



TOWN COUNCIL
Public Hearing & Special Meeting
January 6, 2022
Cape Charles Civic Center
6:30 PM

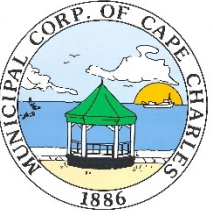
1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Hearing – FY 2021/2022 Budget Amendment
4. Special Meeting Order of Business:
 - *A. FY 2021/2022 Budget Amendment
5. Town Manager Comments
6. Mayor & Council Comments (5 minutes per speaker)
7. Adjournment of Public Hearing and Special Meeting

NOTICE OF PUBLIC HEARING
MUNICIPAL CORPORATION OF CAPE CHARLES
FISCAL YEAR 2021/2022 PROPOSED BUDGET AMENDMENT

Following is a summary of amended estimated receipts and expenditures of the Municipal Corporation of Cape Charles for the Fiscal Year 2021-2022. The Town Council will hold a Public Hearing on January 6, 2022 at 6:30 p.m. at the Cape Charles Civic Center, 500 Tazewell Avenue, to receive verbal and written comments on all proposed disbursements. Written comments can be submitted prior to the hearing via email to clerk@capecharles.org or placed in the external drop box at Town Hall. The proposed Fiscal Year 2021/2022 budget amendment will be discussed and brought to a vote during the special meeting immediately following the public hearing. Budget amendment details may be viewed on the Town's website, www.capecharles.org, under Agendas and Minutes / Town Council.

REVENUES	Original 2021-2022	Amended 2021-2022	EXPENDITURES NET CHANGE	Original 2021-2022	Amended 2021-2022
General Fund	3,536,507	3,724,394	Total General Fund	3,536,507	3,724,394
General Capital Fund	1,197,762	1,257,762	Total General Capital Fund	1,197,762	1,257,762
General Debt Service Fund	258,614	258,614	Total General Debt Service Fund	258,614	258,614
General Special Activities Fund	948,115	965,932	Total General Special Activities Fund	948,115	965,932
Sanitation Fund	390,595	399,323	Sanitation Fund	390,595	399,323
Total Harbor Fund	936,157	1,092,312	Total Harbor Fund	936,157	1,092,312
Water/Wastewater Fund	2,184,172	2,183,172	Total Water/Wastewater Fund	2,184,172	2,183,172
TOTAL REVENUES ALL FUNDS	9,451,922	9,881,510	TOTAL EXPENDITURES ALL FUNDS	9,451,922	9,881,510

William "Smitty" Dize, Mayor

 TOWN OF CAPE CHARLES	AGENDA TITLE: Fiscal Year 2021/2022 Proposed Budget Amendment & Appropriation		AGENDA DATE: January 6, 2022
	SUBJECT/PROPOSAL/REQUEST: Approve the Proposed FY 2021/2022 Budget Amendment & Appropriate Funds		ITEM NUMBER: 4A
	ATTACHMENTS: Ordinance 20220106, Proposed FY 2021/2022 Budget Amendment		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town's budget consists of seven separate funds – General Fund, General Capital Fund, Sanitation Fund, Special Activity Fund, Debt Service Fund, Utility Fund, and Harbor Fund. The Harbor, Sanitation and Utility Funds are Enterprise Funds and should be self-sustaining through fees for services and other charges. All other Funds are supported by real estate taxes, other taxes, or other revenues.

On June 24, 2021, the Cape Charles Town Council adopted a budget for Fiscal Year (FY) 2021/2022 pursuant to § 15.2-2503 of the Code of Virginia. Due to the COVID-19 pandemic, the adopted FY 2021/2022 budget was conservative in projected revenue and expenditures.

DISCUSSION:

On December 16, 2021, Council held a work session and reviewed the actual budget numbers through the end of November as well as the staff-prepared proposed budget amendment recognizing increased revenue and projected expenditures through the end of the fiscal year.

Pursuant to § 15.2-2507 of the Code of Virginia, the amended budget was advertised, and a public hearing was held earlier this evening.

RECOMMENDATION:

Staff recommends adoption of Ordinance 20220106 – Approving a Budget Amendment and Associated Appropriations for Fiscal Year 2021/2022 by roll call vote.

ORDINANCE 20220106

**APPROVING A BUDGET AMENDMENT AND
ASSOCIATED APPROPRIATIONS FOR FISCAL YEAR (FY) 2021/2022**

WHEREAS, on June 24, 2021 the Council of the Town of Cape Charles adopted a budget for FY 2021/2022 pursuant to Section 15.2-2503 of the Code of Virginia; and

WHEREAS, due to the COVID-19 pandemic, the adopted FY 2021/2022 budget was conservative with projected revenue and expenditures: and

WHEREAS, the Council reviewed the actual numbers through the end of November and the proposed budget amendment recognizing increased revenue and projected expenditures through the end of the fiscal year; and

WHEREAS, the amended budget has been advertised and a public hearing has been held pursuant to Section 15.2-2507 of the Code of Virginia; now

THEREFORE, BE IT RESOLVED, by the Town Council of Cape Charles, this 6th day of January 2022 that the budget for FY 2021/2022 be amended as follows:

REVENUES	Original 2021-2022	Amended 2021-2022	EXPENDITURES NET CHANGE	Original 2021-2022	Amended 2021-2022
General Fund	3,536,507	3,724,394	Total General Fund	3,536,507	3,724,394
General Capital Fund	1,197,762	1,257,762	Total General Capital Fund	1,197,762	1,257,762
General Debt Service Fund	258,614	258,614	Total General Debt Service Fund	258,614	258,614
General Special Activities Fund	948,115	965,932	Total General Special Activities Fund	948,115	965,932
Sanitation Fund	390,595	399,323	Sanitation Fund	390,595	399,323
Total Harbor Fund	936,157	1,092,312	Total Harbor Fund	936,157	1,092,312
Water/Wastewater Fund	2,184,172	2,183,172	Total Water/Wastewater Fund	2,184,172	2,183,172
TOTAL REVENUES ALL FUNDS	9,451,922	9,881,510	TOTAL EXPENDITURES ALL FUNDS	9,451,922	9,881,510

BE IT FURTHER RESOLVED, that pursuant to Section 15.2-2506 of the Code of Virginia, funds are appropriated from all sources of revenue for expenditures during the period July 1, 2021 through June 30, 2022 as follows:

General Fund - \$3,724,394
General Capital Fund - \$1,257,762
General Debt Service Fund - \$258,614
General Special Activities Fund - \$965,932
Sanitation Fund - \$399,323
Harbor Fund - \$1,092,312
Water/Wastewater Fund - \$2,183,172

and that the Town Manager is authorized to transfer amounts among Funds with advance notification to the Town Council.

Adopted by the Town Council of Cape Charles on January 6, 2022.

By: _____
Mayor William Dize

ATTEST:

Town Clerk

TOWN OF CAPE CHARLES
FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW

100-GENERAL FUND REVENUE

Account Description	Proposed FY22		Variance	Prcnt
	Approved FY2022 Budget	Budget Amendment		
TOTAL GENERAL FUND REVENUE	\$3,536,507.41	\$3,724,394.31	\$187,886.90	105.31%
TOTAL LEGISLATIVE DEPT EXP	\$43,611.76	\$43,611.76	\$0.00	100.00%
TOTAL TOWN CLERK DEPT EXP	\$96,156.01	\$96,156.01	\$0.00	100.00%
TOTAL TOWN MANAGER DEPT EXP	\$1,200,505.04	\$1,253,685.32	(\$53,180.28)	104.43%
TOTAL TREASURER DEPT EXP	\$379,949.11	\$364,091.41	\$15,857.70	95.83%
TOTAL POLICE DEPT EXP	\$580,852.27	\$599,269.69	(\$18,417.42)	103.17%
TOTAL CODE ENFORCEMENT DEPT EXP	\$144,843.19	\$189,443.19	(\$44,600.00)	130.79%
TOTAL PUBLIC WORKS EXP	\$541,166.25	\$601,662.50	(\$60,496.25)	111.18%
TOTAL COMMUNITY EVENTS DEPT EXP	\$109,874.52	\$95,190.37	\$14,684.15	86.64%
TOTAL LIBRARY DEPT EXP	\$169,224.21	\$171,855.81	(\$2,631.60)	101.56%
TOTAL PLANNING DEPT EXP	\$270,325.05	\$309,428.26	(\$39,103.21)	114.47%
TOTAL GENERAL FUND EXPENDITURES	\$3,536,507.41	\$3,724,394.31	(\$187,886.90)	0.00%
GENERAL FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	5.31%

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
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110-GENERAL CAPITAL FUND

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
TOTAL GENERAL CAPITAL FUND REVENUE	\$1,197,762.00	\$1,257,762.00	\$60,000.00	3.00%
TOTAL GENERAL CAPITAL FUND EXPENDITURES	\$1,197,762.00	\$1,257,762.00	\$60,000.00	0.00%
GENERAL CAPITAL FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	2.00%

120-GENERAL DEBT SERVICE FUND

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
TOTAL DEBT SERVICE FUND REVENUE	\$258,614.37	\$258,614.37	\$0.00	0.00%
TOTAL DEBT SERVICE FUND EXPENDITURES	\$258,614.37	\$258,614.37	\$0.00	0.00%
DEBT SERVICE FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%

130-GENERAL SPECIAL ACTIVITIES FUND FUND

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
TOTAL SPECIAL ACTIVITIES REVENUE	\$948,115.00	\$965,932.48	\$17,817.48	0.00%
TOTAL SPECIAL ACTIVITIES EXPENDITURES	\$948,115.00	\$965,932.48	\$17,817.48	0.00%
SPECIAL ACTIVITIES FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
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501 - UTILITY FUND REVENUE

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
TOTAL UTILITY FUND REVENUE	\$2,184,171.79	\$2,183,171.79	(\$1,000.00)	-0.05%
TOTAL ADMIN DEPT EXP	\$28,092.62	\$198,902.80	(\$170,810.18)	#DIV/0!
TOTAL WATER DEPT EXP	\$846,679.85	\$706,551.83	\$140,128.02	16.55%
TOTAL SEWER DEPT EXP	\$1,253,335.78	\$1,221,653.62	\$31,682.16	2.53%
TOTAL UTILITY BILLING DEPT EXP	\$56,063.54	\$56,063.54	\$0.00	0.00%
TOTAL UTILITY FUND EXPENDITURES	2184171.79	2183171.789	1000.001269	0
UTILITY FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%

510 - HARBOR FUND REVENUE

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
TOTAL HARBOR REVENUE	\$936,156.63	\$1,092,311.98	\$156,155.35	0.00%
TOTAL HARBOR EXPENDITURES	\$936,156.63	\$1,092,311.98	(\$156,155.35)	0.00%
HARBOR REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%

520-SANITATION FUND

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt
TOTAL SANITATION FUND REVENUE	\$390,595.02	\$399,323.14	\$8,728.12	26.00%
TOTAL SANITATION FUND EXPENDITURES	\$390,595.02	\$399,323.14	(\$8,728.12)	18.00%
SANITATION FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	22.00%

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual General Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

