

YORK-POQUOSON SHERIFF'S OFFICE	RULES AND REGULATIONS
SUBJECT: Employee/Appointee Benefits	NUMBER: RR 1-19
EFFECTIVE DATE: January 10, 2020	REVIEW DATE: November 7, 2019
AMENDS/SUPERSEDES: RR 1-19, April 10, 2019	APPROVED:  Sheriff
VLEPSC STANDARDS: PER.03.01-.03.03	

1 **INDEX WORDS**

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- 12

13 **POLICY**

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15 The standards by which the Sheriff's Office operates can only be achieved if employees are

16 perceived as competent professionals. Maintaining performance standards depends on a fair and

17 equitable working environment in which the conditions of employment are made clear. To this

18 end, this policy outlines the conditions of work, particularly the benefits afforded by the County of

19 York. Sick leave and illness or injuries require special comment in view of the costs to both the

20 employee and the department. Whenever an employee becomes injured while on duty, the Sheriff's

21 Office shall make every effort to assist the employee in recovering.

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23 **PURPOSE**

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25 The purpose of this directive is to acquaint employees with the benefits of County employment, and

26 to establish procedures for dealing with on-duty injuries.

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28 **PROCEDURES**

- 29
- 30 • General
 - 31 ○ Employee Benefits for the York-Poquoson Sheriff's Office are contained in the [York](#)
 - 32 [County Personnel and Policies and Procedures Manual](#). Additional information is
 - 33 described below.
 - 34
 - 35 • Personnel Classification
 - 36 ○ Exempt Personnel
 - 37 ■ Sheriff's Office employees classified by York County as "Exempt" are not generally
 - 38 eligible for overtime compensation.

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- The Sheriff or his designee shall review the status of any employee in a light/modified duty work assignment every 30 days.
- Light/Modified duty work assignments shall not exceed 180 days.
 - ❖ The Sheriff or Chief Deputy may extend the 180 day light/modified duty assignment when the employee's treating physician or Sheriff's Office Occupational physician provides a return to full duty date.
- Employees in a light/modified duty status for 180 days with no specified return to work date shall be subject to the following:
 - ❖ A Fitness for duty examination by the Sheriff's Office Occupational physician or other medical professional determined by the Sheriff or his designee, at the Sheriff's Office expense.
 - ❖ Permanent reassignment to a regular position within the Sheriff's Office, within the restrictions imposed by the physician, if such position is available.
 - The Sheriff is not required to create a position to accommodate such employees.
 - ❖ Permanent reassignment to regular position within York County, within the restrictions imposed by the physician, if such position is available.
 - The County of York is not required to create a position to accommodate such employees.
 - ❖ Permanent reassignment to a regular position within the Sheriff's Office or York County shall be paid at the pay rate commensurate with the position and in accordance with the York County pay plan.
 - ❖ If permanent reassignment to a regular position within the Sheriff's Office or York County is not available the employee may be subject to administrative termination.
- Return to Work Program
 - Line of Duty Injuries or Occupational Disease
 - ❖ In order to establish a Return-to-Work program for all employees of the Sheriff's Office who suffer temporary disability from an on-the-job injury, illness, or occupational disease, the Sheriff will make every effort to offer a temporary light/modified duty position that takes into account the employee's existing skills as well as any physical capabilities and/or limitations as determined by their physician.
 - ❖ By providing a temporary light/modified job assignment, the Sheriff's Office will facilitate the rehabilitation of employees, prevent any unnecessary loss of work, reduce workers compensation insurance costs, and help maximize the continuity of all Sheriff's Office operations.
 - Off Duty Injuries or Illnesses

- 129 ❖ Employees suffering non line of duty (Off Duty) injuries or illnesses shall be
130 required to utilize accrued sick leave, annual leave, PTO or approved Family
131 Medical Leave (FMLA) prior to being considered for light/modified duty, if
132 no estimated return to full work date is available.
133 ➤ Once accrued sick leave, annual leave, PTO and/or approved FMLA is
134 exhausted, and no estimated return to work date is available, the Sheriff or
135 his designee, may authorize the employee to return to work, either with
136 the Sheriff's Office or another York County department or division in a
137 light/modified duty status in accordance with medical restrictions and the
138 provisions of this policy, if such positions are available.
139
- 140 ○ Employee Requirements
- 141 ▪ The employee's medical condition and restrictions shall be provided by the
142 treating physician.
 - 143 ▪ The employee shall provide a list of medications taken to treat the medical
144 condition.
 - 145 ❖ If the opinion of the treating physician is to release the employee to
146 light/modified duty, the Sheriff or his designee will determine if a valid
147 temporary light/modified duty assignment within the provided restrictions is
148 available.
 - 149 ➤ Determinations are based upon adherence to work limitations authorized
150 by the treating physician, maximum physical requirement of the job, work
151 schedule of the position, and expected duration of the assignment.
 - 152 ➤ If light/modified duty is not available the employee may either be assigned
153 to another County department, if a suitable position is available, or be
154 required to use any accrued sick leave, annual leave, approved FMLA or
155 Workers Compensation benefits available.
 - 156 ➤ Based on potential side effects of medications taken to treat the medical
157 condition, employees in a light/modified duty status may be precluded
158 from carrying a firearm or operating a Sheriff's Office or York County
159 vehicle.
 - 160
 - 161 ▪ With approval from the treating physician, report to work upon notification that a
162 light/modified duty assignment is available, as directed by the Sheriff or his
163 designee or assigned supervisor.
 - 164 ▪ Perform only those job functions that have been agreed to by the treating
165 physician.
 - 166 ▪ Adhere to therapies recommended by the treating physician.
 - 167 ▪ While on light/modified duty, the employee must follow all restrictions and report
168 any change in his or her physical capabilities.
 - 169 ▪ Report all concerns including pain, discomfort or if the treatment prescribed is not
170 working to their immediate supervisor and treating physician.
 - 171 ▪ It is the employee's responsibility to make his or her supervisor and the Sheriff or
172 his designee aware of any change due to physical limitations or by the physician's
173 request.

