email and/or Internet access will result in disciplinary action up to and including dismissal.

The West Virginia Office of Technology maintains several policies relating to computer use. Review these policies on [WVOT's site](#).

## **I: EMAIL OUT-OF-OFFICE REPLIES**

Email out-of-office replies should not be used when an employee is working during his or her normal business hours unless they are in training or will not have access to email due to mitigating circumstances. In all other cases during normal working hours, out-of-office replies are not appropriate and should not be used. An out-of-office reply is appropriate when an employee is on scheduled leave. Employees should respond to all emails received during the out-of-office period within one business day (i.e. 24 hours) upon their return or as soon as their work schedule permits.

## **J: MAINTENANCE OF STATE PROPERTY AND WORK AREAS**

Use of state property only in the course of conducting State business. Please make every effort to keep the equipment you use clean and in good working condition, and observe all necessary safety precautions. If your equipment fails to function properly, tell your supervisor or the person designated to handle such problems in your agency.

## **K: SMOKING PROHIBITED IN THE WORKPLACE**

The DOP's [Smoking Restrictions in the Workplace policy](#) (DOP-P1) permits smoking and vaping only in specifically-designated outdoor areas. Smoking and vaping is prohibited in all State offices and facilities, including State-owned/leased vehicles. This policy applies to all employees, non-employees, and visitors.

To view the policy, see [Section 9: Policies and Bulletins](#). You may also contact your Agency Human Resources Coordinator or the Department Human Resources Coordinator if you have questions.

## **L: THEFT**

Theft by employees will not be tolerated. The Department is not responsible for stolen property. Report any suspected theft to your supervisor so that appropriate measures may be taken to

investigate and attempt to recover stolen items, prevent future theft, and report the theft to the appropriate law enforcement authorities.

## **M: TRAVEL POLICY FOR STATE BUSINESS**

When planning travel for State business, you must follow travel regulations. Do not assume that travel costs will be reimbursed. The [State Travel Policy](#) is published by the State Travel Management Office within the Purchasing Division. This policy outlines the conditions for which a travel cost will be reimbursed as well as the rules, regulations, and forms associated with travel for State business.

The Purchasing Division posts the [current state mileage reimbursement](#) rate.

## **SECTION 2: EMPLOYMENT**

### **A: EMPLOYMENT CATEGORIES**

Generally, employees of the State fall into one of the following categories: Classified, Classified-Exempt, Exempt, and Temporary.

Whether you are a classified or classified-exempt employee, your official job title is based upon a written classification or job specification. Classification specifications include the job title, characteristics of the job classification, examples of duties, and minimum qualifications of required training and/or experience.

Positions that are similar in terms of general duties, responsibilities, and qualifications are grouped together in the same classification. The job specification is not intended to be a comprehensive list of each responsibility associated with your position. Rather, it should reflect the primary functions of the position you hold. Visit the [DOP's Job Specification's page](#) for more information.

### ***Classified Employment***

Individuals in the classified service are employees in positions that are covered by the merit system (civil service) standards for employment. These standards provide for a system of personnel administration based on merit principles and scientific methods governing employment, classification, compensation, discipline, and welfare of employees in all aspects of personnel administration, including protection of employees against coercion for partisan political purposes, and separation of permanent classified employees for cause or curtailment of work or funds. These standards are enforced by the [DOP's Administrative Rule](#).

Generally, classified employment begins when an individual is selected for a position from a competitive list, or register, of eligible candidates for a vacancy in the classified service. Employees hired into classified service must satisfactorily complete a probationary work period before being granted permanent status.

### ***Classified-Exempt Employment***

Classified-exempt employees serve in positions classified by the DOP and are not subject to merit system standards. The DOP establishes the positions classification based on job duties. Employees in classified-exempt positions serve at the will and pleasure of their employers and can be dismissed with or without cause.

The DOP's *Administrative Rule* applies to classified-exempt employees. This includes employees in the exempt agencies of the Aviation Division, Board of Risk and Insurance Management, Consolidated Public Retirement Board, Ethics Commission, Office of Equal Opportunity, Prosecuting Attorneys Institute, Public Employees Grievance Board, and Public Defender Services.

## ***Exempt Employment***

Exempt employees are specifically exempted from the classified service by statute or statutory authority and the DOP does not determine the classification of the position. West Virginia Code §29-6-4, contains a list of exempt positions and/or offices as well as descriptions of categories of exemptions. Such employees are considered “at-will.”

## ***Temporary Employment***

Temporary employees serve in a limited-term temporary capacity and are exempt from classified service. Employees in this category do not receive pay for holiday observance and are not eligible to earn sick or annual leave. These employees are also not eligible to participate in the state’s insurance program or Public Employees Retirement System (PERS) retirement programs.

Those who regularly work at least 20 hours a week may be eligible for health insurance benefits through the Affordable Care Act (ACA), Health Insurance Marketplace or Public Employees Insurance Agency (PEIA). More information regarding eligibility can be found by visiting the ACA Marketplace website at [Healthcare.gov](https://www.healthcare.gov) or by calling the PEIA, FBMC Service Center at (844) 559-8248.

Employees accepting a temporary appointment of more than two years will be automatically enrolled in the WV Retirement Plus, 457 Deferred Compensation Plan. Participation is voluntary, and any temporary employee who chooses not to participate in the 457 Deferred Compensation Plan must decline automatic enrollment on the Participation Agreement form.

All temporary employees are exempt employees. Temporary employment may be terminated at any time with or without cause.

## **B: EMPLOYEE PERSONNEL FILES**

You may view and copy information contained in your personnel file by contacting the Department’s Payroll Office at (304) 558-6181 to schedule an appointment. Under no circumstances can personnel files be removed from the Payroll Office. You may forward copies of any certificates, special awards, letters of commendation, or other similar items to the Payroll Office for inclusion in your file.

The Payroll Office within the Finance Division maintains a personnel file for all Department of Administration employees, which documents each employee’s date of hire, pay grade, job classification, and other general employment information. The DOP electronically maintains records pertaining to transactions processed in the wvOASIS enterprise resource planning system.

Agency files contain more detailed information about an employee's job history and performance, such as employee evaluations, letters of appreciation or commendation, records of educational or professional development, and records of leave use.

Both files are available for your review upon request. To view your agency file, see your supervisor or the individual responsible for maintaining employee files at your agency. To arrange a review of the file maintained by the DOP, please call (304) 558-3950.

## **C: HOURS OF WORK**

Employees are generally scheduled to work an eight-hour workday with a half-hour paid meal period. Your work hours depend on the functions of your agency and your job responsibilities and could vary from the schedules of other employees in your agency or other state agencies. While employees generally have established schedules of work hours, it may be necessary for the agency to alter those schedules to effectively carry out the responsibilities of the agency. Information about the specific schedule for your position is available from your supervisor.

Teleworking is allowed at the discretion of the agency's director when the employee's job duties are conducive to and the arrangement is advantageous to both the agency and the employee. The availability of teleworking may be discontinued at any time at the discretion of the Employer. Every effort will be made to provide two weeks' notice of such a change. However, instances might arise when no notice is possible.

Check with your agency's director to determine if your agency has a telework policy.

## **D: JOB POSTINGS**

Vacancies for classified positions within the DOP merit system must be posted for a minimum of 10 calendar days. A job posting includes the job title, a description of job duties, minimum qualifications, salary level or range, location, and work shift.

