

ADMINISTRATIVE REGULATION

Effective Date: September 14, 1993 Administrative Regulation 1-26

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Approved By: William H. Ashton II

Subject: **Employee Status Changes**

I. Purpose

The purpose of this Administrative Regulation is to define the types of employee status changes that can occur and to provide guidelines for fair and equitable administration of such changes. With all employee status changes, all employees will be paid within their established pay scale.

II. Promotions - General

When employees move from one position to another position which has a higher salary range, they are considered promoted. When a position vacancy occurs, an employee must apply for a promotion by completing an employment application and submitting it to the Department of Human Resources. To be eligible for promotion, an employee must not have undergone any formal disciplinary action in the 12 months prior to promotion.

The employee's pay rate will be at the minimum rate in the new grade. In the case of the employee's current salary overlapping the new grade, the employee will be placed in the new grade at that rate which will allow for a five percent increase per grade, not to exceed a 15 percent increase, or the maximum of the new grade.

All promoted employees will serve a 12-month probationary period in the new position.

III. Career Development Program for Herndon Police Department - Appointments/Promotions/Demotions

General Order 411 documents the career development program and General Order 408 documents promotions for the Herndon Police Department. This section of this administrative regulation serves to outline the pay practices associated with the Herndon Police Department (HPD) Career Development Program (CDP), promotions and demotions. HPD is responsible for tracking and notifying human resources of timing for appointments under the CDP program and promotions.

An increase in rank and position will result in the employee being placed in the new position, at a rate which will allow for a five percent increase over the current salary for each rank or position, not to exceed the maximum rate of pay assigned to the new rank.

All CDP appointments are based on criteria set forth in the applicable General Order.

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Effective with a demotion, each decrease in rank or position will result in a five percent pay reduction on base pay per rank occupied. Requests for voluntary demotions will not serve a 12-month probationary period.

IV. Demotions - General

When employees move from one position to another position that has a lower salary range, they are considered demoted. The pay rate will be reduced by five percent per grade. The employee will be placed in the new pay grade at a rate that accomplishes this reduction, but not below the minimum of the new grade.

Demoted employees are required to serve a probationary period of 12 months. Requests for voluntary demotions will not serve a 12-month probationary period.

An employee may be demoted for any of the following reasons:

- A. When an employee would otherwise be laid off because the position is being abolished.
- B. When an employee willfully violates or fails to comply with the requirements imposed by the standards of conduct.
- C. When an employee is unable to perform the essential functions required of the position as determined by a fitness for duty examination.
- D. When an employee is not rendering satisfactory service in the current position.
- E. When an employee voluntarily requests such demotion and town operations can support the request.

V. Transfers

When employees change from one position to another position in the same grade, they are considered transferred. Transfers are voluntary. When a position vacancy occurs, an employee must apply for a transfer by completing an employment application and submitting it to the Department of Human Resources. An employee's pay rate does not change upon transfer. All transferred employees will serve a 12-month probationary period.

VI. Reassignments

The Town Manager may reassign an employee from any department, division, office or position to another department, division, office, or position of the town during emergencies or when such action is deemed by the Town Manager to be in the best interest of the town. This assignment may be temporary or permanent.

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Department heads for the good of their department and the town can reassign employees within their own department.

If applicable, the Director of Human Resources will review a request for pay change and make a recommendation to the Town Manager. The Town Manager will approve or deny the recommendation. There is not a renewed probationary requirement for employees who are reassigned by the Town Manager or the department head.

VII. Reclassifications

When the duties of a position have changed substantially the position may be considered for reclassification. Reclassifications are normally requested during the fiscal year budget process. There is not a renewed probationary requirement for employees who are reclassified.

- A. The department head must work with the Director of Human Resources on the proposed reclassification. The Director of Human Resources will review the request and make a grade and salary recommendation to the Town Manager. The Town Manager will approve or deny the recommendation.
- B. Upon upward reclassification of a position, an employee will receive a pay increase equal to five percent of the midpoint of the salary range for the new grade, not to exceed the maximum rate of pay for the new pay grade or move to the minimum of the new range, whichever is greater.

For example, if the midpoint of a new job classification is \$50,000, a reclassified employee will receive an increase of \$2,500, which is 5 percent of the midpoint.