- 174 ▪ While in a light/modified duty status, employees are prohibited from working
175 extra duty assignments.
176
- 177 • Holidays
 - 178 ○ The County annually observes a number of paid holidays that are approved by the
179 County Board of Supervisors.
 - 180 ○ Non-sworn and sworn non-exempt employees, other than uniform patrol division
181 deputies, are granted the actual holiday off, or in the case of weekends, the designated
182 holiday off.
 - 183 ▪ Uniform patrol division deputies who are on their regular day off on an observed
184 holiday receive a holiday stipend payment, in lieu of the holiday, in accordance with
185 [York County Personnel Policy and Procedures](#).
 - 186 ▪ York County government observes Yorktown Day in lieu of Columbus Day as a
187 holiday.
 - 188 ▪ The Sheriff’s Office observes Columbus Day in lieu of Yorktown Day.
189
 - 190 • Salaries
 - 191 ○ Pay classifications and salaries are established by the York County Board of
192 Supervisors.
 - 193 ○ Pay classifications and salaries within and between each position and rank are
194 established by the York County Board of Supervisors in accordance with the York
195 County Classification and Pay Plan.
 - 196 ○ Salary scales for each position/rank is maintained by the York County Human Resource
197 office and available from the Sheriff’s Office Administrative Services Manager.
198
 - 199 • Specialized Skill Pay
 - 200 ○ The County of York does not currently offer salary differential pay for employees with
201 specialized skills.
202
 - 203 • Overtime - Regular
 - 204 ○ Overtime compensation, for sworn full time sheriff’s office personnel, will be paid at a
205 rate of one and one-half times the non-exempt employee's regular hourly wage beyond
206 80 hours worked in a 14 day period in accordance with Section [9.1-701](#), Code of
207 Virginia.
 - 208 ▪ For the purposes of calculating overtime compensation, annual leave and sick leave
209 taken count as hours worked.
210
 - 211 ○ Overtime compensation, for Sheriff’s Office civilian employees, will be paid at a rate of
212 time and one-half times the employee’s regular hourly wage for all hours worked over
213 40 hours in a 7 day period.
 - 214 ▪ Annual leave and sick leave taken does not count as hours worked toward
215 calculation of overtime compensation.
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 - 217 • Compensatory Time

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- Compensatory time for sworn and civilian employees may be granted in lieu of overtime pay at the discretion of the Sheriff or his designee and in accordance with the [York County Personnel Policy and Procedures manual](#).
 - Compensatory time shall be granted at a rate of time and one-half times of the actual overtime hours worked.
 - Generally compensatory time should, if at all possible, be used prior to the end of the fiscal year in which it was earned.
 - Generally compensatory time remaining at or near the end of the York County fiscal year will become paid compensation.
 - ❖ The York County administrator, at his discretion may authorized the carryover of compensatory time into the preceding fiscal year.
 - Holiday Premium Pay
 - Holiday premium pay in the amount of two times the employees hourly pay rate, is paid to non- exempt employees that are required to work the actual holiday.
 - Patrol deputies whose regular day off falls on a recognized holiday receives a pay stipend as specified in the [York County Personnel Policy and Procedure Manual](#).
 - Pay Raises
 - Pay raises and pay scale adjustments are at the sole discretion of the York County Board of Supervisors.
 - Final Compensation
 - Sheriff's Office employees, who leave York County service, in good standing are paid for accrued annual leave and sick leave up to the maximum allowed in accordance with York County Personnel Policy and Procedures.
 - Hours of Work
 - Uniform Patrol Division
 - Deputy Sheriffs assigned to the patrol division work assigned rotating shifts providing 24 hour law enforcement coverage as determined by the Patrol Division Commander in consultation with the Sheriff or his designee.
 - Investigations Division
 - Deputy Sheriffs assigned to the investigations division work hour assigned shifts Monday through Friday as determined by the Investigations Division Commander in consultation with the Sheriff or his designee.
 - Investigators shall rotate on a revolving on-call schedule, established by the Investigations Division Commander, which is kept on file in the Emergency Communications Center.
 - The investigations on-call schedule shall ensure investigative personnel are available during the following times:
 - ❖ Outside of normal working hours,
 - ❖ Weekends,
 - ❖ Holidays.