100-GENERAL FUND REVENUE

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-3010-1000 Real Property Tax <= 2014	\$2,000	\$0	\$2,000	\$0	100.00%	
100-3010-2015 Real Property Tax 2015	\$2,000	\$0	\$2,000	\$0	100.00%	
100-3010-2016 Real Property Tax 2016	\$800	\$0	\$800	\$0	100.00%	
100-3010-2017 Real Property Tax 2017	\$1,000	\$0	\$1,000	\$0	100.00%	
100-3010-2018 Real Property Tax 2018	\$5,000	\$613	\$5,000	\$0	100.00%	
100-3010-2019 Real Property Tax 2019	\$7,500	\$1,724	\$7,500	\$0	100.00%	
100-3010-2020 Real Property Tax 2020	\$15,000	\$6,219	\$15,000	\$0	100.00%	
100-3010-2021 Real Property Tax 2021	\$1,484,511	\$1,074,757	\$1,484,511	\$0	100.00%	Due date is Dec 6th.
100-3020-2016 Personal Property Tax 2016	\$1,000	\$120	\$1,000	\$0	100.00%	
100-3020-2017 Personal Property Tax 2017	\$1,500	\$119	\$1,500	\$0	100.00%	
100-3020-2018 Personal Property Tax 2018	\$4,500	\$146	\$4,500	\$0	100.00%	
100-3020-2019 Personal Property Tax 2019	\$8,000	\$229	\$8,000	\$0	100.00%	
100-3020-2020 Personal Property Tax 2020	\$10,000	\$6,179	\$10,000	\$0	100.00%	
100-3020-2021 Personal Property Tax 2021	\$153,000	\$119,251	\$153,000	\$0	100.00%	Due date is Dec 6th.
100-3025-1000 License Tax Prior Years <=2016	\$0	\$49	\$49	\$49	#DIV/0!	
100-3025-2017 License Tax 2017	\$0	\$49	\$49	\$49	#DIV/0!	
100-3025-2018 License Tax 2018	\$750	\$49	\$750	\$0	100.00%	
100-3025-2019 License Tax 2019	\$1,000	\$129	\$1,000	\$0	100.00%	
100-3025-2020 License Tax 2020	\$2,000	\$1,328	\$2,000	\$0	100.00%	
100-3025-2021 Llicense Tax 2021	\$21,000	\$10,834	\$21,000	\$0	100.00%	Due date is Dec 6th.
100-3035-2021 Machinery & Tools Tax 2021	\$6,000	\$371	\$6,000	\$0	100.00%	Due date is Dec 6th.
100-3040-1000 Penalties All Property Tax	\$25,000	\$2,102	\$25,000	\$0	100.00%	
100-3050-1000 Golf Cart Decals	\$10,000	\$2,418	\$10,000	\$0	100.00%	
100-3050-1100 Consumer Utility Taxes - Elec & Gas	\$54,500	\$24,913	\$54,500	\$0	100.00%	
100-3050-1200 Communications Tax - Phone	\$35,000	\$14,019	\$35,000	\$0	100.00%	
100-3050-1300 BPOL - ALL	\$200,000	\$15,801	\$200,000	\$0	100.00%	
100-3050-1400 Admission Taxes	\$11,000	\$8,746	\$13,000	\$2,000	118.18%	
100-3050-1500 Transient Occupancy Tax	\$303,308	\$257,385	\$278,332	(\$24,976)	91.77%	
100-3050-1600 Meals Tax	\$500,000	\$384,608	\$600,000	\$100,000	120.00%	
100-3050-1650 Meals Tax .5% for Capital Projects	\$50,000	\$38,461	\$60,000	\$10,000	120.00%	
100-3050-1700 Short Term Rental Tax	\$12,000	\$10,144	\$12,000	\$0	100.00%	Collected prior year taxes, appears higher
100-3050-1800 Rolling Stock Taxes	\$11	\$4	\$4	(\$7)	34.64%	
100-3075-1000 Penalties & Int Misc Taxes & Licenses	\$600	\$55	\$600	\$0	100.00%	
100-3100-1000 Harbor Development Certificate P/Z	\$1,500	\$0	\$1,500	\$0	100.00%	
100-3100-1050 Land Use/Conditional Use Application P/Z	\$3,500	\$2,800	\$3,500	\$0	100.00%	Zoning Fees are higher, a reclassification entry must be made to
100-3100-1060 Zoning Variance Advt & Mailing Fee P/Z	\$2,000	\$0	\$2,000	\$0	100.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-3100-1070 Miscellaneous Planning/Zoning Fees P/Z	\$5,000	\$450	\$5,000	\$0	100.00%	
100-3100-1080 Subdivision Fees P/Z	\$0	\$450	\$0	\$0	#DIV/0!	
100-3100-1100 Historic Review Fees COA P/Z	\$6,000	\$1,450	\$6,000	\$0	100.00%	
100-3100-1110 Building Permits	\$75,000	\$55,716	\$90,000	\$15,000	120.00%	
100-3100-1150 Planning Review, Zoning Clrnc & Misc. P/Z	\$4,500	\$11,700	\$20,000	\$15,500	444.44%	
100-3100-1160 Electrical Permits	\$7,000	\$5,392	\$10,000	\$3,000	142.86%	
100-3100-1200 Plumbing Permits	\$4,500	\$3,676	\$6,500	\$2,000	144.44%	
100-3100-1220 Plumbing Inspection Fees DONOTUSE	\$0	\$0	\$0	\$0	#DIV/0!	
100-3100-1250 Mechanical Permits	\$4,500	\$3,481	\$6,500	\$2,000	144.44%	
100-3100-1260 Elevator Permits	\$500	\$205	\$500	\$0	100.00%	
100-3100-1300 UST/AST Permit	\$400	\$988	\$1,600	\$1,200	400.00%	
100-3100-1350 Occupancy Permits, Temporary	\$1,000	\$1,200	\$1,600	\$600	160.00%	
100-3100-1360 Permit After Fact Admin Fee	\$1,000	\$600	\$2,000	\$1,000	200.00%	
100-3100-1400 Building Plan Review Fees	\$4,500	\$5,200	\$10,000	\$5,500	222.22%	
100-3100-1410 Shallow Well Permits	\$800	\$400	\$800	\$0	100.00%	
100-3100-1460 Erosion & Sediment Control Permit	\$3,000	\$4,200	\$6,000	\$3,000	200.00%	
100-3100-1470 Erosion & Sediment Plan Review Fee	\$300	\$525	\$1,000	\$700	333.33%	
100-3100-1500 Demolition Permit	\$100	\$50	\$100	\$0	100.00%	
100-3100-1510 Gas Permit	\$1,000	\$2,567	\$4,000	\$3,000	400.00%	
100-3100-1550 Misc Building Dept Fees	\$12,000	\$3,000	\$12,000	\$0	100.00%	
100-3100-1560 Fire Permit	\$700	\$51	\$700	\$0	100.00%	
100-3100-1570 Sign Permit P/Z	\$0	\$50	\$50	\$50	#DIV/0!	
100-3100-1600 Rental Inspections	\$6,500	\$2,400	\$6,500	\$0	100.00%	
100-3200-1600 Court Fines and Forfeitures	\$40,000	\$13,848	\$40,000	\$0	100.00%	
100-3200-1640 Planning/Zoning Admin Fees/Fines P/Z	\$0	\$750	\$2,000	\$2,000	#DIV/0!	
100-3200-1650 Code Enfrcmnt Admin Fees/Fines	\$350	\$3,050	\$3,500	\$3,150	1000.00%	
100-3200-1660 Traffic & Parking Fines	\$700	\$4,900	\$8,500	\$7,800	1214.29%	
100-3200-1700 E-Summons \$5 Fee-Future Software Purchase	\$4,500	\$5,900	\$8,000	\$3,500	177.78%	reserved, may not be expended except for spec. purpose
100-3200-1710 Police Nexis Lexis	\$0	\$50	\$50	\$50	#DIV/0!	
100-3300-1700 Interest on Bank Deposits	\$4,000	\$294	\$2,000	(\$2,000)	50.00%	
100-3300-1750 Dividends & Interest on Investments	\$7,500	\$163	\$4,000	(\$3,500)	53.33%	
100-3400-1750 Rental of Parks/Rec Property & Facility	\$250	\$400	\$750	\$500	300.00%	
100-3400-1800 Lease Revenue - Town Property Shanty 1%	\$24,000	\$17,260	\$34,000	\$10,000	141.67%	
100-3400-1810 Lease Revenue - Town Property, Water Tower	\$2,400	\$1,200	\$2,400	\$0	100.00%	
100-3500-1800 Sale of Surplus Equipment & Misc	\$0	\$0	\$0	\$0	#DIV/0!	
100-3500-1850 Library Service & Misc Fees	\$1,000	\$69	\$1,000	\$0	100.00%	
100-3500-1900 Recreation & Event Fees Collected	\$800	\$2,750	\$800	\$0	100.00%	4th of July
100-3500-1910 Sale of Maps, Plats, Surveys, Blueprints, Misc	\$0	\$0	\$0	\$0	#DIV/0!	
100-3500-1920 Notary Services	\$0	\$5	\$30	\$30	#DIV/0!	
100-3500-1950 FOIA Service Fees	\$100	\$216	\$350	\$250	350.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-3500-1970 DMV Stop Fee Collected	\$1,000	\$50	\$1,000	\$0	100.00%	
100-3600-3000 Gifts & Private Donations Library non-FOL	\$0	\$100	\$100	\$100	#DIV/0!	
100-3600-3100 Gifts & Private Donations Library FOL	\$0	\$0	\$0	\$0	#DIV/0!	
100-3600-4000 Insurance Proceeds, Refund or Misc Rebate	\$0	\$5,642	\$5,642	\$5,642	#DIV/0!	Vehicle Damage Ins. Proceeds, police dept
100-3600-5000 Surplus & Salvage Property Sale	\$1,200	\$0	\$1,200	\$0	100.00%	
100-3600-6000 Appropriation From Fund Balance	\$0	\$0	\$0	\$0	#DIV/0!	
100-3600-9000 Gifts & Private Donations CCMS	\$119,110	\$0	\$119,110	\$0	100.00%	DHCD Small Business Recovery Grant Funding
100-3650-1500 Recovery Misc. Costs - Finance	\$0	\$515	\$1,200	\$1,200	#DIV/0!	legal fee collections costs- reimbursements
100-3650-2000 Recovery - Police Property Loss & Misc.	\$0	\$0	\$0	\$0	#DIV/0!	
100-3650-3000 Recovery, Misc.-Code Enf (mowing, demo, etc)	\$0	\$0	\$0	\$0	#DIV/0!	
100-3650-4000 Recovery Public Works - Misc Damage	\$0	\$0	\$0	\$0	#DIV/0!	
100-3650-5000 Recovery (damage)-Parks & Rec	\$0	\$0	\$0	\$0	#DIV/0!	
100-3650-6000 Recovery Town Mgr-Misc.	\$0	\$176	\$175	\$175	#DIV/0!	Allied Benefit Systems Refund
100-3650-7000 Recovery - Retirement Forfeiture	\$0	\$0	\$0	\$0	#DIV/0!	
100-3700-1000 Grant - Recov. of Storm Damages FEMA	\$0	\$0	\$0	\$0	#DIV/0!	
100-3700-2200 Grant Gen Fund - USDA Rural Development	\$28,350	\$0	\$28,350	\$0	100.00%	
100-3700-3000 Proceeds from Loan/Bond Issuance	\$0	\$0	\$0	\$0	#DIV/0!	
100-3750-1000 Rolling Stock Taxes	\$0	\$0	\$0	\$0	#DIV/0!	
100-3750-2000 Personal Prop. Tax Reimbursement- PPTRA	\$35,424	\$35,424	\$35,424	(\$0)	100.00%	
100-3750-3000 Local SALES & USE Taxes	\$63,000	\$43,159	\$81,159	\$18,159	128.82%	YTD + Dec20-July21
100-3750-3100 DMV Humane Plates Pybl to ESSO	\$0	\$0	\$0	\$0	#DIV/0!	
100-3800-1000 Assistance to Local Police Dept HB 599 - State	\$31,248	\$15,626	\$31,252	\$4	100.01%	
100-3800-2000 Grant - Criminal Justice Svd & Byrne & CaresSupl	\$1,000	\$172	\$1,000	\$0	100.00%	
100-3800-5000 Grant - Litter Prevention Grant (DEQ)	\$935	\$0	\$935	\$0	100.00%	
100-3800-6000 Grant - Miscellaneous/Other	\$7,460	\$0	\$7,460	\$0	100.00%	
100-3850-1000 Grant - Budget Contribution from Northampton Cty	\$30,000	\$0	\$30,000	\$0	100.00%	
100-3850-2000 Grant Other - Northampton County	\$0	\$0	\$0	\$0	#DIV/0!	
100-3900-1000 Grant - VML Risk Management	\$4,000	\$3,163	\$5,163	\$1,163	129.07%	
100-3900-6000 Appropriation from Fund Balance	\$0	\$0	\$0	\$0	#DIV/0!	
100-3950-2000 Reappropriate Grant Proceeds Previous Year	\$0	\$0	\$0	\$0	#DIV/0!	
100-3950-2100 Loan Proceeds USDA Rural Devlpmnt	\$52,650	\$0	\$52,650	\$0	100.00%	
100-3975-1000 Misc Rev (Proceeds Fair/Festivl-vendors)	\$0	\$0	\$0	\$0	#DIV/0!	
100-3975-1100 Miscellaneous Rev & NSF Fees-Gen Fund	\$2,250	\$1,920	\$2,250	\$0	100.00%	
TOTAL GENERAL FUND REVENUE	\$3,536,507	\$2,244,173	\$3,724,394	\$187,887	105.31%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4110-1200 PT Salaries & Wages Legislative	\$4,800	\$2,000	\$4,800	\$0	100.00%	
100-4110-2000 FICA Expense	\$367	\$163	\$367	\$0	100.00%	
100-4110-2100 SUI Expense	\$30	\$18	\$30	\$0	100.00%	
100-4110-2230 Worker's Comp	\$3	\$0	\$3	\$0	100.00%	
100-4110-3025 Repair Maint & Inspect Contracted Svcs	\$1,800	\$105	\$1,800	\$0	100.00%	
100-4110-3430 IT, Software, Scan & Website Services	\$300	\$0	\$300	\$0	100.00%	
100-4110-3450 Printing & Design Services	\$0	\$0	\$0	\$0	#DIV/0!	
100-4110-3500 Advertising Services	\$3,200	\$1,694	\$3,200	\$0	100.00%	
100-4110-5040 Phone Service, Landline & Wireless	\$500	\$188	\$500	\$0	100.00%	
100-4110-5050 Internet & Cable Services	\$1,080	\$540	\$1,080	\$0	100.00%	
100-4110-5080 Lease, Bldgs & Property	\$0	\$0	\$0	\$0	#DIV/0!	
100-4110-5200 Travel-Mileage, Parking & Tolls	\$2,350	\$411	\$2,350	\$0	100.00%	
100-4110-5210 Travel-Lodging & Meals	\$7,425	\$792	\$7,425	\$0	100.00%	
100-4110-5220 Conference	\$4,300	\$650	\$4,300	\$0	100.00%	
100-4110-5230 Education	\$1,200	\$0	\$1,200	\$0	100.00%	
100-4110-5240 Books & Subscriptions	\$0	\$0	\$0	\$0	#DIV/0!	