The [DOP updates job postings on its website](#) on a regular basis. However, the website does not fulfill the requirement for the agency to post the position.

## **E: OTHER EMPLOYMENT AND CERTAIN VOLUNTEER ACTIVITIES**

It is important that there be no conflict between your state job and any secondary employment or volunteer activities outside of the Department. Generally, you can hold other employment and participate in volunteer activities as long as it does not interfere with your State employment.

However, you must request and obtain approval for any secondary employment or volunteer activity prior to beginning the activity.

The DOP's [Other Employment and Certain Volunteer Activities policy](#) (DOP-P21) contains the form that employees wishing to participate in secondary/other employment or certain volunteer activities must complete. To view the policy, see [Section 9: Policies and Bulletins](#).

Consequently, other employment or volunteer activities that would result in a conflict of interest or interfere with your State employment will not be approved. If at any time your primary State employer determines the other employment or volunteer activity constitutes a conflict, you may be asked to immediately terminate the other employment or volunteer activity.

Holding paid elective public office while employed in a classified position is prohibited.

## **F: PERFORMANCE APPRAISALS**

The Department uses the DOP Employee Performance Appraisal and Evaluation System (EPAES) authorized by the DOP. In accordance with the DOP [Employee Performance Appraisal and Evaluation Management policy](#) (DOP-17), at the conclusion of each formal rating period, supervisors and employees must meet individually to discuss duties, expectations, and whether the employee has exceeded, met, or failed to meet established performance standards and expectations. Please refer to the policy for performance rating period timeframes and policy compliance requirements.

## **G: PERSONAL INFORMATION CHANGES**

If any of your personal information changes, such as name, address, telephone number, marital status, or number of dependents, report the information to your Payroll Coordinator as soon as possible. Promptly reporting these changes keeps your personnel file current and prevents delays in processing important tax and benefit information.

It is important to report all changes in beneficiaries for retirement and insurance purposes. Department employees should contact their agency Benefits Coordinator to report any changes. If your agency does not have a Benefits Coordinator, contact the Department's Payroll Office at (304) 558-6181/[doahrcoordinator@wv.gov](mailto:doahrcoordinator@wv.gov) to report changes or request forms or additional information.

## **H: PROBATIONARY PERIOD**

The probationary period is part of the hiring process for the classified service. During the probationary period, your supervisor will observe your work on a daily basis, help you learn new duties and responsibilities, and determine how well you are suited for a particular job.

Depending upon the job classifications, probationary periods for classified employees usually last six months. Your supervisor will look closely at your progress during this period. If your work progress is satisfactory and the decision is made to continue your employment, you will be given permanent status at the end of the probationary period.

## **I: PROMOTIONS**

Opportunities for promotion provide a way for you to move to a job classification with more complex duties, responsibilities and greater pay. You must apply for classified positions or vacancies to be considered for promotion. The job classification plan for the Department consists of several major occupational groups. You are encouraged to consider the whole occupational group to which your knowledge and skills belong as a source of career development opportunities.

Employment counselors are available at the Staffing Services section of the DOP at (304) 414-1852 to answer any questions you may have about minimum qualifications and testing required for a particular position.

## **J: RESIGNATION, LAYOFF AND RECALL, AND TRANSFER**

You should give your supervisor at least a two-week written notice of resignation. The written notice will become part of your personnel file. It should include the reason for your resignation and your anticipated last day of work, as well as the method you have chosen for payment of any accrued annual leave. You can verify the options for payment of unused annual leave by contacting the Department's Payroll Office at (304) 558-6181/[doahrcoordinator@wv.gov](mailto:doahrcoordinator@wv.gov).

Former permanent classified employees who have been laid off and meet minimum qualifications will be given hiring preference over all other applicants except present employees when vacancies are filled for 12 months following the layoff. For more detailed information on layoffs, please see [Layoff - Understanding Your Rights, An Employees Guide to Layoff](#) on the DOP website.

As a permanent employee, you may be eligible for transfer from a classified position in one agency to a classified position in another agency. In this case, a written two-week notice to the agency you are leaving is also appropriate.



For specific information concerning your benefits after separation, see your agency Benefits Coordinator or contact the Public Employees Insurance Agency (PEIA) at (304) 558-7850 or the Consolidated Public Retirement Board (CPRB) at (304) 558-3570.

## **K: TENURE**

Tenure, or service used to qualify tenure, is the length of employment used to determine your eligibility for a variety of benefits including: annual leave accrual rate, annual increment pay, and service credit for retirement benefits. The calculation of length of employment is different for various benefits.

Generally, credit toward tenure will not be earned if you are on leave of absence without pay. During military leave or subsidized educational leave, or while receiving workers' compensation benefits, your tenure may accumulate for certain benefits. Check with your Payroll Coordinator if you have questions.

Tenure, either as an employee of the State or within the agency, may also be considered in your agency for such factors as shift assignment, overtime rotation, parking assignment, and vacation scheduling.

The Department does not have an overall policy for the use of tenure in making decisions for matters such as those stated above; however, each division/agency may have its own established policy for making such decisions.

## **SECTION 3: TRAINING OPPORTUNITIES**

### **A: DIVISION OF PERSONNEL TRAINING**

The DOP's Organization and Human Resource Development (OHRD) Section offers a variety of professional development training. This section provides innovative training programs,

development strategies and consulting services to State government agencies. Visit [OHRD](#) for additional information.

Department managers must meet the requirements of the DOP [Supervisor/Manager Training Program policy](#) (DOP-P18). The first component of the Supervisor/Manager training program should be completed within 12 months of being appointed to a supervisor/manager position. To view the policy, see [Section 9: Policies and Bulletins](#).

## **B: OFFICE OF TECHNOLOGY TRAINING**

The Technology Learning Center (TLC) is a unit within the West Virginia Office of Technology that is responsible for supporting State agencies in their information technology training needs. Classes are offered for WVOT supported software packages. The TLC also provides custom training for state agencies as well as maintenance of the statewide enterprise Learning Management System (LMS). Visit [WVOT's website](#) for more information.

## **C: PURCHASING DIVISION TRAINING**

The Purchasing Division offers a variety of training opportunities for agency procurement officers. Various topics are addressed as part of this comprehensive training program, which includes in-person workshops, online training modules, webinars, and an annual purchasing conference. For additional information, visit the [Purchasing Division's Training Center](#).

## **D: PRIVACY TRAINING**

The West Virginia Office of Technology has created several online training courses which are mandatory for all Department employees. The courses assist employees in understanding the importance of safeguarding data, particularly that of individuals which is deemed confidential by law and policy and the precautions needed to keep the State network secure and protected. For more information, contact the [Privacy Officer for your agency](#) or the Department's Privacy Officer in the Cabinet Secretary's Office.

## **E: SECURITY TRAINING**

The DOP [Workplace Security policy](#) (DOP-P15) outlines security measures in effect for state government workplaces and at the Capitol Complex. The policy applies to all individuals, including employees, visitors, vendors, and the general public. It provides general advice and guidance to employees faced with threatening or dangerous workplace situations. In addition, this policy defines and prohibits the possession, by an unauthorized individual, of any firearm or

dangerous/deadly weapon or the exhibition of threatening or assaultive behavior in any public-owned or leased building or work site. To view the policy, see [Section 9: Policies and Bulletins](#).