- 263 ➤ Investigators, while in an on-call status, shall receive on-call pay in
264 accordance with the [York County Personnel Policy and Procedures Manual](#),
265 at a rate approved by the County Administrator, for each hour in the on-call
266 status.
267
- 268 ○ Courthouse and Civil Process Division
 - 269 ▪ Deputy Sheriffs assigned to courthouse and civil process division shall work
270 assigned shifts Monday through Friday as determined by the Court/Civil Division
271 Commander in consultation with the Circuit Court Judge and the Sheriff or his
272 designee.
 - 273
 - 274 ○ Community Services Division
 - 275 ▪ Deputy Sheriffs assigned to the community services division shall work assigned
276 shifts as determined by the Community Services Division Commander, in consultation
277 with the Sheriff or his designee.
 - 278
 - 279 ○ Administrative Services Division
 - 280 ▪ Administrative services division deputies shall work an assigned shifts Monday
281 through Friday as determined by the Administrative Services Division Commander
282 in consultation with the Sheriff or his designee.
 - 283 ▪ Civilian employees assigned to the administrative services division shall work
284 assigned shifts Monday through Friday as determined by the Administrative
285 Services Manager in consultation with the Administrative Services Division
286 Commander and the Sheriff or his designee.
 - 287
 - 288 ● Retirement Program
 - 289 ○ The County is a member of the Virginia Retirement System (VRS) and employees are
290 entitled to retire pursuant to the rules established by VRS.
 - 291 ○ Sworn full-time deputies are eligible for unreduced retirement benefits at age 50 with 25
292 years of service, under LEOS.
 - 293 ○ All other full-time employees are eligible for unreduced retirement at age 55 with 30
294 years of service.
 - 295
 - 296 ● Health/Dental Insurance Program
 - 297 ○ Health and dental insurance is provided to eligible employees at a rate determined by
298 the County Board of Supervisors.
 - 299 ○ Actual benefits are determined by the contacted plan currently in effect.
 - 300
 - 301 ● Disability and death benefits
 - 302 ○ When an employee dies while in the service of the County, all compensation due is paid
303 to the legal representative of the employee's estate or any other properly designated
304 individual.
 - 305 ○ Assistance and benefit counseling is provided to survivors of the employee by the York
306 County Human Resources Manager.
 - 307 ○ Pay and benefits accrue to the last day of actual service provided to the County.

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- Liability Protection Program
 - See [RR 1-15, Liability Protection](#).

- Employee Educational Assistance Program
 - Employees may seek additional higher education to complement career goals.
 - Expenses incurred may be reimbursable.
 - See the [York County Personnel Policies and Procedures Manual](#).
 - Reimbursement forms may be obtained from the Administrative Assistant III.
 - Forms must be completed and signed by the employee and the Sheriff or his designee and forwarded to the York County Human Resources Department for consideration.

PROCEDURES – INJURIES

- General
 - Workers Compensation
 - All full-time employees are covered by Worker's Compensation benefits to the extent required by law.
 - Compensation is paid at the rate specified by the act and begins when the employee is out of work for more than seven (7) consecutive calendar days.
 - Auxiliary deputies are covered by a separate liability policy that covers injury received in the line of duty.
 - Employees who are injured while on duty shall at the first opportunity report the circumstances of the injury to their immediate supervisor.
 - ❖ The supervisor shall investigate and report the circumstances surrounding the incident using the appropriate forms found in the Human Resources folder on the County Information “I” Drive.

 - On-the-job injury
 - Employees are covered by Worker's Compensation for any injury sustained while properly performing assigned duties for as long as medically necessary.
 - The Sheriff’s Office has the right to request a medical re-evaluation of an employee at any time, at the Sheriff’s Office expense.
 - Injuries include those that occur while attending any authorized school or training program.
 - Any employee who has suffered a job-related injury that is compensable under Worker's Compensation may be eligible for short-term limited duty status.

 - Line of Duty Deaths
 - Line of duty death benefits available to survivors is available through the Manager of York County Human Resources.

- Psychological counseling

- 352 ○ Sheriff's Office personnel have available to them the York County Employee
353 Assistance Program which can either be self-referred or supervisor referred.
- 354 ○ Following critical incidents where Sheriff's Office personnel are subjected to events that
355 may cause psychological trauma, the Sheriff shall make available Critical Incident
356 Stress Management Counseling (CISM).
- 357 ○ In the event the Sheriff learns of personnel who may be in need of psychological
358 counseling, the Sheriff or his designee shall refer them to mental health or other
359 counseling sources through the York County Employee Assistance Program.
 - 360 ▪ If, after evaluation it is determined psychiatric treatment is required, in the interests
361 of the employee and the Sheriff's Office, the Sheriff may authorize the counseling at
362 County expense.
 - 363 ❖ Treatment or counseling will be handled with the utmost confidentiality.