100-4110-5250 Dues & Memberships	\$0	\$0	\$0	\$0	#DIV/0!	
100-4110-5310 Insurance, Public Official Liability	\$6,587	\$3,448	\$6,587	\$0	100.00%	
100-4110-6000 Office Supplies	\$700	\$386	\$700	\$0	100.00%	
100-4110-6125 Departmental Equipment & Supplies	\$4,300	\$0	\$4,300	\$0	100.00%	
100-4110-6150 Comptr, Sftware & Electronics < \$5,000	\$4,670	\$4	\$4,670	\$0	100.00%	
100-4110-6225 Repair & Maintenance Supplies Legislative	\$0	\$0	\$0	\$0	#DIV/0!	
TOTAL LEGISLATIVE DEPT EXP	\$43,612	\$10,398	\$43,612	\$0	100.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4112-1000 Regular Salaries & Wages Town Clerk	\$62,200	\$26,315	\$62,200	\$0	100.00%	
100-4112-1100 Regular Salaries & Wages OT Town Clerk	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-2000 FICA Expense	\$4,758	\$2,010	\$4,758	\$0	100.00%	
100-4112-2100 SUI Expense	\$66	\$0	\$66	\$0	100.00%	
100-4112-2200 Retirement-ER VRS & ICMA-RC Contribution	\$3,720	\$1,550	\$3,720	\$0	100.00%	
100-4112-2210 Life Insurance	\$833	\$347	\$833	\$0	100.00%	
100-4112-2220 Disability Insurance, LTD & STD	\$478	\$142	\$478	\$0	100.00%	
100-4112-2230 Worker's Comp	\$38	\$38	\$38	\$0	100.00%	
100-4112-2300 Health Insurance	\$500	\$0	\$500	\$0	100.00%	
100-4112-2310 Dental Insurance	\$591	\$246	\$591	\$0	100.00%	
100-4112-2320 Vision Insurance	\$91	\$38	\$91	\$0	100.00%	
100-4112-2325 AFLAC Insurance Premiums - Town portion	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-2340 Employee Assist Program	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-2345 Employee/Volunteer Testing	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-2360 Staff & Volunteer Appreciation	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-3000 Contract Labor	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-3020 Maint Svc Contracts - Annual	\$600	\$0	\$600	\$0	100.00%	
100-4112-3025 Repair Maint & Inspect Contracted Svcs	\$2,000	\$912	\$2,000	\$0	100.00%	
100-4112-3030 Lease - Storage	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-3430 IT, Software, Scan & Website Services	\$5,600	\$5,625	\$5,600	\$0	100.00%	
100-4112-3450 Printing & Design Services	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-3500 Advertising Services	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-5040 Phone Service, Landline & Wireless	\$780	\$325	\$780	\$0	100.00%	
100-4112-5200 Travel-Mileage, Parking & Tolls	\$1,350	\$0	\$1,350	\$0	100.00%	
100-4112-5210 Travel-Lodging & Meals	\$1,300	\$0	\$1,300	\$0	100.00%	
100-4112-5220 Conference	\$850	\$0	\$850	\$0	100.00%	
100-4112-5230 Education	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-5240 Books & Subscriptions	\$8,350	\$0	\$8,350	\$0	100.00%	
100-4112-5250 Dues & Memberships	\$500	\$228	\$500	\$0	100.00%	
100-4112-5260 Employee Testing & Certification	\$0	\$0	\$0	\$0	#DIV/0!	
100-4112-6000 Office Supplies	\$1,300	\$34	\$1,300	\$0	100.00%	
100-4112-6150 Comptr, Sftware & Electronics < \$5,000	\$250	\$0	\$250	\$0	100.00%	
TOTAL TOWN CLERK DEPT EXP	\$96,156	\$37,811	\$96,156	\$0	100.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4121-1000 Regular Salaries & Wages-Town Manager	\$105,000	\$44,372	\$107,500	(\$2,500)	102.38%	Merit Increase
100-4121-1200 PT Salaries & Wages Town Mgr	\$32,000	\$12,005	\$32,000	\$0	100.00%	
100-4121-1800 Allocated Wages	(\$15,750)	(\$6,563)	(\$15,750)	\$0	100.00%	
100-4121-1900 Personnel Lapse Allowance	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-2000 FICA Expense	\$10,481	\$4,318	\$10,481	\$0	100.00%	
100-4121-2100 SUI Expense	\$133	\$0	\$133	\$0	100.00%	
100-4121-2200 Retirement-ER VRS & ICMA-RC Contribution	\$6,279	\$2,616	\$6,279	\$0	100.00%	
100-4121-2210 Life Insurance	\$1,407	\$586	\$1,407	\$0	100.00%	
100-4121-2220 Disability Insurance, LTD & STD	\$786	\$229	\$786	\$0	100.00%	
100-4121-2230 Worker's Comp	\$132	\$50	\$132	\$0	100.00%	
100-4121-2300 Health Insurance	\$6,760	\$2,906	\$6,760	\$0	100.00%	
100-4121-2310 Dental Insurance	\$285	\$119	\$285	\$0	100.00%	
100-4121-2320 Vision Insurance	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-2325 AFLAC Insurance Premiums - Town portion	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-2340 Employee Assist Program	\$250	\$103	\$250	\$0	100.00%	
100-4121-2345 Employee/Volunteer Testing	\$120	\$0	\$120	\$0	100.00%	
100-4121-2350 Relocation Assistance	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-2360 Staff & Volunteer Appreciation	\$4,000	\$0	\$4,000	\$0	100.00%	
100-4121-2800 Allocated Benefits	(\$3,552)	(\$1,480)	(\$3,552)	\$0	100.00%	
100-4121-3000 Contract Labor	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-3020 Maint Svc Contracts - Annual	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-3025 Repair Maint & Inspect Contracted Svcs	\$7,200	\$942	\$7,200	\$0	100.00%	
100-4121-3400 Legal Services TM	\$100,000	\$7,761	\$100,000	\$0	100.00%	
100-4121-3401 Legal Services Finance	\$1,500	\$871	\$1,500	\$0	100.00%	
100-4121-3402 Legal Services Code Enf	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-3404 Legal Services Police	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-3405 Legal Services Planner	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-3406 Legal Services Public Works	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-3410 Management Consulting	\$20,000	\$0	\$20,000	\$0	100.00%	
100-4121-3420 Engineering & Architect Svcs Gen Fund	\$25,000	\$3,380	\$25,000	\$0	100.00%	
100-4121-3430 IT, Software, Scan & Website Services	\$7,500	\$704	\$7,500	\$0	100.00%	
100-4121-3500 Advertising Services	\$1,500	\$223	\$1,500	\$0	100.00%	
100-4121-4015 Grant Exp - Town Match Arts Enter VCA	\$2,500	\$2,500	\$2,500	\$0	100.00%	
100-4121-4025 Grant Exp - Town Support Fire Dept	\$25,000	\$25,000	\$25,000	\$0	100.00%	
100-4121-4030 Grant Exp - Nrthmptn Cty Tourism Infrast.	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-4040 Grant Exp - Star Transit Support	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-4045 Grant Exp - Cape Charles Musm & Welcm Cntr	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-4050 Grant Exp - Eastern Shore Tourism Comm.	\$5,000	\$5,000	\$5,000	\$0	100.00%	
100-4121-4060 Grant Exp - Local Arts, GEAR, Harbor for the Arts	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-4065 Grant Exp - Randy Custis Mmrl Fund, Youth Sports	\$0	\$0	\$0	\$0	#DIV/0!	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4121-4070 Grant Exp - VRSA Risk Mngmnt Grant Exp	\$4,000	\$0	\$2,000	\$2,000	50.00%	replace front door?
100-4121-4100 Grant Exp - YMCA	\$5,000	\$5,000	\$5,000	\$0	100.00%	
100-4121-4125 Grant/Donation Exp - Misc. Pass-through	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-4130 DHCD CDBG COVID-19 Bus Asst Grant Expenditures	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-4150 Grant Exp - Emergency & Misc.	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-4200 Fireworks	\$15,000	\$15,000	\$15,000	\$0	100.00%	
100-4121-4210 Cape Charles Main Street	\$80,000	\$40,000	\$80,000	\$0	100.00%	
100-4121-5000 Tax Refund - Prior Year, (RE, PP, BPOL, MISC)	\$2,000	\$26	\$2,000	\$0	100.00%	
100-4121-5005 Refund - Misc. Fees	\$1,000	\$912	\$1,000	\$0	100.00%	
100-4121-5010 Refund - Tourism Zone BPOL	\$2,000	\$0	\$2,000	\$0	100.00%	
100-4121-5020 Refund - Tourism Zone Real & Business Property Tax	\$2,000	\$0	\$2,000	\$0	100.00%	
100-4121-5030 Refund - Tourism Zone Permit Fees	\$4,000	\$0	\$4,000	\$0	100.00%	
100-4121-5040 Phone Service, Landline & Wireless	\$10,000	\$3,128	\$10,000	\$0	100.00%	
100-4121-5050 Internet & Cable Services	\$1,550	\$656	\$1,550	\$0	100.00%	
100-4121-5070 Postage	\$8,000	\$4,051	\$8,000	\$0	100.00%	
100-4121-5080 Lease, Bldgs & Property	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-5090 Lease, Rlght of Way	\$6,200	\$1,875	\$6,200	\$0	100.00%	
100-4121-5100 Lease, Vehicles & Equipment	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-5110 Lease, Office Equipment	\$6,800	\$1,829	\$6,800	\$0	100.00%	
100-4121-5200 Travel-Mileage, Parking & Tolls	\$400	\$303	\$400	\$0	100.00%	
100-4121-5210 Travel-Lodging & Meals	\$1,400	\$667	\$1,400	\$0	100.00%	
100-4121-5220 Conference	\$950	\$400	\$950	\$0	100.00%	
100-4121-5230 Education	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-5240 Books & Subscriptions	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-5250 Dues & Memberships	\$1,350	\$1,024	\$1,350	\$0	100.00%	
100-4121-5300 Insurance, Property & General Liability	\$45,305	\$18,368	\$36,735	\$8,570	81.08%	Cost less than anticipated
100-4121-5340 Licensing	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-5350 Fines & Penalties	\$0	\$0	\$0	\$0	#DIV/0!	
100-4121-6000 Office Supplies	\$8,000	\$2,890	\$8,000	\$0	100.00%	
100-4121-6150 Comptr, Sftware & Electronics < \$5,000	\$6,750	\$7,237	\$8,000	(\$1,250)	118.52%	Symantec Renewal increased
100-4121-6175 Vehicles & Powered Equipment Fuel - Admin Vehicle	\$600	\$0	\$600	\$0	100.00%	
100-4121-6200 Vehicles & Powered Equip.Supplies & Svcs.	\$2,000	\$0	\$2,000	\$0	100.00%	
100-4121-6900 Contingency Fund Exp Gen Fund	\$50,000	\$0	\$50,000	\$0	100.00%	
100-4121-8110 Transfer to Gen Capital Proj Fund - Min 6%	\$186,215	\$0	\$186,215	\$0	100.00%	
100-4121-8111 Transfer .5% Meals tax to Cap Proj Fund	\$50,000	\$38,461	\$60,000	(\$10,000)	120.00%	Increase in meals tax revenue expected
						Appropriate capital project contingency funding from current
100-4121-8112 Transfer Reappropriated Funds to Cap Proj Fund	\$97,840	\$0	\$147,840	(\$50,000)	151.10%	revenue surplus
100-4121-8120 Transfer to Gen Debt Svc Fund	\$258,614	\$104,166	\$258,614	\$0	100.00%	
TOTAL TOWN MANAGER DEPT EXP	\$1,200,505	\$351,634	\$1,253,685	(\$53,180)	104.43%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4124-1000 Regular Salaries & Wages-Finance	\$249,168	\$88,683	\$233,533	\$15,635	93.73%	New position was vacant for a few months savings
100-4124-1100 Regular Salaries & Wages OT Finance	\$837	\$84	\$837	\$0	100.00%	
100-4124-1200 PT Salaries & Wages Finance	\$0	\$3,773	\$5,500	(\$5,500)	#DIV/0!	Intern, Shared with Planning
100-4124-1300 PT Salaries & Wages OT Fin	\$0	\$96	\$96	(\$96)	#DIV/0!	
100-4124-1800 Allocated Wages	(\$16,762)	(\$6,984)	(\$16,762)	\$0	100.00%	
100-4124-2000 FICA Expense	\$19,125	\$6,446	\$17,865	\$1,260	93.41%	