## **SECTION 4: COMPENSATION**

### **A: ANNUAL INCREMENT**

After three full years of employment, eligible employees receive an annual increment of \$60 for each full year of service as of June 30<sup>th</sup>. The annual increment is paid in a lump sum in a separate payment usually at the end of each July. Deductions include State and Federal taxes, Social Security (FICA) and Medicare taxes, and State retirement contributions.

## **B: PAY GRADES**

Generally, jobs having similar levels of complexity and responsibility are assigned to the same pay grade within the classified service. Each job classification has an established pay grade with a salary range that specifies a minimum or entry salary and a maximum salary. Employees in the same job classification are paid within the salary range for a particular pay grade unless they are being paid above the maximum due to many years of service.

Salaries for positions in a job classification must be within the established pay grade. Your initial salary is determined when you are hired. It is based on the position's assigned job classification and pay grade. Funds available for the position, the prevailing rate for similar jobs in the agency, and your education and experience may also be taken into consideration.

To view the pay grades within the classified service, visit [DOP's website](#).

## **C: OVERTIME**

Overtime may be required by the employer when it is deemed necessary to the public interest. It must be authorized and approved in advance by proper authority. Employees in executive, administrative, and professional positions are generally exempt from the overtime provisions under the federal Fair Labor Standards Act (FLSA). Employers are required to pay overtime wages to eligible employees at a rate of time and one half their regular rate of pay for time worked beyond 40 hours in a workweek.

Sick and/or annual leave requested in the same workweek in which additional hours are worked shall be reduced and credited back to the employee's accrued balances to reduce or avoid payment for hours in excess of the agency work schedule.

Department employees must obtain prior approval from their supervisors to work overtime. Supervisors will then report all overtime to the division/agency directors. Overtime will be reflected on the employee's timecard in the state's timekeeping system and processed/paid accordingly. An appointing authority or his/her designated representative may require an employee to work in excess of the prescribed working hours or on a holiday when the work is considered by the employer to be necessary.

The Department work week begins at 12:01 A.M. on Saturday and ends at midnight on Friday. Procedures for authorizing and reporting overtime may vary among agencies.

Any questions concerning the calculation of overtime should be referred to the Department's Payroll Office.

## **D: DIRECT DEPOSIT**

Direct deposit of your paycheck to your savings or checking account is available. Employees are encouraged to participate in direct deposit. You may sign up for direct deposit by completing a [Payroll Direct Deposit Form](#).

Once completed, the form should be returned to the Payroll Office. For more information contact the Department's Payroll Office at (304) 558-6181.

Any individual that does not have a checking or savings account may be approved for a refillable pay card through the State Auditor's Office.

## **E: PAY PERIODS AND PAYDAYS**

Employees are paid every other Friday. The work week begins on Saturday. All state employees are paid in arrears. The Department's Payroll Coordinator can answer any questions you may have about your agency's pay periods and paydays.

DOP provides an [official calendar of holidays, paydays, and helpful calculators](#) to assist you.

## **F: PAYROLL DEDUCTIONS**

Four mandatory deductions are made each payday: Federal withholding tax, State withholding tax, FICA (combined Social Security and Medicare) tax, and your State retirement contribution. The amount of federal and state withholding tax is dependent upon your salary, filing status and the number of exemptions you claim on your W-4 federal withholding form and your IT-104 state withholding form.

FICA is withheld for each employee at the rate established by federal law. FICA wages include the employee's gross salary minus pre-taxed insurance (PEIA medical, life insurance up to \$40,000, and mountaineer flexible benefits). Federal law establishes the maximum annual salary from which Social Security tax can be withheld. The following deductions are made upon authorization by the employee: Insurance premiums (basic health, optional life, and dependent life), credit union, combined campaign contributions for charitable organizations, employee association dues, contributions to a flexible spending account, parking fee, and other non-State insurance or annuity payments. These payroll deductions are made only upon your authorization. For more information, see your Payroll Coordinator.

Department employees should contact their agency Benefits Coordinator to discuss questions on deductions. If your agency does not have a Benefits Coordinator, you may directly contact the Department's Payroll Office at (304) 558-6181.

## **G: STATE CREDIT UNION**

The West Virginia State Credit Union is a member-owned financial cooperative serving eligible employees, retirees and members of their immediate families. To join the State Credit Union, an initial membership fee of \$2 plus a \$5 deposit to a savings account is required. All deposits in the State Credit Union are insured up to \$250,000 by the National Credit Union Administration, an agency of the Federal Government. The State Credit Union also offers many other financial services, including checking accounts, Christmas/vacation clubs, and loans.

You may sign up for membership by calling the State Credit Union. For more information about the financial services available to you, call the State Credit Union at (304) 558-0566, or visit 2200 Washington St., E. in Charleston.

If you would like to set up or change your direct deposit into the State Credit Union, please submit your completed [State Credit Unions Payroll Deduction Form](#) and all supporting documentation to your Payroll Clerk.

## **H: SALARY INCREASES**

Salary increases may be accomplished in multiple ways. A Salary Adjustment is a change resulting from a revision of the pay plan, promotion to a class to a different compensation range, a pay differential, temporary classification upgrade, or a general across-the-board wage increase mandated by the Legislature or the Governor. A Salary Advancement is a discretionary increase in compensation granted in recognition of the quality of job performance. Permanent classified employees may receive salary advancements of no more than 10% in any 12-month period. Decisions regarding how and when to grant merit increases are usually made by each agency head, commissioner, or cabinet secretary.

A promotion is a change of an employee from a position in one class to a vacant position in another class at a higher pay grade and with an increased level of duties and/or responsibilities.

The DOP's [Pay Plan Policy](#) (DOP-P12) allows for increases for a variety of defined reasons. To view the policy, see [Section 9: Policies and Bulletins](#).

# SECTION 5: EMPLOYMENT CONDUCT AND REMEDIES

## A: DISCIPLINARY PROCEDURES

State employees are expected to maintain high standards of job performance, ethical behavior, and professionalism. Standards are located here: [Department of Administration Employee Conduct Expectations](#). When employees do not perform at an acceptable standard or when their conduct is an interference, embarrassment, or detriment to the operation of an agency, supervisors are responsible for correcting the behavior.

Corrective action may include verbal or written reprimands, suspension without pay, demotion, or dismissal. Each case is judged on its own merits, according to the principles of progressive discipline and related penalties for like offenses.

Employees who are covered by the Public Employees Grievance Procedure may grieve any disciplinary action. See the Grievance Procedure section below.

## B: LOBBYING ACTIVITIES

Before engaging in any lobbying activities, you should contact the [West Virginia Ethics Commission](#) for guidance. Be aware that paid or unpaid lobbying may require permission from your employer under the secondary employment policy.

## C: POLITICAL ACTIVITIES

You are encouraged to exercise your right to register and vote. State employees may be limited or prohibited from engaging in some political activities. Please see [DOP's guidance document](#) for more information.

For clarification or additional information concerning political activities of State employees, contact the Department's Human Resources Coordinator, call DOP's Employee Relations Section at (304) 558-3950, or visit DOP's [online resource page](#).

## D: WORKPLACE HARASSMENT

The DOP's [Prohibited Workplace Harassment policy](#) (DOP-P6) prescribes a work environment where illegal harassment based on sex (with or without sexual conduct), race, color, religion, national origin, ancestry, age, disability, and protected activity (i.e., opposition to prohibited discrimination or participation in the complaint process) or status explicitly defined as protected

under applicable State and Federal law as well as nondiscriminatory hostile workplace harassment does not occur. To view the policy, see [Section 9: Policies and Bulletins](#).