Upon downward reclassification of a position, an employee will receive a pay reduction equivalent to five percent of the midpoint of the salary range for the new grade, but not below the minimum of the new grade. If the employee is earning a greater amount than the maximum rate for the new salary grade, the employee will incur a pay reduction to the top of scale of the new pay grade or five percent of the midpoint of the salary range for the new grade, whichever is greater.

VIII. Temporary Promotion Compensation

Temporary Promotion Compensation establishes a uniform, equitable manner to compensate individuals who temporarily fill a higher-level position. All regular status town employees who fill a vacancy in a higher-level position, under the following provisions:

- A. The employee is assigned by the Department Head, with the approval of the Director of Human Resources, to work in an acting capacity of a higher-grade position and assumes these additional responsibilities for at least thirty consecutive calendar days. This temporary appointment shall not be for more than six months in duration.

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- B. The rate of compensation for the temporary assignment will be determined on the same basis as would be used in a promotion to that pay grade.
- C. The starting date for the new pay rate will be the date on which the Director of Human Resources approves the temporary assignment. The approval may be retroactive, if applicable. This additional rate shall cease when the employee returns to his/her regular position.

IX. Temporary Increase of Essential Duties Compensation

In cases where a position vacancy of at least 14 consecutive calendar days occurs, where a staff member is required to take on substantially more essential functions of the vacant position, the department head may request a temporary pay adjustment of five percent by providing written support of the significant temporary need. Approval is determined by the Town Manager or director human resources. If approved, the pay increase may be retroactive to the first day of working the additional duties, if applicable. Temporary significant duties increase compensation will be applicable for the duration of the position vacancy or shorter as determined by the Department Head, Director of Human Resources or Town Manager and shall not exceed six (6) months. The vacant position may not be slated for abolition or reassignment.

X. Resignations/Retirements

Employees intending to leave town service voluntarily must notify their supervisor, department head, or Human Resources, in writing, to include their last date of employment. The town requests professional courtesy of a two-week notice.

Resigning/retiring employees may request an in-person meeting with the Director of Human Resources.

- A. Departing employees must turn in their town I.D. card, uniforms and any keys or equipment to their supervisor no later than the last day they physically work for the town.
- B. Last day of employment may not occur on a holiday unless the holiday is worked.
- C. Employees taking leave after resignation are required to follow the leave request process outlined in Administrative Regulation 1-25.

XI. Layoffs

An employee may be laid off when the position occupied is abolished due to adverse economic conditions, lack of sufficient work, reduction in town services, reorganization by and within town government or other reasons as deemed appropriate by the Town Manager. The Town Manager will determine whether a layoff will apply across town operations or only within a department. Prior to a lay-off, the employee will receive at least a 30-day notice. All lay-off notices will be in written form and approved by the Town Manager. Work and pay during the 30-day notice period may not be required.

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The Town of Herndon encourages a performance-based culture. The department head, unless otherwise directed by the Town Manager, will have the responsibility for identifying organizational sections for potential position layoff(s).

Positions will be selected for layoff based on the following criteria:

- A. Performance ratings – the last three years, or less in the case of an employee of less than three years.
- B. Disciplinary actions.
- C. Performance improvement plans.

In the case of employees receiving similar performance ratings, tenure will be the second factor considered.

Employees being laid off may be eligible for severance pay as may be authorized by Town Manager and will be paid for all compensatory time accrued and for any annual leave and sick leave in accordance with the town's policies on leave.

An employee in good standing who has been laid off will receive preferential consideration for re-employment in a position for which the employee qualifies for one year following the layoff.

XII. Dismissal / Separation

An employee may be dismissed for violating established policies, procedures, rules or accepted standards of personal conduct or job performance in accordance with Administrative Regulation 1-27, or other reasons consistent with state and federal law. Such reasons must be explained, and the dismissal action must be justified to the Town Manager. The Town Manager must approve such action before it becomes final.

- A. Dismissed employees will be paid through their date of separation. Eligible employees will be paid for all compensatory time accrued and for annual leave accrued in accordance with the town's policies on leave.
- B. Employees who are dismissed from town service will not be eligible for consideration for re-employment for three years.
- C. Dismissals may be appealed in the manner set out in the grievance procedure, if applicable.



William H. Ashton II
Town Manager