100-4124-2100 SUI Expense	\$332	\$75	\$398	(\$66)	119.88%	
100-4124-2200 Retirement-ER VRS & ICMA-RC Contribution	\$14,714	\$5,124	\$14,608	\$106	99.28%	
100-4124-2210 Life Insurance	\$3,297	\$1,148	\$3,200	\$97	97.06%	
100-4124-2220 Disability Insurance, LTD & STD	\$1,921	\$485	\$1,900	\$21	98.91%	
100-4124-2230 Worker's Comp	\$152	\$151	\$152	\$0	100.00%	
100-4124-2300 Health Insurance	\$33,802	\$13,791	\$27,582	\$6,220	81.60%	
100-4124-2310 Dental Insurance	\$1,425	\$523	\$1,332	\$94	93.44%	
100-4124-2320 Vision Insurance	\$0	\$8	\$61	(\$61)	#DIV/0!	
100-4124-2330 Benefits Adminstn Fees	\$3,100	\$791	\$3,100	\$0	100.00%	
100-4124-2345 Employee/Volunteer Testing	\$0	\$46	\$46	(\$46)	#DIV/0!	
100-4124-2800 Allocated Benefits	(\$4,997)	(\$2,082)	(\$4,997)	\$0	100.00%	
100-4124-3020 Maint Svc Contracts - Annual	\$11,800	\$3,833	\$11,800	\$0	100.00%	
100-4124-3430 IT, Software, Scan & Website Services	\$1,075	\$560	\$1,075	\$0	100.00%	
100-4124-3500 Advertising Services	\$600	\$863	\$863	(\$263)	143.76%	
100-4124-3600 Payroll Processing & Timekeeping	\$8,800	\$2,964	\$8,800	\$0	100.00%	
100-4124-3700 Auditor & Accountant Services	\$26,000	\$0	\$26,000	\$0	100.00%	
100-4124-3710 Collections Services & DMV Fees	\$1,000	\$75	\$1,000	\$0	100.00%	
100-4124-3730 Bank Service Charges	\$3,800	\$1,104	\$3,800	\$0	100.00%	
100-4124-3740 Merchant Service Charges	\$6,400	\$3,751	\$6,400	\$0	100.00%	
100-4124-3750 Late Fees & Fines	\$150	\$5	\$150	\$0	100.00%	
100-4124-3760 Cash Short & Over Finance	\$0	\$0	\$0	\$0	#DIV/0!	
100-4124-5040 Phone Service, Landline & Wireless	\$2,340	\$650	\$2,340	\$0	100.00%	
100-4124-5110 Lease, Office Equipment	\$1,230	\$439	\$1,230	\$0	100.00%	
100-4124-5200 Travel-Mileage, Parking & Tolls	\$527	\$269	\$527	\$0	100.00%	
100-4124-5210 Travel-Lodging & Meals	\$1,783	\$0	\$1,783	\$0	100.00%	
100-4124-5220 Conference	\$845	\$250	\$845	\$0	100.00%	
100-4124-5230 Education	\$2,635	\$885	\$2,635	\$0	100.00%	
100-4124-5240 Books & Subscriptions	\$150	\$0	\$150	\$0	100.00%	
100-4124-5250 Dues & Memberships	\$700	\$652	\$700	\$0	100.00%	
100-4124-5260 Employee Testing & Certification	\$0	\$0	\$0	\$0	#DIV/0!	
100-4124-5350 Fines & Penalties	\$0	\$4	\$4	(\$4)	#DIV/0!	
100-4124-6000 Office Supplies	\$4,000	\$2,284	\$5,000	(\$1,000)	125.00%	4 printers need to be replaced
100-4124-6150 Comptr, Sftware & Electronics < \$5,000	\$0	\$539	\$539	(\$539)	#DIV/0!	HR Laptop
TOTAL TREASURER DEPT EXP	\$379,949	\$131,283	\$364,091	\$15,858	95.83%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4310-1000 Regular Salaries & Wages-Police	\$319,895	\$140,673	\$333,221	(\$13,327)	104.17%	Position restructuring
100-4310-1100 Regular Salaries & Wages OT Police	\$4,000	\$2,395	\$4,000	\$0	100.00%	
100-4310-1200 Part Time Wages Police (COVID related)	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-2000 FICA Expense	\$24,778	\$10,566	\$25,491	(\$713)	102.88%	
100-4310-2100 SUI Expense	\$465	\$0	\$465	\$0	100.00%	
100-4310-2200 Retirement-ER VRS & ICMA-RC Contribution	\$18,382	\$7,659	\$19,179	(\$797)	104.34%	
100-4310-2210 Life Insurance	\$4,119	\$1,716	\$4,298	(\$179)	104.34%	
100-4310-2220 Disability Insurance, LTD & STD	\$2,422	\$975	\$2,399	\$23	99.04%	
100-4310-2230 Worker's Comp	\$9,776	\$4,630	\$9,776	\$0	100.00%	
100-4310-2300 Health Insurance	\$41,062	\$20,410	\$41,062	\$0	100.00%	
100-4310-2310 Dental Insurance	\$1,710	\$713	\$1,710	\$0	100.00%	
100-4310-2320 Vision Insurance	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-3430 IT, Software, Scan & Website Services	\$2,875	\$1,275	\$2,875	\$0	100.00%	
100-4310-3500 Advertising Services	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-4080 Grant Exp - DCJS Byrne	\$1,000	\$0	\$1,000	\$0	100.00%	
100-4310-4150 Grant Exp - Police Other	\$4,500	\$0	\$4,500	\$0	100.00%	
100-4310-5040 Phone Service, Landline & Wireless	\$6,000	\$1,252	\$6,000	\$0	100.00%	
100-4310-5200 Travel-Mileage, Parking & Tolls	\$513	\$151	\$513	\$0	100.00%	
100-4310-5205 Travel-Mileage, Parking & Tolls - Pol. Acad.	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-5210 Travel-Lodging & Meals	\$500	\$31	\$500	\$0	100.00%	
100-4310-5215 Travel-Lodging & Meals - Pol. Acad.	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-5220 Conference	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-5230 Education	\$2,500	\$2,338	\$2,500	\$0	100.00%	
100-4310-5240 Books & Subscriptions	\$200	\$0	\$200	\$0	100.00%	
100-4310-5250 Dues & Memberships	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-5260 Employee Testing & Certification	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-5310 Insurance, Public Official Liability	\$2,680	\$2,729	\$2,729	(\$49)	101.82%	
100-4310-5330 Insurance, LODA	\$5,605	\$2,803	\$5,605	\$0	100.00%	
100-4310-6000 Office Supplies	\$2,500	\$2,118	\$2,500	\$0	100.00%	
100-4310-6050 Uniforms Expense	\$6,000	\$1,770	\$6,000	\$0	100.00%	
100-4310-6125 Departmental Supplies & Equipment - Police	\$10,270	\$444	\$10,270	\$0	100.00%	
100-4310-6150 Comptr, Sftware & Electronics < \$5,000	\$2,600	\$290	\$2,600	\$0	100.00%	
100-4310-6175 Vehicles & Powered Equipment Fuel	\$16,000	\$5,074	\$14,876	\$1,124	92.98%	
100-4310-6200 Vehicle & Powered Equip. Supplies & Svcs	\$8,500	\$9,581	\$13,000	(\$4,500)	152.94%	See Insurance reimbursement in gen fund revenue
100-4310-6225 Repair & Maintenance Supplies Police	\$1,000	\$197	\$1,000	\$0	100.00%	
100-4310-6800 Debt Service - Principal Payment PD	\$0	\$0	\$0	\$0	#DIV/0!	
100-4310-7070 Vehicles & Equipment	\$81,000	\$0	\$81,000	\$0	100.00%	
TOTAL POLICE DEPT EXP	\$580,852	\$219,790	\$599,270	(\$18,417)	103.17%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4340-1000 Regular Salaries & Wages-Code Enforcement	\$98,971	\$41,899	\$98,971	\$0	100.00%	
100-4340-1100 Regular Salaries & Wages OT Code Enf	\$1,020	\$285	\$1,020	\$0	100.00%	
100-4340-2000 FICA Expense	\$7,649	\$3,093	\$7,649	\$0	100.00%	
100-4340-2100 SUI Expense	\$133	\$0	\$133	\$0	100.00%	
100-4340-2200 Retirement-ER VRS & ICMA-RC Contribution	\$5,918	\$2,466	\$5,918	\$0	100.00%	
100-4340-2210 Life Insurance	\$1,326	\$553	\$1,326	\$0	100.00%	
100-4340-2220 Disability Insurance, LTD & STD	\$772	\$232	\$772	\$0	100.00%	
100-4340-2230 Worker's Comp	\$441	\$237	\$441	\$0	100.00%	
100-4340-2300 Health Insurance	\$7,260	\$3,898	\$7,260	\$0	100.00%	
100-4340-2310 Dental Insurance	\$570	\$238	\$570	\$0	100.00%	
100-4340-2320 Vision Insurance	\$91	\$38	\$91	\$0	100.00%	
100-4340-2340 Employee Assist Program	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-2345 Employee/Volunteer Testing	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-3020 Maint Svc Contracts - Annual	\$800	\$245	\$800	\$0	100.00%	
100-4340-3025 Repair Maint & Inspect Contracted Svcs-Mowing/Dem	\$5,400	\$650	\$50,000	(\$44,600)	925.93%	General enforcement needs
100-4340-3430 IT, Software, Scan & Website Services	\$3,600	\$80	\$3,600	\$0	100.00%	
100-4340-3450 Printing & Design Services	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-3500 Advertising Services	\$500	\$0	\$500	\$0	100.00%	
100-4340-3760 Cash Short & Over Code Enf	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-5040 Phone Service, Landline & Wireless	\$1,140	\$475	\$1,140	\$0	100.00%	
100-4340-5110 Lease, Office Equipment	\$1,000	\$78	\$1,000	\$0	100.00%	
100-4340-5200 Travel-Mileage, Parking & Tolls	\$600	\$0	\$600	\$0	100.00%	
100-4340-5210 Travel-Lodging & Meals	\$600	\$0	\$600	\$0	100.00%	
100-4340-5220 Conference	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-5230 Education	\$1,000	\$740	\$1,000	\$0	100.00%	
100-4340-5240 Books & Subscriptions	\$1,000	\$0	\$1,000	\$0	100.00%	
100-4340-5250 Dues & Memberships	\$500	\$0	\$500	\$0	100.00%	
100-4340-5260 Employee Testing & Certification	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-5300 Insurance, Property & General Liability	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-6000 Office Supplies	\$1,900	\$62	\$1,900	\$0	100.00%	
100-4340-6075 Hand Tools, & Small Equipment	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-6150 Comptr, Sftware & Electronics < \$5,000	\$1,000	\$0	\$1,000	\$0	100.00%	
100-4340-6175 Vehicles & Powered Equipment Fuel	\$850	\$273	\$850	\$0	100.00%	
100-4340-6200 Vehicle & Powered Equip. Supplies & Svcs	\$800	\$0	\$800	\$0	100.00%	
100-4340-6800 Debt Service - Principal Payment Code Enforcement	\$0	\$0	\$0	\$0	#DIV/0!	
100-4340-6850 Debt Service Interest - Code Enforcement	\$0	\$0	\$0	\$0	#DIV/0!	
TOTAL CODE ENFORCEMENT DEPT EXP	\$144,843	\$55,540	\$189,443	(\$44,600)	130.79%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4430-1000 Regular Salaries & Wages-Public Works	\$165,460	\$68,741	\$182,303	(\$16,843)	110.18%	Position restructuring
100-4430-1100 Regular Salaries & Wages OT Pub Works	\$18,750	\$12,354	\$18,750	\$0	100.00%	
100-4430-1200 PT Salaries & Wages Pub Works COVID related	\$0	\$0	\$0	\$0	#DIV/0!	
100-4430-1300 PT Salaries & Wages OT Pub Works	\$0	\$0	\$0	\$0	#DIV/0!	
100-4430-1400 Seasonal Wages	\$24,040	\$12,558	\$23,058	\$982	95.91%	
100-4430-1500 Seasonal Wages OT	\$0	\$491	\$491	(\$491)	#DIV/0!	
100-4430-2000 FICA Expense	\$15,931	\$7,009	\$17,182	(\$1,251)	107.85%	Position restructuring
100-4430-2100 SUI Expense	\$465	\$132	\$465	\$0	100.00%	
100-4430-2200 Retirement-ER VRS & ICMA-RC Contribution	\$9,895	\$3,998	\$10,902	(\$1,007)	110.18%	Position restructuring
100-4430-2210 Life Insurance	\$2,217	\$896	\$2,443	(\$226)	110.18%	Position restructuring
100-4430-2220 Disability Insurance, LTD & STD	\$1,341	\$400	\$1,463	(\$122)	109.09%	Position restructuring
100-4430-2230 Worker's Comp	\$4,779	\$2,365	\$4,731	\$48	99.00%	
100-4430-2300 Health Insurance	\$27,541	\$13,006	\$30,411	(\$2,870)	110.42%	Position restructuring
100-4430-2310 Dental Insurance	\$1,731	\$745	\$1,912	(\$180)	110.42%	Position restructuring
100-4430-2320 Vision Insurance	\$91	\$38	\$91	\$0	100.00%	
100-4430-3020 Maint Svc Contracts	\$2,500	\$597	\$2,500	\$0	100.00%	
100-4430-3040 Grounds Maintenance	\$30,000	\$34,069	\$60,000	(\$30,000)	200.00%	Bed maintenance, weeding watering increases
100-4430-3060 Landfill Disposal	\$3,500	\$391	\$3,500	\$0	100.00%	
100-4430-3070 Mosquito & Pest Control	\$8,500	\$1,600	\$8,500	\$0	100.00%	