This policy applies to all independent contractors, volunteers, and employees of the State of West Virginia, including executive, administrative, classified, non-classified, exempt, and temporary employees, and employees of county health departments affiliated with the DOP. It is important to discuss concerns or issues with your supervisor or agency's Equal Employment Opportunity Counselor about possible harassment in your workplace.

## **E: SOLICITATIONS**

No solicitation for profit will be permitted in a working area of a State facility. Charitable solicitations (such as the sale of Girl Scout Cookies) may be permitted if it is appropriate and non-obtrusive. Supervisors may not solicit sales of any kind from their subordinates. Permission from your supervisor or the Cabinet Secretary of the Department is required before any solicitations may occur.

## **F: WHISTLE-BLOWER PROTECTION**

The DOP provides guidance to employers and employees of the State of West Virginia on the application and interpretation of the [Whistle-Blower Law](#). This law prohibits discrimination or retaliatory actions against a full- or part-time public employee or any person acting on behalf of or under the direction of a public employee who reports or is about to report an action or suspected violation of State, local, or Federal law. The law also protects those who participate in any hearing, investigation, legislative inquiry, or court action.

## **G: EMPLOYEE REFERRAL PROGRAM**

The [Employee Referral Program](#) provides employees with the opportunity to obtain assistance for a variety of personal challenges which may affect their continued functioning as productive employees of the West Virginia State government or society as a whole.

## **H: GRIEVANCE PROCEDURE**

Our employees are a valuable part of the Department team. If problems arise concerning working conditions or any aspect of your employment, discuss it first with your supervisor. If you feel uncomfortable discussing the issue with your supervisor, please contact the Department's Human Resources Coordinator or the EEO Coordinator, as appropriate.



The Department is dedicated to resolving problems at the lowest possible administrative level. Employees or supervisors are encouraged to contact the Department's Human Resources Coordinator in an attempt to settle work-related problems prior to the filing of a formal grievance or in the earliest stages of a grievance filing.

The grievance procedure provides employees with an opportunity to have their problems or complaints considered fairly and without fear of reprisal. The West Virginia Public Employees Grievance Board provides information and required forms on its website. For more information and to view the forms, visit the [Board's website](#).

## **I: EQUAL EMPLOYMENT OPPORTUNITY**

The Department is committed to recruiting and selecting the best-qualified applicants, regardless of sex, race, color, age, religion, national origin, disability or other non-merit factor. This commitment applies to every office, facility, work site, and program within the Department. All employees of the Department are encouraged to foster the spirit of equal opportunity with fellow workers and the public.

Further, the Department's administrators, managers, and supervisors are expected to support these goals and to actively assist in assuring equal employment opportunity exists throughout the Department and to assist in affirmative action efforts as needed.

Contact your Division's EEO Counselor to discuss any activity that they feel impedes the equal employment opportunity within the Department. The Counselor will assist you in resolving any EEO issues. If necessary, you may also contact the Cabinet Secretary's Office for the Department of Administration's EEO Coordinator.

The West Virginia Office of Equal Opportunity is available to state employees to assist in preventing and eliminating unlawful employment discrimination and to promote diversity in West Virginia State government.

## **SECTION 6: ATTENDANCE AND LEAVE**

### **A: ABSENCE REPORTING**

To request and report time off work, you should submit an Application for Leave Form to your supervisor or you may submit the request through the state's timekeeping system, depending upon your agency's procedures. This application is a standard form that most agencies use for reporting and documenting absences.

Absences from your job during your regular work hours, including scheduled medical appointments, must be approved in advance, except in cases of emergency. If you must be absent without advance approval due to personal or family illness, or other emergency situation, you must personally notify your supervisor according to the procedure established at your work site.

### **B: ATTENDANCE AND PUNCTUALITY**

Attendance and punctuality are vital to the mission of the Department and service to our customers. You are responsible for reporting to work on time and on a regular and dependable basis. Good attendance and punctuality are essential parts of your job performance and will be considered in your performance appraisal. A pattern of tardiness may result in placement of leave restriction and disciplinary action.

### **C: BREAKS**

The Department recognizes the need for employees to take occasional, brief breaks from their work during the course of a workday. Some work situations require a formally-structured break schedule while some do not. See your supervisor for specific information about breaks in your agency.

Regardless of your agency's break practices, break periods cannot be accumulated, cannot be used to shorten a workday, and cannot be used to extend a meal or break period.

### **D: EMERGENCY SITUATIONS/INCLEMENT WEATHER**

You may request annual leave for absences due to emergency situations or inclement weather conditions which would make traveling to and from work hazardous. Agencies are encouraged to grant annual leave in these situations.

If you must be absent from or late for work due to an emergency situation or inclement weather condition, contact your supervisor or their designee according to the procedure established in

your agency and in accordance with the DOP [Emergency Situations/Inclement Weather policy](#) (DOP-P4).

## **E: MEAL PERIODS**

Meal periods are usually one-half hour long and are generally scheduled at each agency's discretion. In some divisions and agencies, it is possible to arrange a one-hour lunch period provided the extra half-hour is made up during the same work week. Meal periods and break periods are paid; therefore, employees may be required to work and must be available during such a period. Employees required to work during the meal period will have the opportunity to eat while working. See your supervisor for more information.

## **F: ANNUAL LEAVE**

The State of West Virginia grants paid leave benefits to its employees. All full-time and part-time (working at least a 50% schedule), permanent, probationary, and provisional employees earn annual leave. Temporary employees do not earn annual leave. Check with your supervisor or other authority in your agency.

Paid annual leave is earned at a rate based upon length of service and employment category. The minimum accrual rate for full-time employees is 4.62 hours per pay period. Earned annual leave is credited to employees at the end of each pay period. There is a maximum allowable carry-over from year-to-year; therefore, some planning is needed to use annual leave to its fullest advantage.

Accrued annual leave may be used at those times that will not materially affect the agency's efficient operation for vacation or personal business, as your balance allows. Annual leave cannot be taken before it is earned. Saving your leave will assure it is available when you are ready to use it or when circumstances beyond your control make it necessary for you to be absent from work.

Annual leave cannot be accrued for hours not paid nor for hours worked beyond the normal workweek which shall not exceed 40 hours except for employees on unpaid leave who are receiving Workers' Compensation Benefits and those agencies with an authorized work period of more than the 40 hour standard workweek; however, neither shall exceed the allowable monthly rates.

### ***Basic rules about annual leave use***

For planned absences, you must get advance approval from your supervisor before using annual leave. Depending upon your agency's procedures, requests for leave may be made through the state's timekeeping system or by paper request form. Generally, you should request annual leave as far in advance as possible. Before taking any annual leave you have requested, be certain that it

has been approved. If you do not, you may be considered to be on unauthorized leave. Unauthorized leave will result in your pay being docked and your leave accruals prorated for the period you are absent without approval. Additional disciplinary action may also be taken.

Occasionally, employees have emergency situations which result in unplanned absences from work. In anticipation of such a situation, each employee should check with his or her supervisor to find out the appropriate method for advising the supervisor of the absence and requesting proper leave in accordance with agency policy or procedure.