100-4430-3200 Cleaning and Janitorial Services	\$5,000	\$5,765	\$13,836	(\$8,836)	276.72%	bids were higher than anticipated
100-4430-3430 IT, Software, Scan & Website Services	\$2,000	\$278	\$2,000	\$0	100.00%	
100-4430-3500 Advertising Services	\$500	\$0	\$500	\$0	100.00%	
100-4430-4070 Grant Exp - VML Risk Mngmnt Grant Exp	\$0	\$0	\$0	\$0	#DIV/0!	
100-4430-5010 Electric Service	\$51,000	\$20,737	\$51,000	\$0	100.00%	
100-4430-5020 Propane & Fuel Oil Exp	\$4,000	\$0	\$4,000	\$0	100.00%	
100-4430-5040 Phone Service, Landline & Wireless	\$2,300	\$925	\$2,300	\$0	100.00%	
100-4430-5050 Internet & Cable Services	\$1,000	\$395	\$1,000	\$0	100.00%	
100-4430-5100 Lease, Vehicles & Equipment	\$2,500	\$0	\$2,500	\$0	100.00%	
100-4430-5200 Travel-Mileage, Parking & Tolls	\$500	\$105	\$500	\$0	100.00%	
100-4430-5210 Travel-Lodging & Meals	\$500	\$0	\$500	\$0	100.00%	
100-4430-5220 Conference	\$0	\$0	\$0	\$0	#DIV/0!	
100-4430-5230 Education	\$400	\$0	\$400	\$0	100.00%	
100-4430-5240 Books & Subscriptions	\$100	\$0	\$100	\$0	100.00%	
100-4430-5250 Dues & Memberships	\$0	\$0	\$0	\$0	#DIV/0!	
100-4430-5260 Employee Testing & Certification	\$225	\$0	\$225	\$0	100.00%	
100-4430-6000 Office Supplies	\$800	\$933	\$1,000	(\$200)	125.00%	
100-4430-6025 Janitorial & Kitchen Supplies	\$6,500	\$2,348	\$6,500	\$0	100.00%	
100-4430-6050 Uniforms Expense	\$1,000	\$0	\$1,000	\$0	100.00%	
100-4430-6075 Hand Tools, & Light Equipment	\$1,000	\$752	\$1,000	\$0	100.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4430-6080 Safety Equipment	\$500	\$1,636	\$2,000	(\$1,500)	400.00%	
100-4430-6150 Comptr, Sftware & Electronics < \$5,000	\$0	\$0	\$0	\$0	#DIV/0!	
100-4430-6175 Vehicles & Powered Equipment Fuel	\$13,000	\$3,096	\$11,000	\$2,000	84.62%	
100-4430-6200 Vehicle & Powered Equip. Supplies & Svcs	\$7,000	\$3,260	\$7,000	\$0	100.00%	
100-4430-6225 Repair & Maintenance Supplies Public Works	\$74,600	\$25,393	\$74,600	\$0	100.00%	
100-4430-6275 Beach Maint. & Safety Supplies & Svcs	\$50,000	\$7,783	\$50,000	\$0	100.00%	
TOTAL PUBLIC WORKS EXP	\$541,166	\$232,797	\$601,662	(\$60,496)	111.18%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4710-1000 Regular Salaries & Wages-Commty Events	\$46,862	\$16,568	\$33,490	\$13,372	71.47%	
100-4710-1100 Regular Salaries & Wages OT	\$2,034	\$811	\$2,000	\$34	98.33%	
100-4710-1200 PT Salaries - Commty Events	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-1400 Seasonal Wages	\$10,000	\$2,945	\$10,000	\$0	100.00%	Beach attendants/parking/trash patrol
100-4710-1500 Seasonal Wages OT	\$0	\$92	\$92	(\$92)	#DIV/0!	
100-4710-2000 FICA Expense	\$4,391	\$1,528	\$3,487	\$904	79.42%	
100-4710-2100 SUI Expense	\$133	\$57	\$133	\$0	100.00%	
100-4710-2200 Retirement-ER VRS & ICMA-RC Contribution	\$2,802	\$671	\$2,003	\$800	71.47%	
100-4710-2210 Life Insurance	\$628	\$149	\$449	\$179	71.47%	
100-4710-2220 Disability Insurance, LTD & STD	\$367	\$60	\$241	\$126	65.65%	
100-4710-2230 Worker's Comp	\$892	\$523	\$892	\$0	100.00%	
100-4710-2300 Health Insurance	\$6,760	\$2,398	\$6,111	\$649	90.40%	
100-4710-2310 Dental Insurance	\$285	\$95	\$261	\$24	91.67%	
100-4710-2345 Employee/Volunteer Testing	\$0	\$46	\$46	(\$46)	#DIV/0!	
100-4710-2360 Staff & Volunteer Appreciation	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-3000 Contract Labor	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-3005 Program & Event Performers & Entertainers CCP	\$10,000	\$0	\$10,000	\$0	100.00%	CCP concerts
100-4710-3025 Repair Maint & Inspect Contracted Svcs	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-3430 IT, Software, Scan & Website Services	\$200	\$0	\$200	\$0	100.00%	
100-4710-3450 Printing & Design Services	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-3500 Advertising Services	\$1,275	\$550	\$1,275	\$0	100.00%	
100-4710-4150 Grant Exp - Recreation Other	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-5040 Phone Service, Landline & Wireless	\$780	\$175	\$720	\$60	92.31%	
100-4710-5200 Travel-Mileage, Parking & Tolls	\$400	\$0	\$400	\$0	100.00%	
100-4710-5210 Travel-Lodging & Meals	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-5220 Conference	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-5230 Education	\$250	\$0	\$250	\$0	100.00%	
100-4710-5260 Employee Testing & Certification	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-5340 Llcensing	\$740	\$0	\$740	\$0	100.00%	Fishing Pier License
100-4710-6000 Office Supplies	\$425	\$1,135	\$1,400	(\$975)	329.41%	
100-4710-6050 Uniforms Expense	\$150	\$402	\$500	(\$350)	333.33%	
100-4710-6100 Program & Event Supplies & Awards	\$20,000	\$3,254	\$20,000	\$0	100.00%	
100-4710-6150 Comptr, Sftware & Electronics < \$5,000	\$0	\$0	\$0	\$0	#DIV/0!	
100-4710-6225 Repair & Maintenance Supplies Recreation	\$500	\$0	\$500	\$0	100.00%	
TOTAL COMMUNITY EVENTS DEPT EXP	\$109,875	\$31,459	\$95,190	\$14,684	86.64%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4730-1000 Regular Salaries & Wages-Library	\$83,579	\$35,079	\$83,579	\$0	100.00%	
100-4730-1100 Regular Salaries & Wages OT Library	\$0	\$72	\$72	(\$72)	#DIV/0!	
100-4730-1200 PT Salaries & Wages Library	\$10,369	\$2,753	\$10,369	\$0	100.00%	
100-4730-1300 PT Salaries & Wages OT Library	\$0	\$0	\$0	\$0	#DIV/0!	
100-4730-2000 FICA Expense	\$7,187	\$2,743	\$7,187	\$0	100.00%	
100-4730-2100 SUI Expense	\$199	\$23	\$199	\$0	100.00%	
100-4730-2200 Retirement-ER VRS & ICMA-RC Contribution	\$4,998	\$2,083	\$4,998	\$0	100.00%	
100-4730-2210 Life Insurance	\$1,120	\$467	\$1,120	\$0	100.00%	
100-4730-2220 Disability Insurance, LTD & STD	\$662	\$200	\$662	\$0	100.00%	
100-4730-2230 Worker's Comp	\$57	\$57	\$57	\$0	100.00%	
100-4730-2300 Health Insurance	\$11,957	\$3,898	\$11,957	\$0	100.00%	
100-4730-2310 Dental Insurance	\$570	\$238	\$570	\$0	100.00%	
100-4730-2320 Vision Insurance	\$91	\$38	\$91	\$0	100.00%	
100-4730-2345 Employee/Volunteer Testing	\$0	\$0	\$0	\$0	#DIV/0!	
100-4730-3005 Program & Event Performers & Entertainers	\$4,000	\$1,027	\$4,000	\$0	100.00%	
100-4730-3020 Maint Svc Contracts - Annual	\$0	\$0	\$0	\$0	#DIV/0!	
100-4730-3025 Repair Maint & Inspect Contracted Svcs	\$775	\$303	\$775	\$0	100.00%	
100-4730-3200 Cleaning and Janitorial Services	\$5,000	\$3,150	\$7,560	(\$2,560)	151.20%	Bids came in higher than anticipated
100-4730-3430 IT, Software, Scan & Website Services	\$2,200	\$440	\$2,200	\$0	100.00%	
100-4730-3450 Printing & Design Services	\$0	\$0	\$0	\$0	#DIV/0!	
100-4730-3500 Advertising Services	\$500	\$0	\$500	\$0	100.00%	
100-4730-3760 Cash Short & Over Lib	\$0	\$0	\$0	\$0	#DIV/0!	
100-4730-4090 Grant Exp - DEQ Litter Grant - Library	\$814	\$0	\$814	\$0	100.00%	
100-4730-5010 Electric Service	\$7,250	\$2,425	\$7,250	\$0	100.00%	
100-4730-5020 Propane & Fuel Oil Exp	\$2,400	\$0	\$2,400	\$0	100.00%	
100-4730-5050 Internet & Cable Services	\$1,000	\$440	\$1,000	\$0	100.00%	
100-4730-5110 Lease, Office Equipment	\$1,200	\$400	\$1,200	\$0	100.00%	
100-4730-5200 Travel-Mileage, Parking & Tolls	\$100	\$0	\$100	\$0	100.00%	
100-4730-5210 Travel-Lodging & Meals	\$561	\$0	\$561	\$0	100.00%	
100-4730-5220 Conference	\$400	\$0	\$400	\$0	100.00%	
100-4730-5230 Education	\$200	\$0	\$200	\$0	100.00%	
100-4730-5240 Books & Subscriptions - Professional	\$306	\$0	\$306	\$0	100.00%	
100-4730-5250 Dues & Memberships	\$500	\$0	\$500	\$0	100.00%	
100-4730-6000 Office Supplies	\$1,800	\$362	\$1,800	\$0	100.00%	
100-4730-6025 Janitorial & Kitchen Supplies	\$200	\$0	\$200	\$0	100.00%	
100-4730-6050 Uniforms - Library	\$200	\$0	\$200	\$0	100.00%	
100-4730-6100 Program & Event Supplies & Awards	\$1,530	\$0	\$1,530	\$0	100.00%	
100-4730-6125 Dept Sppls & Equip -Books, DVD's and CDs	\$17,500	\$547	\$17,500	\$0	100.00%	
100-4730-6150 Comptr, Sftware & Electronics < \$5,000	\$0	\$0	\$0	\$0	#DIV/0!	
TOTAL LIBRARY DEPT EXP	\$169,224	\$56,744	\$171,856	(\$2,632)	101.56%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4811-1000 Regular Salaries & Wages-Planning	\$94,219	\$17,994	\$94,219	\$0	100.00%	
100-4811-1100 Regular Wages OT Planning	\$1,842	\$846	\$1,842	\$0	100.00%	
100-4811-1200 PT Salaries & Wages Planning	\$54,100	\$24,433	\$54,100	\$0	100.00%	
100-4811-1300 PT Wages Planning - OT	\$0	\$375	\$450	(\$450)	#DIV/0!	
100-4811-2000 FICA Expense	\$11,487	\$3,332	\$11,522	(\$34)	100.30%	
100-4811-2100 SUI Expense	\$217	\$13	\$217	\$0	100.00%	
100-4811-2200 Retirement-ER VRS & ICMA-RC Contribution	\$5,634	\$936	\$5,634	\$0	100.00%	
100-4811-2210 Life Insurance	\$1,263	\$210	\$1,263	\$0	99.99%	
100-4811-2220 Disability Insurance, LTD & STD	\$738	\$92	\$678	\$60	91.90%	
100-4811-2230 Worker's Comp	\$89	\$89	\$89	\$0	100.00%	
100-4811-2300 Health Insurance	\$13,521	\$3,782	\$10,377	\$3,143	76.75%	
100-4811-2310 Dental Insurance	\$570	\$95	\$425	\$145	74.56%	
100-4811-3025 Repair Maint & Inspect Contracted Svcs	\$0	\$245	\$600	(\$600)	#DIV/0!	1/2 of shared copier maintenance Comp plan at \$45K for FY22, +\$41K for Hist dist review board + contingency 10%
100-4811-3410 Management Consulting	\$60,000	\$80	\$95,000	(\$35,000)	158.33%	
100-4811-3430 IT, Software, Scan & Website Services	\$3,000	\$758	\$3,000	\$0	100.00%	
100-4811-3450 Printing & Design Services	\$300	\$0	\$300	\$0	100.00%	
100-4811-3500 Advertising Services	\$2,500	\$4,086	\$8,500	(\$6,000)	340.00%	Increased public hearings, etc.
100-4811-5040 Phone Service, Landline & Wireless	\$1,560	\$150	\$1,560	\$0	100.00%	
100-4811-5110 Lease - Equipment	\$1,000	\$78	\$1,000	\$0	100.00%	
100-4811-5200 Travel-Mileage, Parking & Tolls	\$958	\$40	\$958	\$0	100.00%	
100-4811-5210 Travel-Lodging & Meals	\$1,871	\$66	\$1,871	\$0	100.00%	
100-4811-5220 Conference	\$125	\$100	\$125	\$0	100.00%	
100-4811-5230 Education	\$12,015	\$300	\$12,015	\$0	100.00%	CAMP and Board training
100-4811-5240 Books & Subscriptions	\$309	\$0	\$309	\$0	100.00%	
100-4811-5250 Dues & Memberships	\$408	\$595	\$595	(\$187)	145.83%	
100-4811-5260 Employee Testing & Certification	\$200	\$0	\$200	\$0	100.00%	
100-4811-6000 Office Supplies	\$2,400	\$937	\$2,400	\$0	100.00%	
100-4811-6150 Comptr, Sftware & Electronics < \$5,000	\$0	\$180	\$180	(\$180)	#DIV/0!	
TOTAL PLANNING DEPT EXP	\$270,325	\$59,811	\$309,428	(\$39,103)	114.47%	
TOTAL GENERAL FUND EXPENDITURES	\$3,536,507	\$1,187,266	\$3,724,394	(\$187,887)		
GENERAL FUND REVENUE LESS EXPENDITURES	\$0	\$1,056,907	\$0	\$0	5.31%	