Annual leave cannot be taken before it is earned. New employees or employees with low balances should monitor leave use closely. The Department recommends keeping a minimum balance of forty (40) hours of annual leave.

### ***Payment for accrued annual leave***

If you separate from employment, you may be paid for your annual leave balance in bi-weekly payments or in a lump sum payment. When you retire, you may be eligible to apply either all or some of your leave balance toward extended insurance coverage or to credited service in the retirement system. See your agency's Human Resources Coordinator to discuss your payout options. Your accumulated leave may be transferred if you transfer to another state agency.

### ***Annual leave accrual and carry forward rates***

Full-time employees earn and carry forward annual leave at the rates outlined in the chart below. If you are unsure about your annual leave accrual rate, please see your supervisor or agency's Human Resources Coordinator.

The per pay annual accrual rate is noted below:

<b>Length of Service</b>	<b>Accrual Rate</b>	<b>Carry Forward Amount</b>
0-5 years	4.62 hours	30 days
5-10 years	5.55 hours	30 days
10-15 years	6.47 hours	35 days
Greater than 15 years	7.40 hours	40 days

## **G: SICK LEAVE**

Full-time and part-time, permanent, probationary, and provisional employees are eligible to earn sick leave. Temporary-exempt employees do not earn sick leave.

Full-time employees are eligible to earn paid sick leave at a rate of 18 days per year or hours equal to 5.53 each pay period. Part-time employees earn sick leave on a pro-rata basis. Earned sick leave is credited to employees at the end of each pay period and may be used after it is credited. Sick

leave cannot be taken before it is earned. Sick leave cannot be accrued for hours not paid or worked beyond the normal 40 hour workweek. Sick leave accrued at agencies with an authorized work period of more than the standard work week may accrue for hours beyond 40 but shall not exceed the rate of 1.5 days per month.

There is no limit to the amount of sick leave you can accumulate and carry forward from year to year. Sick leave is a benefit and its use is restricted to clearly defined circumstances. Briefly, these circumstances include:

- Personal illness or injury that prevents an employee from performing the duties of his or her job.
- Death in the immediate family. Immediate family is defined as: parents, children, siblings, spouse, parents-in-law, children-in-law, grandparents, grandchildren, stepparents, step-siblings, stepchildren, foster children, individuals in loco parentis relationships, and individuals in a legal guardianship relationship.
- Routine medical/dental appointments. Employees may use sick leave for the actual time spent for the appointment as well as a reasonable amount of travel time.
- Exposure to contagious disease as determined and verified by a physician. The disease must be of such a nature that an employee's presence at work will endanger the health of others.
- Illness or routine medical/dental appointments for a member of the immediate family. Employees may use up to a maximum of 80 hours in a calendar year to provide care to an immediate family member who is incapacitated due to illness or injury or to accompany an immediate family member to routine healthcare appointments. Reasonable travel time in addition to the time for the routine appointments may also be charged to sick leave. Annual leave must be requested for family members not included in the above definition of "immediate family" after the 80 hours allowed sick leave has been used, or when travel time exceeds a reasonable amount of time.

### ***Requesting sick leave***

Requesting sick leave for scheduled appointments (doctor's appointments, lab tests, etc.) must be done in advance of the appointment and requires the approval of your supervisor. You may include in your sick leave request the actual time needed to travel to and from an appointment

### ***Unscheduled sick leave***

You should personally report any unscheduled absence due to illness or injury to your supervisor in accordance with the procedure established in your agency. Immediately upon returning to work

from an unscheduled absence (sick or annual), you are required to complete an application for leave form or the leave form appropriate for your agency. If you are absent due to illness or injury for more than three consecutive workdays, you are required to furnish a physician's statement on the prescribed form immediately upon returning to work. If you do not, your absence will be considered unauthorized leave and your pay will be docked for the entire absence.

### ***Sick leave use/responsibilities***

Sick leave with pay is a benefit for you to use only under the circumstances listed previously. For any other circumstances, during which you must be absent from work, you must request annual leave or one of the other types of leave described on the following pages. Any use of sick leave lasting longer than three consecutive days must be supported by the DOP prescribed [physician/practitioner's statement \(DOP-L3\)](#).

### ***Sick Leave Misuse***

When an employee appears to have a pattern or incident of leave use that is inconsistent with the reasons provided in subsection [14.4.f of 143 C.S.R. 1](#), a manager/supervisor may request appropriate substantiation of the employee's claim for leave. This may include verification of an illness of less than three consecutive scheduled work days or scheduled shifts. Misuse of leave may include, but is not limited to, frequent use of sick leave rendering the employee's services undependable, requesting sick leave for days when annual leave was previously denied, and requesting unplanned leave in connection with scheduled days off. The manager/supervisor must give the employee prior written notice of the requirement for appropriate substantiation.

Questionable or excessive absenteeism can be costly to employers in the form of lost productivity, increased administrative burdens, and lowered employee morale. It may also necessitate work reassignment, cause service delivery delays, increase overtime costs, and reduce the quality and quantity of services provided.

Misuse of leave may be determined when unsupported sick leave hours are equal to or greater than five percent (5.0%) of the time available for work in a given six or twelve-month period. This figure is calculated by dividing the total number of unsupported sick leave hours taken by the time available for work during the given period and multiplying that figure by 100 (i.e. Unsupported Sick Leave/Time Available for Work = \_\_\_\_x 100 = \_\_\_\_%).

### ***Additional information about sick leave***

If you exhaust all your sick leave or family sick leave, you may request to use annual leave for the absence. When a classified employee transfers or otherwise changes employment from one classified agency to another classified agency in the DOP merit system, all accrued and unused sick

leave will be transferred with that employee. If the employee transfers to an exempt agency, the receiving agency may agree to accept their sick leave but are under no obligation to do so.

If you are laid off and later recalled, all sick leave is restored. If you resign, your accumulated sick leave is canceled and no additional sick leave is earned or paid after your last day physically worked. However, if you return to work within 12 months of your separation, all canceled sick leave will be restored. If you return after 12 months, no more than 30 days of your sick leave can be restored.

## **H: COURT, JURY, AND HEARING LEAVE**

If you are employed in a permanent position, you will receive regular compensation if you must serve as a juror or comply with a subpoena or other direction by proper authority to appear as a witness during your regular work hours. This jury leave must be requested in advance with a copy of the subpoena or order, otherwise, your absence will not be properly authorized.

This paid leave does not apply if you or a member of your immediate family is plaintiff, defendant or other interested party, or has a personal, vested, or financial interest in the case or proceeding. Temporary-employees may be released to serve as jurors or witnesses, but will not be paid for such absences or when the hours spent in compliance to a subpoena to serve on a jury or appear as a witness are outside the scheduled workday. Employees subpoenaed by proper authority who are not eligible for court, jury or hearing leave shall be granted sufficient annual leave or leave without pay to fulfill the order.

When you are released from service prior to the end of the workday, and there is more than one hour remaining in your scheduled workday after allowing for reasonable return travel time, you must return to work or request approval for annual leave.

## **I: MILITARY LEAVE**

### ***Military leave with pay***

Officers and employees of the State, county, or municipal government hired for permanent employment who are members of the National Guard or of any of the reserve components of the armed forces of the federal government are eligible for two separate types of paid military leave.

The first type gives reservists up to 30 workdays (not to exceed 240 hours) of paid military leave annually to be used for drills, parades, or other active service of the State held during their regular work hours. The second type provides 30 days of paid leave each time members are called or ordered by the properly designated federal authority into active duty.

A copy of your official military orders signed by your commanding officer will be necessary to properly authorize paid military leave. During this leave, you will receive your normal salary and will continue to earn annual and sick leave. Paid military leave will be applied to your tenure and will not result in any loss of status or affect your performance rating.

### ***Military leave without pay***

If you enter the U.S. Armed Services, National Guard, or Reserves, during times of war, national emergency, draft, or voluntary enlistment, you will be granted a leave of absence without pay for the duration of your active duty. Before using this leave, you may choose to use your annual leave, but you are not required to do so.

Time spent in such active military service will be applied to your tenure; however, you will not earn sick or annual leave while on unpaid military leave. Military leave will be credited to your retirement service according to retirement regulations when you present your DD-214 form.

Any qualifying employee who is reinstated to state or classified employment shall be granted all within-range salary adjustments and may be granted salary advancements he or she would have received had he or she remained in active status in the classified service. He or she shall be credited with all annual and sick leave accumulated and unused at the time the military leave began subject to the maximum carry-forward rates (see 12.6.c of the [DOP Administrative Rule](#)).

## **J: PARENTAL/FAMILY LEAVE**

Both the state Parental Leave Act (PLA) and federal Family and Medical Leave Act (FMLA) provide up to 12 weeks of job-protected, unpaid parental/family leave during a twelve-month period for eligible employees. If unpaid leave qualifies under both FMLA and PLA, and/or the *Administrative Rule*, the leave entitlement under each shall exhaust concurrently. The provisions of parental/family leave are numerous and complex, and employees are entitled to the greater benefit or more generous rights provided under the different parts of each law. Consequently, requests for parental/family leave should be evaluated on a case-by-case basis. If you anticipate needing this type of leave, please consult with your agency's Human Resources (HR) Coordinator. If your agency does not have an HR contact, email [doahrcoordinator@wv.gov](mailto:doahrcoordinator@wv.gov).

## **K: LEAVES OF ABSENCE WITHOUT PAY**

### ***Personal Leave of Absence without Pay***

A personal leave of absence without pay must be requested in writing as far in advance as possible. The request must be for a specific period of time (normally not to exceed one year). Approval of



the request is at the discretion of your agency's director. If you request this type of leave, be sure to talk to your agency's Human Resources Coordinator about paying your insurance premiums.

### ***Medical Leave of Absence without Pay***

Upon written application, an ill or injured permanent classified employee may be eligible for a medical leave of absence without pay for a maximum of six months in a 12-month period. The employee, unless injured on the job, must make the request no later than 15 days from the day on which he or she exhausts all sick and annual leave and must provide a completed physician's certification on the prescribed form. The request must be made for a specific period of time. If your doctor releases you, you may return to work before your medical leave of absence expires, or you may request an extension if your doctor determines it is necessary.

Due to the specific rules and procedures involved in a medical leave of absence without pay, employees may contact the DOP Employee Relations Section at (304) 558-3905 at the first indication that such leave may be necessary.

## **L: LEAVE DONATION PROGRAM**

The [Leave Donation Program](#) allows employees to voluntarily donate accrued annual leave to a designated employee who is suffering a medical emergency. The medical emergency must require the employee to be off work a minimum of 10 consecutive, full workdays after all the employee's available paid leave is used. The medical emergency can be a medical condition of the employee or a member of the employee's immediate family.

To be considered for leave donations, employees must apply using a specific form available from the Payroll or Benefits Coordinator. A medical practitioner must certify the employee's need for the absence and specify when the employee will be able to return to work. Once the employee is determined to be eligible to receive donated leave, the agency director or appointing authority will notify employees in the agency. This notification may also be shared with other agencies, at the director's discretion.

Leave donations must be made during the time the employee is eligible (i.e. they cannot be made after the employee returns to work or separates from employment). To donate leave, an employee must retain a balance of eighty (80) hours of total leave after making the donation. Leave is donated at the dollar value of the donating employee's hourly rate. For example, if an employee making \$8.00 an hour donates 80 hours of annual leave, the leave is worth \$640 of paid leave. Questions may be directed to your agency's Human Resources Coordinator. If your agency does not have an HR contact, email [doahrcoordinator@wv.gov](mailto:doahrcoordinator@wv.gov).

## M: HOLIDAYS

All full-time classified employees are eligible for paid time off for holidays. The eligibility of classified-exempt employees is determined by the employing agency. Part-time employees are eligible for paid time off for holidays in proportion to their full-time equivalent or FTE. Temporary employees and other limited-term employees do not receive paid time off for holidays.

Generally, the following official holidays are observed:

New Year's Day.....	1 <sup>st</sup> Day of January
Martin Luther King Jr.'s Birthday.....	3 <sup>rd</sup> Monday of January
Presidents' Day.....	3 <sup>rd</sup> Monday of February
Memorial Day.....	Last Monday in May
West Virginia Day.....	20 <sup>th</sup> Day of June
Independence Day.....	4 <sup>th</sup> Day of July
Labor Day.....	1 <sup>st</sup> Monday of September
Columbus Day.....	2 <sup>nd</sup> Monday of October
Veterans Day.....	11 <sup>th</sup> Day of November
Thanksgiving Day.....	4 <sup>th</sup> Thursday of November
Day after Thanksgiving Day.....	4 <sup>th</sup> Friday of November
Christmas Day.....	25 <sup>th</sup> Day of December
Primary Election Day.....	When a State-wide primary election is held
General Election Day.....	When a State-wide general election is held

Any other date designated by proper authority.

When a holiday occurs on Saturday, it is observed on the preceding Friday. Holidays occurring on Sunday are observed on the following Monday. When Christmas or New Year's Day occurs on Tuesday, Wednesday, Thursday, or Friday, the last half of the day before the holiday will also be observed as a holiday. An election held on a Saturday is not an official holiday.

Some worksites, such as hospitals and correctional facilities, operate under different schedules. If you are eligible for paid holidays and your worksite's staffing requirements make it necessary for you to work on a holiday, or if a holiday falls on your regularly scheduled day off, you will be given another day off at a later date as close as possible but not prior to the official holiday observance date. In the alternative, an employee may agree to be paid for the holiday rather than observing it at a later date. With the prior approval of your supervisor, you may use annual leave or a personal leave of absence to observe religious holidays. The total amount of paid time off for holidays shall not exceed eight hours per full day holiday or four hours per one half-day holiday.

## **SECTION 7: INSURANCE AND RETIREMENT**

### **A: GENERAL INSURANCE INFORMATION**

Enrollment in a benefit plan offered through the Public Employees Insurance Agency (PEIA) is open to the Department's full-time employees (who regularly work at least 20 hours per week or 1,040 hours per year) and eligible retirees. The PEIA Preferred Provider Benefit Plans and the authorized Managed Care Plans offer hospital, surgical, prescription drug, and other medical benefit coverage. Premiums are based on your salary, tobacco-use status, and the type of coverage you choose. Basic life insurance for the employee is included with all health care coverage at no extra cost to you. Even if you do not wish to participate in the health plan, you may enroll in the basic life insurance plan. Additionally, you may enroll in optional life insurance plans which enable you to purchase additional coverage.