*Based on 5 months of FY22 Data and 7 months of FY21 trends

budget increase as of draft B creation

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FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual SPECIAL FUNDS Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

110-GENERAL CAPITAL FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
110-3800-4000 Grant - VDOT Roads, Trails & Sidewalks	\$703,483	\$0	\$703,483	\$0	0.00%	
110-3900-6000 Transfer fm Gen Fund Capital - Reappropriation	\$97,840	\$0	\$147,840	\$50,000	0.00%	New - Capital project contingencies
110-3950-2000 Transfer from Gen Fund for Capital 6%	\$186,215	\$0	\$186,215	\$0	0.00%	
110-3950-2050 Transfer from Gen Fund Meals Tax 5%	\$50,000	\$38,461	\$60,000	\$10,000	76.92%	Increased revenue
110-3950-8520 Transfer from Sanitation Fund	\$160,224	\$0	\$160,224	\$0	0.00%	
TOTAL GENERAL CAPITAL FUND REVENUE	\$1,197,762	\$38,461	\$1,257,762	\$60,000	3.00%	
110-4430-7010 Buildings & Improvements	\$130,000	\$0	\$130,000	\$0	0.00%	
110-4430-7020 Infrastructure-Open Space, Parks & Outdoor Equip	\$73,600	\$0	\$73,600	\$0	0.00%	
110-4430-7040 Insfrastructure - Parking Lots	\$34,240	\$0	\$19,200	(\$15,040)	0.00%	design execution, plan is unapproved by VDOT
110-4430-7050 Infrastructure-Streets & Walkways	\$929,922	\$5,111	\$929,922	\$0	0.55%	Trail Project
110-4430-7060 Infrastructure-Stormwater System	\$30,000	\$0	\$30,000	\$0	0.00%	Proceed? Need project manager
110-4430-7999 Capital Project Contingencies	\$0	\$0	\$75,040	\$75,040	0.00%	New - Capital project contingencies
TOTAL GENERAL CAPITAL FUND EXPENDITURES	\$1,197,762	\$5,111	\$1,257,762	\$60,000	0.00%	
GENERAL CAPITAL FUND REVENUE LESS EXPENDITURES	\$0	\$33,350	\$0	\$0	2.00%	Surplus to fall to fund balance

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual SPECIAL FUNDS Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

120-GENERAL DEBT SERVICE FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
120-3950-2100 Transfer from Gen Fund for GF Debt	\$155,958	\$71,072	\$155,958	\$0	0.00%	
120-3950-2510 Transfer from Gen Fund for Harb Debt	\$102,657	\$33,094	\$102,657	\$0	0.00%	
TOTAL DEBT SERVICE FUND REVENUE	\$258,614	\$104,166	\$258,614	\$0	0.00%	
120-4121-3730 Bank & Trustee Service Fees - Debt Service	\$0	\$132	\$0	\$0	0.00%	
120-4121-6800 Debt Service Principal - TMgr	\$97,346	\$59,873	\$97,346	\$0	0.00%	
120-4121-6850 Debt Service Interest - TMgr	\$21,503	\$11,067	\$21,503	\$0	0.00%	
120-4121-8510 Transfer to Harbor Fund for Debt Service	\$102,657	\$33,094	\$102,657	\$0	0.00%	
	\$221,506	\$104,166	\$221,506	\$0	0.00%	
120-4124-6800 Debt Service Principal - Finance	\$7,615	\$0	\$7,615	\$0	0.00%	
120-4124-6850 Debt Service Interest - Finance	\$219	\$0	\$219	\$0	0.00%	
	\$7,834	\$0	\$7,834	\$0	0.00%	
120-4310-6800 Debt Service Interest - Police Dept	\$11,784	\$0	\$11,784	\$0	0.00%	
120-4310-6850 Debt Service Principal - Police Dept	\$1,268	\$0	\$1,268	\$0	0.00%	
	\$13,052	\$0	\$13,052	\$0	0.00%	
120-4340-6800 Debt Service Principal Code Enforcement	\$984	\$0	\$984	\$0	0.00%	
120-4340-6850 Debt Service Interest - Code Enf	\$97	\$0	\$97	\$0	0.00%	
	\$1,081	\$0	\$1,081	\$0	0.00%	
120-4430-6800 Debt Service Principal - PWrks	\$14,095	\$0	\$14,095	\$0	0.00%	
120-4430-6850 Debt Service Interest - P Wrks	\$1,047	\$0	\$1,047	\$0	0.00%	
	\$15,142	\$0	\$15,142	\$0	0.00%	
TOTAL DEBT SERVICE FUND EXPENDITURES	\$258,614	\$104,166	\$258,614	\$0	0.00%	
DEBT SERVICE FUND REVENUE LESS EXPENDITURES	\$0	\$0	\$0	\$0		

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual SPECIAL FUNDS Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

130-GENERAL SPECIAL ACTIVITIES FUND FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
130-3650-6000 Recovery Town Mgr - Misc	\$100,000	\$0	\$100,000	\$0	0.00%	PPEA reimbursements
130-3800-3000 Grant-Fire Program Funds (Passthru)	\$15,000	\$15,000	\$15,000	\$0	0.00%	
130-3800-7000 Grant-VA State Promotion of the Arts Passthru	\$4,500	\$2,500	\$4,500	\$0	0.00%	
130-3800-8000 Grant - Friends of the Library	\$0	\$0	\$10,000	\$10,000	0.00%	Rock-climbing wall - new project
130-3800-9000 Grant Parks/Rec Faciliies & Equipment - CCP	\$0	\$0	\$7,817	\$7,817	0.00%	Various equipment and program projects
130-3800-9910 Federal Grant - DHCD CDBG Small Bus Rcvry	\$300,000	\$109,661	\$300,000	\$0	0.00%	
130-3800-9920 Federal Grant - ARPA	\$0	\$0	\$0	\$0	0.00%	
130-3850-2000 Reappropriate Grant Funding Previous Year	\$528,615	\$0	\$528,615	\$0	0.00%	
130-3950-2000 Reappropriate Grant Funding Prior Year	\$0	\$0	\$0	\$0	0.00%	
TOTAL SPECIAL ACTIVITIES REVENUE	\$948,115	\$127,161	\$965,932	\$17,817	0.00%	
130-4121-4010 Grant Exp - Arts Enter Passthru	\$4,500	\$2,500	\$4,500	\$0	0.00%	
130-4121-4020 Grant Exp- Fire Dept Passthru	\$15,000	\$15,000	\$15,000	\$0	0.00%	
130-4121-4030 Grant Exp-Northampton Cnty Tourism Infrstr	\$0	\$0	\$0	\$0	0.00%	
130-4121-4125 Grant or Donation Misc. Passthru incl. PPEA	\$100,000	\$49,112	\$100,000	\$0	0.00%	
130-4121-4130 DHCD CDBG Small Business Rcvry Grant Exp	\$300,000	\$148,209	\$300,000	\$0	0.00%	
130-4121-4150 Federal Grant Exp - ARPA	\$528,615	\$0	\$528,615	\$0	0.00%	
130-4430-4110 Grant Exp - Citizens for Central Park	\$0	\$0	\$7,817	\$7,817	0.00%	Rock-climbing wall - new project
130-4730-4110 Grant Exp- Friends of the Library	\$0	\$0	\$10,000	\$10,000	0.00%	Placeholder, FOL hasn't indicated an amount
TOTAL SPECIAL ACTIVITIES EXPENDITURES	\$948,115	\$214,821	\$965,932	\$17,817	0.00%	
SPECIAL ACTIVITIES FUND REVENUE LESS EXPENDITURES	\$0	(\$87,660)	\$0	\$0		