Life insurance for your dependent(s) is also available. New employees may sign up for insurance during the initial enrollment period, which is the month of hire, and the two following calendar months. If you do not elect benefits at this time, you may not enroll for health coverage until the following Open Enrollment period, unless you experience a qualifying event that would allow enrollment. If you wish to enroll for life insurance after the initial enrollment period, you must furnish Evidence of Insurability which must be approved by the life insurance carrier.

Insurance coverage for new employees is effective on the first day of the month following the date of enrollment. Insurance cards for new employees and replacement cards are issued by UMR and are mailed to your home. Call UMR at 1(888) 440-7342 for information regarding your insurance card.

Changes affecting your insurance policy, such as marriage, divorce, death, and adding or removing dependents or beneficiaries must be promptly reported through the Benefits Coordinator in your agency or to the PEIA. You may also report these changes online at [www.wvpeia.com](http://www.wvpeia.com). Just click on the green "Manage My Benefits" button at the top of the page and register. If you have any questions about what type of coverage is best for you or about specific programs, consult your agency Benefits Coordinator or call PEIA's customer service unit at 1-888-680-7342..

### ***Continuation of insurance upon separation***

If you voluntarily resign from employment, your insurance coverage will be in effect for the remainder of the month in which you are taken off the payroll. If you leave employment involuntarily, (e.g. dismissal, layoff), you may elect to continue your insurance coverage for three additional months. Employees who are discharged for misconduct may continue coverage for three months while pursuing administrative appeal. If the discharge for misconduct is upheld, the employee must reimburse the employer for the full cost (both the employer and employee share) of the extended coverage.

Under the Federal COBRA law, under certain circumstances you may elect to continue your health coverage longer. For more information, see your PEIA Summary Plan Description on the [PEIA website](#).

### ***Flexible benefits***

Mountaineer Flexible Benefits is a “cafeteria plan” which offers additional optional benefits. This plan is available to all active employees and retirees.

You may choose from among several options for dental, vision, hearing, and short- and long-term disability insurance, as well as medical care and dependent care flexible spending accounts, and pay for these benefits on a pre-tax basis. A Legal Plan is also available as a post-tax benefit option.

Open Enrollment for Mountaineer Flexible Benefits is held each spring. The current information about these benefits and associated premiums is available online at [peia.wv.gov](http://peia.wv.gov) and included in the enrollment materials mailed prior to the annual Open Enrollment.

If you have questions about Mountaineer Flexible Benefits, contact Fringe Benefits Management Company at (844) 559-8248.

You will find complete information about eligibility and enrollment, as well as the available health and life benefits in the PEIA Summary Plan Description. Your Benefit Coordinator will provide you with a copy when you enroll for coverage, or you can find a copy online at [www.wvpeia.com](http://www.wvpeia.com).

## **B: GENERAL RETIREMENT INFORMATION**

All permanent employees of State agencies who are employed full-time (position which normally requires twelve months per calendar year service and at least 1,040 hours per calendar year) are required to participate in the Public Employees Retirement System (PERS). The PERS is funded by employee contributions, employer contributions and investment earnings.

For employees hired prior to July 1, 2015 (Tier 1), the employee contribution is 4.5% of gross salary. For employees who first become a member of PERS on or after July 1, 2015 (Tier 2), the

employee contribution rate is 6.0% of the gross salary. As of July 1, 2023, employers contribute at a rate of 9.0 % of the gross salary. All current employee and employer contributions made to the PERS are tax deferred.

Your retirement benefits are determined by your length of service, your final average salary, and the annuity option you choose. Your final average salary is the average of the highest 36 consecutive months out of the last 15 years of contributing service for Tier 1 members, and the average of the highest 60 consecutive months out of the last 15 years of contributing service for Tier 2 members.

Specific information on retirement plans administered by the Consolidated Public Retirement Board (CPRB) is available by calling the CPRB at (304) 558-3570 or toll-free within West Virginia at (800) 654-4406. You may also find important information on the [CPRB website](#).

Department employees should contact their agency's Human Resources Coordinator to report any beneficiary or personal information changes. If your agency does not have a Benefits Coordinator, you may report your changes directly to the Department's Payroll Office by calling (304) 558-3482 for forms and information. All CPRB forms will then be forwarded to CPRB.

## **C: DEFERRED COMPENSATION PLAN**

The West Virginia Retirement Plus 457(b) Deferred Compensation Plan is a supplemental retirement plan designed to provide an extra savings alternative for public employees. Administered by the State Treasurer's Office, the 457 Plan is similar to 401k plans available to private sector employees. Public employees can save via convenient payroll deduction and choose from a variety of investment options.

The 457 Plan is designed to supplement your state pension and Social Security when you retire. Employee contributions lower both state and federal income taxes. Additionally, there are federal income tax credits for those in certain income brackets. Participants are essentially deferring a portion of their salary until retirement and may contribute up to the IRS maximum for each calendar year. The 457 Plan allows taxes on plan contributions to be deferred until such time as they are used. The funds you contribute to the plan are not included on your W-2 forms as taxable income.

New State hires are automatically enrolled in the 457 Plan unless they "opt out" within 30 days of employment. Tenured employees can also enroll in the 457 Plan since it is a key component of the State's benefits package.

Visit the [West Virginia Retirement Plus site](#) to enroll or learn more.

## **D: UNEMPLOYMENT COMPENSATION**

If you are laid off, or lose your job under certain circumstances, you may be eligible to receive unemployment compensation benefits. If you need additional information, call your local unemployment office or the Unemployment Compensation Division of Workforce West Virginia (304) 558-2619.

## **E: WORKERS' COMPENSATION**

If you sustain a work-related injury or illness, you are entitled to file a Workers' Compensation claim. Workers' Compensation is a type of insurance that provides partial replacement of lost wages and pays medical expenses related to occupational injury or disease.

To qualify for compensation, the injury or illness must have occurred in the course of and as a result of employment. You must notify your supervisor immediately if you sustain a work-related injury or illness, and either you or your supervisor should complete the Incident Form located on the Department intranet site and forward it to the Department's Payroll Office.

If you seek medical attention for an injury that occurs as a result of a work-related accident, you must file a workers' compensation claim.

Employees are not charged sick leave on the initial day of injury when they leave work to seek treatment.

To apply for benefits, you and your physician must complete separate parts of a report of occupational injury. The form is available from your employer or your medical provider. Your employer will also provide information to the Workers' Compensation provider.

The Workers' Compensation provider will notify you of the decision on your claim. As a public employee, you cannot receive Workers' Compensation disability benefits and paid sick leave benefits at the same time.

Employees must elect their benefits when missing work for a compensable injury. This election is based on the DOP's [Workers' Compensation/Sick Leave policy](#) (DOP-P7). See [Section 9: Policies and Bulletins](#) for more information.

You should give the completed Election of Option to the Department's Payroll Office within three days of your injury.

Employees may elect to:

- Receive Temporary Total Disability (TTD) Temporary Total Rehabilitation (TTR), or Temporary Partial Rehabilitation/Disability (TPR) Benefits.