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual UTILITY Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

501 - UTILITY FUND REVENUE

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-3100-1201 Connection, Plumbing Permit Water	\$1,000	\$1,000	\$1,000	\$0	0.00%	
501-3100-1202 Connection, Plumbing Permit Sewer	\$1,000	\$1,000	\$1,000	\$0	0.00%	
501-3150-1501 Miscellaneous Revenues - Utilities	\$1,000	\$90	\$1,000	\$0	0.00%	
501-3300-1000 Interest Earned on Bank Deposits - Util	\$1,000	\$0	\$0	(\$1,000)	-100.00%	
501-3300-2000 Dividends & Int. on Investments - Util	\$1,000	\$248	\$1,000	\$0	0.00%	
501-3500-1501 Water Sales	\$607,817	\$274,386	\$607,817	\$0	0.00%	increased usage in tourist season
501-3500-1502 Sewer Charges	\$1,111,324	\$492,203	\$1,111,324	\$0	0.00%	increased usage in tourist season
501-3500-1800 Sale of Surplus Equipment & Misc.	\$0	\$0	\$0	\$0	#DIV/0!	
501-3500-3501 Penalties & Interest - Water Charges	\$1,500	\$2,430	\$1,500	\$0	0.00%	Gov lifted ban on late penalties
501-3500-3502 Penalties & Interest Wastewater Charges	\$2,000	\$4,565	\$2,000	\$0	0.00%	Gov lifted ban on late penalties
501-3500-4501 Connection Fees - Bay Creek Water	\$17,500	\$15,750	\$17,500	\$0	0.00%	
501-3500-4502 Connection Fees - Bay Creek Sewer	\$17,500	\$15,750	\$17,500	\$0	0.00%	
501-3500-5501 Connection Fees - Historic Cape Charles Water	\$3,500	\$1,750	\$3,500	\$0	0.00%	
501-3500-5502 Connection Fees - Historic Cape Charles Sewer	\$3,500	\$1,750	\$3,500	\$0	0.00%	
501-3500-6501 Facility Fees, Rest. - Bay Creek Water	\$80,000	\$72,000	\$80,000	\$0	0.00%	
501-3500-6502 Facility Fees, Restr. - Bay Creek Sewer	\$132,000	\$118,800	\$132,000	\$0	0.00%	
501-3500-7501 Facility Fees, Restr.- Historic Cape Charles Water	\$16,000	\$8,000	\$16,000	\$0	0.00%	
501-3500-7502 Facility Fees, Restr. - Historic Cape Charles Se	\$26,400	\$21,552	\$26,400	\$0	0.00%	
501-3600-6000 Utility Fund Transfer from Fund Balance	\$55,000	\$0	\$55,000	\$0	0.00%	
501-3650-4000 Recovery Water & Sewer Misc. charges	\$380	\$0	\$380	\$0	0.00%	
501-3800-2001 USDA Grant Water	\$36,000	\$0	\$36,000	\$0	0.00%	For truck payment
501-3950-2101 USDA Loan Proceeds Water	\$68,751	\$0	\$68,751	\$0	0.00%	For truck payment
TOTAL UTILITY FUND REVENUE	\$2,184,172	\$1,031,275	\$2,183,172	(\$1,000)	-0.05%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4500-1800 Allocated Wages	\$21,123	\$8,801	\$21,123	\$0	0.00%	
501-4500-2800 Allocated Benefits	\$5,470	\$2,279	\$5,470	\$0	0.00%	
501-4500-6900 Contingency Fund Expense Util Fund	\$1,500	\$0	\$110,000	(\$108,500)	-7233.33%	Move from unexecuted capital project costs
501-4500-8100 Transfer to Fund Balance	\$0	\$0	\$62,310	(\$62,310)	#DIV/0!	
TOTAL ADMIN DEPT EXP	\$28,093	\$11,080	\$198,903	(\$170,810)	#DIV/0!	
501-4501-1000 Regular Salaries & Wages-Water	\$145,822	\$64,188	\$154,000	(\$8,178)	-5.61%	
501-4501-1100 Regular Salaries & Wages OT-Water	\$2,040	\$1,503	\$2,040	\$0	0.00%	
501-4501-1200 PT Salaries - Water	\$24,000	\$13,718	\$24,000	\$0	0.00%	
501-4501-1300 Part Time Wages Water - OT	\$0	\$96	\$0	\$0	#DIV/0!	
501-4501-2000 FICA Expense	\$12,860	\$5,816	\$13,485	(\$626)	-4.86%	
501-4501-2100 SUI Expense	\$199	\$69	\$199	\$0	0.00%	
501-4501-2200 Retirement-ER VRS & ICMA-RC Contribution	\$8,720	\$3,634	\$8,720	\$0	0.00%	
501-4501-2210 Life Insurance	\$1,954	\$814	\$1,954	\$0	0.00%	
501-4501-2220 Disability Insurance, LTD & STD	\$1,140	\$343	\$1,140	\$0	0.00%	
501-4501-2230 Worker's Comp	\$4,166	\$1,938	\$4,166	\$0	0.00%	
501-4501-2300 Health Insurance	\$18,717	\$7,195	\$18,717	\$0	0.00%	
501-4501-2310 Dental Insurance	\$1,161	\$356	\$1,161	\$0	0.00%	
501-4501-2320 Vision Insurance	\$91	\$38	\$91	\$0	0.00%	
501-4501-2325 AFLAC Insurance Premiums - Town portion	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-2340 Employee Assist Program	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-2345 Employee/Volunteer Testing	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-2360 Staff & Volunteer Appreciation	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-3000 Contract Labor	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-3020 Maint Svc Contracts - Annual	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-3025 Repair Maint & Inspect Contracted Svcs	\$20,000	\$0	\$6,000	\$14,000	70.00%	New company cleaning water tank
501-4501-3060 Landfill Disposal	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-3350 Water Sampling	\$11,000	\$2,924	\$11,000	\$0	0.00%	
501-4501-3420 Engineering & Architect Svcs Water	\$20,000	\$1,035	\$45,000	(\$25,000)	-125.00%	Add \$25K for capacity study
501-4501-3430 IT, Software, Scan & Website Services	\$1,000	\$800	\$1,000	\$0	0.00%	
501-4501-3500 Advertising Services	\$500	\$600	\$600	(\$100)	-20.00%	
501-4501-3730 Bank Service Charges	\$200	\$32	\$200	\$0	0.00%	
501-4501-5000 Refund - Tourism Zone Connection Fees Water	\$3,000	\$0	\$3,000	\$0	0.00%	
501-4501-5010 Electric Service	\$22,440	\$9,644	\$22,440	\$0	0.00%	
501-4501-5020 Propane & Fuel Oil Exp	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-5040 Phone Service, Landline & Wireless	\$1,740	\$504	\$1,740	\$0	0.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4501-5050 Internet & Cable Services	\$1,100	\$440	\$1,100	\$0	0.00%	
501-4501-5090 Lease, Right of Way	\$3,000	\$1,500	\$3,000	\$0	0.00%	
501-4501-5100 Lease, Vehicles & Equipment	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-5200 Travel-Mileage, Parking & Tolls	\$240	\$40	\$240	\$0	0.00%	
501-4501-5210 Travel-Lodging & Meals	\$800	\$0	\$800	\$0	0.00%	
501-4501-5220 Conference	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-5230 Education	\$500	\$0	\$500	\$0	0.00%	
501-4501-5240 Books & Subscriptions	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-5250 Dues & Memberships	\$400	\$400	\$400	\$0	0.00%	
501-4501-5260 Employee Testing & Certification	\$400	\$0	\$400	\$0	0.00%	
501-4501-5300 Insurance, Property & General Liability	\$10,000	\$4,600	\$9,200	\$800	8.00%	
501-4501-5340 Licensing	\$4,000	\$3,339	\$4,000	\$0	0.00%	
501-4501-5350 Fines & Penalties	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-6000 Office Supplies	\$1,500	\$212	\$1,500	\$0	0.00%	
501-4501-6025 Janitorial & Kitchen Supplies	\$300	\$200	\$300	\$0	0.00%	
501-4501-6050 Uniforms Expense	\$1,000	\$36	\$1,000	\$0	0.00%	
501-4501-6075 Hand Tools, & Small Equipment	\$1,500	\$791	\$1,500	\$0	0.00%	
501-4501-6080 Safety Equipment	\$3,000	\$250	\$3,000	\$0	0.00%	
501-4501-6150 Comptr, Sftware & Electronics < \$5,000	\$0	\$520	\$520	(\$520)	#DIV/0!	
501-4501-6175 Vehicles & Powered Equipment Fuel	\$5,000	\$1,355	\$5,000	\$0	0.00%	
501-4501-6200 Vehicle & Powered Equip. Supplies & Svcs	\$2,000	\$67	\$2,000	\$0	0.00%	
501-4501-6225 Repair & Maintenance Supplies Water	\$70,000	\$9,145	\$70,000	\$0	0.00%	
501-4501-6300 Chemical Supplies	\$73,000	\$35,613	\$73,000	\$0	0.00%	
501-4501-6325 Laboratory Supplies	\$2,900	\$0	\$2,900	\$0	0.00%	
501-4501-6800 Debt Service - Principal Payment W	\$78,964	\$0	\$78,964	\$0	0.00%	
501-4501-6850 Debt Service Interest Water	\$30,574	\$15,287	\$30,574	\$0	0.00%	
501-4501-7070 Vehicles & Equipment CAPITAL BUDGET	\$32,766	\$0	\$0	\$32,766	100.00%	paid for it on June 30th
501-4501-7080 Computers, Software & Elec Equip.>\$5000 CAP BDGT	\$71,985	\$0	\$0	\$71,985	100.00%	Hold meter replacements & software
501-4501-7090 Infrastructure - Waterlines, Tanks & Wells	\$55,000	\$0	\$0	\$55,000	100.00%	Hold mixer/power vent
501-4501-7095 Work in Progress CAPITAL BUDGET	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-7100 Depreciation Expense - Utility Fund	\$0	\$0	\$0	\$0	#DIV/0!	
501-4501-8000 Reserve for Plant Expansion - Facility Fees	\$96,000	\$0	\$96,000	\$0	0.00%	
501-4501-8100 Water Rate Increase Reserve - Future year	\$0	\$0	\$0	\$0	#DIV/0!	
TOTAL WATER DEPT EXP	\$846,680	\$189,040	\$706,552	\$140,128	16.55%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4502-1000 Regular Salaries & Wages-Sewer	\$190,253	\$82,423	\$175,954	\$14,298	7.52%	Move Ralph to P Works
501-4502-1100 Regular Salaries & Wages OT-Sewer	\$1,530	\$642	\$1,530	\$0	0.00%	
501-4502-2000 FICA Expense	\$14,671	\$6,150	\$13,460	\$1,211	8.25%	
501-4502-2100 SUI Expense	\$232	\$0	\$232	\$0	0.00%	
501-4502-2200 Retirement-ER VRS & ICMA-RC Contribution	\$11,377	\$4,740	\$10,522	\$855	7.52%	
501-4502-2210 Life Insurance	\$2,549	\$1,062	\$2,447	\$102	4.00%	
501-4502-2220 Disability Insurance, LTD & STD	\$1,489	\$448	\$1,489	\$0	0.00%	
501-4502-2230 Worker's Comp	\$1,866	\$953	\$1,866	\$0	0.00%	
501-4502-2300 Health Insurance	\$25,477	\$10,101	\$22,857	\$2,620	10.28%	
501-4502-2310 Dental Insurance	\$1,140	\$603	\$945	\$195	17.11%	
501-4502-2320 Vision Insurance	\$91	\$38	\$91	\$0	0.00%	
501-4502-3020 Maint Svc Contracts - Annual	\$22,300	\$13,791	\$22,300	\$0	0.00%	
501-4502-3060 Landfill Disposal - Sludge	\$42,000	\$13,330	\$42,000	\$0	0.00%	
501-4502-3200 Cleaning and Janitorial Services	\$2,600	\$800	\$2,600	\$0	0.00%	
501-4502-3350 Water Sampling	\$21,000	\$7,307	\$21,000	\$0	0.00%	
501-4502-3420 Engineering & Architect Svcs WW	\$20,000	\$0	\$45,000	(\$25,000)	-125.00%	capacity study
501-4502-3430 IT, Software, Scan & Website Services	\$7,000	\$240	\$7,000	\$0	0.00%	
501-4502-3450 Printing & Design Services	\$0	\$0	\$0	\$0	#DIV/0!	
501-4502-3500 Advertising Services	\$500	\$0	\$500	\$0	0.00%	
501-4502-3730 Bank Service Charges	\$1,550	\$255	\$1,550	\$0	0.00%	
501-4502-4150 Grant Exp - Sewer Other	\$0	\$0	\$0	\$0	#DIV/0!	
501-4502-5000 Refund - Tourism Zone Connection Fees Sewer	\$5,000	\$0	\$5,000	\$0	0.00%	
501-4502-5010 Electric Service	\$102,000	\$40,603	\$102,000	\$0	0.00%	
501-4502-5040 Phone Service, Landline & Wireless	\$7,500	\$3,184	\$7,500	\$0	0.00%	
501-4502-5050 Internet & Cable Services	\$600	\$0	\$600	\$0	0.00%	
501-4502-5060 Alarm & Security Monitoring Services	\$650	\$0	\$650	\$0	0.00%	
501-4502-5090 Lease, Right of Way	\$4,000	\$2,518	\$4,000	\$0	0.00%	
501-4502-5100 Lease, Vehicles & Equipment	\$0	\$0	\$0	\$0	#DIV/0!	
501-4502-5200 Travel-Mileage, Parking & Tolls	\$3,200	\$231	\$3,200	\$0	0.00%	
501-4502-5210 Travel-Lodging & Meals	\$500	\$0	\$500	\$0	0.00%	
501-4502-5220 Conference	\$0	\$0	\$0	\$0	#DIV/0!	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4502-5230 Education	\$2,000	\$0	\$2,000	\$0	0.00%	
501-4502-5240 Books & Subscriptions	\$0	\$0	\$0	\$0	#DIV/0!	
501-4502-5250 Dues & Memberships	\$850	\$0	\$850	\$0	0.00%	
501-4502-5260 Employee Testing & Certification	\$450	\$0	\$450	\$0	0.00%	
501-4502-5300 Insurance, Property & General Liability	\$32,725	\$17,530	\$32,725	\$0	0.00%	
501-4502-5340 Licensing	\$4,500	\$3,540	\$4,500	\$0	0.00%	
501-4502-5350 Fines & Penalties	\$0	\$0	\$0	\$0	#DIV/0!	
501-4502-6000 Office Supplies	\$1,500	\$252	\$1,500	\$0	0.00%	
501-4502-6025 Janitorial & Kitchen Supplies	\$100	\$0	\$100	\$0	0.00%	
501-4502-6050 Uniforms Expense	\$1,000	\$892	\$1,000	\$0	0.00%	
501-4502-6075 Hand Tools, & Small Equipment	\$750	\$2,491	\$2,500	(\$1,750)	-233.33%	
501-4502-6080 Safety Equipment	\$250	\$0	\$250	\$0	0.00%	
501-4502-6150 Comptr, Sftware & Electronics < \$5,000	\$1,200	\$190	\$1,200	\$0	0.00%	
501-4502-6175 Vehicles & Powered Equipment Fuel	\$7,000	\$1,377	\$7,000	\$0	0.00%	
501-4502-6200 Vehicle & Powered Equip. Supplies & Svcs	\$3,000	\$0	\$3,000	\$0	0.00%	
501-4502-6225 Repair & Maintenance Supplies Wastewater	\$95,000	\$34,195	\$95,000	\$0	0.00%	
501-4502-6300 Chemical Supplies	\$39,675	\$26,155	\$39,675	\$0	0.00%	
501-4502-6325 Laboratory Supplies	\$1,000	\$20	\$1,000	\$0	0.00%	
501-4502-6800 Debt Service - Principal Payment WW	\$329,170	\$132,714	\$329,170	\$0	0.00%	
501-4502-6850 Debt Service Interest - Sewer	\$30,038	\$15,099	\$30,038	\$0	0.00%	
501-4502-7090 Infrastructure - Sewerlines & Pump Stations	\$53,651	\$0	\$14,500	\$39,151	72.97%	Sewer pod controllers only at this time
501-4502-7095 Work in Progress - CAPITAL BUDGET	\$0	\$0	\$0	\$0	#DIV/0!	
501-4502-8000 Reserve for Plant Expansion - Facility Fees	\$158,400	\$0	\$158,400	\$0	0.00%	
501-4502-8100 Wastewater Rate Increase Reserve - Future Year	\$0	\$0	\$0	\$0	#DIV/0!	
TOTAL SEWER DEPT EXP	\$1,253,336	\$423,876	\$1,221,654	\$31,682	2.53%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4503-1000 Regular Salaries & Wages-Utility Billing	\$32,014	\$13,556	\$32,014	\$0	0.00%	
501-4503-1100 Regular Salaries & Wages OT-Util Billing	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-2000 FICA Expense	\$2,449	\$1,095	\$2,449	\$0	0.00%	
501-4503-2100 SUI Expense	\$66	\$0	\$66	\$0	0.00%	
501-4503-2200 Retirement-ER VRS & ICMA-RC Contribution	\$2,101	\$875	\$2,101	\$0	0.00%	
501-4503-2210 Life Insurance	\$471	\$196	\$471	\$0	0.00%	
501-4503-2220 Disability Insurance, LTD & STD	\$260	\$87	\$260	\$0	0.00%	
501-4503-2230 Worker's Comp	\$22	\$19	\$22	\$0	0.00%	
501-4503-2300 Health Insurance	\$6,760	\$3,298	\$6,760	\$0	0.00%	
501-4503-2310 Dental Insurance	\$285	\$119	\$285	\$0	0.00%	
501-4503-2320 Vision Insurance	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-2325 AFLAC Insurance Premiums - Town portion	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-2340 Employee Assist Program	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-2345 Employee/Volunteer Testing	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-2360 Staff & Volunteer Appreciation	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-3020 Maint Svc Contracts - Annual	\$650	\$1,088	\$650	\$0	0.00%	
501-4503-3025 Repair Maint & Inspect Contracted Svcs	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-3430 IT, Software, Scan & Website Services	\$720	\$0	\$720	\$0	0.00%	
501-4503-3500 Advertising Services	\$0	\$0	\$0	\$0	#DIV/0!	
501-4503-3760 Cash Short & Over Util Billing	\$0	\$1	\$0	\$0	#DIV/0!	
501-4503-5040 Phone Service, Landline & Wireless	\$360	\$150	\$360	\$0	0.00%	
501-4503-5070 Postage	\$6,300	\$1,500	\$6,300	\$0	0.00%	
501-4503-5110 Lease, Office Equipment	\$2,000	\$437	\$2,000	\$0	0.00%	
501-4503-5200 Travel-Mileage, Parking & Tolls	\$80	\$0	\$80	\$0	0.00%	
501-4503-5210 Travel-Lodging & Meals	\$75	\$0	\$75	\$0	0.00%	
501-4503-5230 Education	\$200	\$0	\$200	\$0	0.00%	
501-4503-6000 Office Supplies	\$1,250	\$426	\$1,250	\$0	0.00%	
501-4503-6150 Comptr, Sftware & Electronics < \$5,000	\$0	\$0	\$0	\$0	#DIV/0!	
TOTAL UTILITY BILLING DEPT EXP	\$56,064	\$22,847	\$56,064	\$0	0.00%	
TOTAL UTILITY FUND EXPENDITURES	\$2,184,172	\$646,842	\$2,183,172	\$1,000		
UTILITY FUND REVENUE LESS EXPENDITURES	\$0	\$384,432	\$0	\$0		