- Use sick leave for the absence. It is important to note that, if an injury is more serious than originally anticipated, electing this option could lead to the exhaustion of large quantities of sick and annual leave.
- Use sick leave, and annual leave upon exhaustion of sick leave, until TTD, TTR, or TPR benefits are received from the Insurance provider and then buy back the sick leave from the agency. TTD/TTR benefits are equal to 70% of the employee's pay not to exceed the average weekly wage in West Virginia. The employee's claims manager at the insurance provider can advise the employee how much his or her TTD/TTR benefit will be. This option keeps a paycheck coming in until insurance payments can begin. Employees using this option must also sign the Assignment of Future Wages Agreement that is included as part of the DOP policy.
- Receive TTD, TTR and not to receive sick leave until the TTD/TTR benefits are received. The employee is removed from the payroll and his or her Department pay check stops.

An employee electing to receive TTD, TTR, or TPR benefits must apply for a leave of absence without pay in accordance with the provisions of subsection 14.8 of the DOP's *Administrative Rule* (143CSR1). While on a leave of absence without pay, employees must pay their health and other insurance premiums if they wish to maintain them. Employees must send a check to the Payroll Office. This check is to be made payable to PEIA (for health insurance premiums). For other types of insurance the check will be made payable to the specific insurance carrier. Payment for any given month is due by the 1st of the following month.

During a leave of absence for TTD/TTR the employee continues to accrue annual leave but does not accrue sick leave. Sick leave shall be prorated during periods an employee is receiving TPR in accordance with subdivision 14.8.c of the DOP's *Administrative Rule*. Prorated leave is computed in proportion to normal hours worked and/or hours of paid sick and/or annual leave during the pay period. Sick leave cannot be accrued for hours not paid.

For additional information regarding on-the-job injury claims, please call the Department's Payroll Office.



## SECTION 8: RESOURCES

Emergency	
<i>Resource</i>	<i>Phone Number</i>
Capitol Dispensary	(304) 558-3663
Ambulance	911
Building Emergency Services	(304) 558-2317
After Work Hours	(304) 558-5715
Division of Protective Services/Capitol Police	(304) 558-9911
After 5 p.m./Weekends/Holidays (Capitol Command)	(304) 558-5715
State Police	(304) 746-2100
Fire Department	911
Police Department	911
Homeland Security and Emergency Management	(304) 558-5380

General Information	
<i>Resource</i>	<i>Phone Number</i>
Cabinet Secretary's Office / Dept. of Administration	(304) 558-4331
Office of Equal Opportunity	(304) 558-0400
State Credit Union	(304) 558-0566
Office of Technology Service Desk	(304) 558-9966

Payroll Office	(304) 558-6181
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<b>Department of Administration Agencies</b>	
<b><i>Resource</i></b>	<b><i>Phone Number</i></b>
Aviation	(304) 558-0403
Board of Risk and Insurance Management	(304) 766-2646
Consolidated Public Retirement Board	(304) 558-3570
Ethics Commission	(304) 558-0664
Finance Division	(304) 558-6181
Fleet Management	(304) 558-2106
General Services Division	(304) 558-2317
Public Employees Grievance Board	(304) 558-3361
Office of Technology	(304) 558-5472
Division of Personnel	(304) 558-3950
Prosecuting Attorney's Institute	(304) 558-3348
Public Defender Services	(304) 558-3905
Public Employees Insurance Agency	(304) 558-7850
Purchasing Division	(304) 558-2306
Real Estate Division	(304) 558-3062

**Click the links below to access more information:**

[State agency and individual employee contact information](#)

[State agency and employee directory](#)

## SECTION 9: DOP POLICIES AND BULLETINS

This section covers DOP policies and interpretive bulletins relating to a variety of work issues and outlines the rights and responsibilities of employers and employees. The policies and bulletins generally apply to employees of the Executive branch, unless they are specifically exempted. Some also apply to employees in the Legislative and Judicial branches as well as employees of Constitutional offices.

Most agencies maintain a complete set of policies and bulletins at each work site in a central location that is easily and openly accessible to all employees.

To view all current policies and bulletins visit [DOP's website](#).

<i><b>Links to Policies</b></i>	
<a href="#"><u><b>Agency Dress Codes</b></u></a>	
<a href="#"><u><b>Annual Increment</b></u></a>	
	<a href="#"><i><u>Annual Increment Pro-Rata Calculator</u></i></a>
	<a href="#"><i><u>Guidance Material</u></i></a>
<a href="#"><u><b>Drug- and Alcohol-Free Workplace</b></u></a>	
	<a href="#"><i><u>Medical Cannabis FAQ</u></i></a>
	<a href="#"><i><u>Poster</u></i></a>
<a href="#"><u><b>Education Expense Reimbursement/Leave (EERL) Program</b></u></a>	
	<a href="#"><i><u>Department of Administration EERL Policy</u></i></a>
	<a href="#"><i><u>Application for Education Expense Reimbursement</u></i></a>
	<a href="#"><i><u>Request for Education Expense Reimbursement Payment</u></i></a>
	<a href="#"><i><u>Application for Subsidized Education Leave</u></i></a>

<a href="#"><u>Education Reimbursement Agreement</u></a>
<a href="#"><u>Emergency Situations/Inclement Weather (ES/IW)</u></a>
<a href="#"><u>FAQ</u></a>
<a href="#"><u>ES/IW Learning Blast</u></a>
<a href="#"><u>Employee Performance Appraisal</u></a>
<a href="#"><u>Resources Page</u></a>
<a href="#"><u>Employment References</u></a>
<a href="#"><u>Forms</u></a>
<a href="#"><u>Family and Medical Leave/Parental Leave Act</u></a>
<a href="#"><u>Forms</u></a>
<a href="#"><u>Pay Plan Policy</u></a>
<a href="#"><u>Summary of Amendments</u></a>
<a href="#"><u>Forms/Other Information</u></a>
<a href="#"><u>Posting of Job Openings</u></a>
<a href="#"><u>Prohibited Workplace Harassment</u></a>
<a href="#"><u>Alternative Poster for Appendix B</u></a>
<a href="#"><u>Other Employment and Certain Volunteer Activities</u></a>
<a href="#"><u>Request Form/Instructions</u></a>
<a href="#"><u>Settlement Agreements/Back Wages</u></a>
<a href="#"><u>Severance Pay</u></a>
<a href="#"><u>Smoking Restrictions in the Workplace</u></a>
<a href="#"><u>Posters</u></a>
<a href="#"><u>Supervisor/Manager Training Program</u></a>
<a href="#"><u>More Information</u></a>

<a href="#"><u>Temporary Classification Upgrades</u></a>
<a href="#"><u>Temporary Transition</u></a>
<a href="#"><u>Witness/Jury Service</u></a>
<a href="#"><u>Workers' Compensation/Sick Leave</u></a>
<a href="#"><u>Workplace Security</u></a>
<a href="#"><u>Poster</u></a>

<i>Links to Interpretive Bulletins</i>
<a href="#"><u>Fair Labor Standards Act</u></a>
<a href="#"><u>Additional FLSA Information</u></a>
<a href="#"><u>Whistle-blower Law</u></a>
<a href="#"><u>Poster</u></a>

For more information about the policies and bulletins, ask your supervisor or contact the DOP at (304) 558-3950.



# **WV Department of Administration Employee Handbook**

## ***Acknowledgement of Receipt***

By signing below, I certify that I have received and reviewed the WV Department of Administration Employee Handbook.

I understand that I am obligated to adhere to the guidelines established and outlined within the WV Department of Administration Employee Handbook.

I understand that violation of the guidelines, policies and procedures may subject me to disciplinary action up to and including termination of my employment.

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Employee Printed Name

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Date

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Employee Signature