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual Harbor Fund Fiscal Period From - 7/1/2021 Thru - 10/31/2021

510 - HARBOR FUND REVENUE

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
						Based on prior year sales history +20% increase (40% price increase prorated)
510-3150-1000 Harbor Fuel Sales	\$478,000	\$190,645	\$482,484	\$4,484	100.94%	
510-3150-2000 Dockage Fees	\$300,000	\$175,712	\$406,559	\$106,559	135.52%	
510-3150-2050 Special Event Revenue - Harbor	\$0	\$0	\$0	\$0	#DIV/0!	
510-3150-2100 Harbor Electric Sales/NC for Pumpout	\$25,000	\$12,006	\$25,000	\$0	100.00%	
510-3150-2200 Lease/Storage Revenue	\$10,500	\$130	\$400	(\$10,100)	3.81%	No more storage at harbor lot
510-3150-3000 Wharfage Fees	\$13,000	\$612	\$13,000	\$0	100.00%	Spring is the busy season
510-3300-1520 Sale of Abandoned or Harbor Misc. Property	\$0	\$0	\$0	\$0	#DIV/0!	
510-3400-1000 Lease - Restaurant Base Amount	\$6,000	\$2,000	\$6,000	\$0	100.00%	
510-3500-1501 Harbor Water Sales	\$0	\$680	\$1,200	\$1,200	#DIV/0!	
510-3650-4000 Recovery - Harbor Miscellaneous	\$0	\$66	\$66	\$66	#DIV/0!	
						\$30.7K from project closed out in FY21, available for appropriation, remainder from new BIG application
510-3800-3000 Grant - Federal Boating Infrastructure BIG	\$0	\$30,754	\$54,947	\$54,947	#DIV/0!	
510-3800-3500 Grant VA Dept of Health - Pumpout Costs	\$1,000	\$0	\$0	(\$1,000)	0.00%	Pumpout Boat no longer functional
510-3950-2000 Transfer from General Debt Service Fund	\$102,657	\$33,094	\$102,657	\$0	100.00%	For debt service payments
TOTAL HARBOR REVENUE	\$936,157	\$445,698	\$1,092,312	\$156,155		

510 HARBOR FUND EXPENDITURES

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
510-4713-1800 Allocated Wages	\$11,389	\$3,796	\$11,389	\$0		
510-4713-2800 Allocated Benefits	\$3,079	\$1,026	\$3,079	\$0	100.00%	
510-4713-3020 Maint Svc Contracts - Annual	\$3,800	\$749	\$3,800	\$0	100.00%	
510-4713-3025 Repair Maint & Inspect Contracted Svcs	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-3030 Lease - Storage	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-3040 Grounds Maintenance	\$1,500	\$0	\$1,500	\$0	100.00%	
510-4713-3415 Management Services Exp - CC Yacht Center	\$253,606	\$106,034	\$319,571	(\$65,965)	126.01%	Increased revenue = Increased management cost
510-4713-3420 Engineering & Architect Svcs Harbor	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-3430 IT, Software, Scan & Website Services	\$1,700	\$480	\$1,700	\$0	100.00%	
510-4713-3500 Advertising Services	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-3730 Bank Service Charges Harbor	\$700	\$294	\$700	\$0	100.00%	Debt Service admin costs

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
						Grant request approved, budget amendment needed for FY22 expenditures (A B C & D dock repairs/electrical, Bathhouse HVAC)
510-4713-4160 Grant Exp - VDH BIG	\$0	\$0	\$64,720	(\$64,720)	#DIV/0!	
510-4713-4170 Grant Exp - VA Port Authority	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-4180 Grant Ex. - Northampton County Tourism	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-5010 Electric Service	\$24,480	\$9,295	\$24,480	\$0	100.00%	
510-4713-5020 Propane & Fuel Oil Exp	\$700	\$0	\$700	\$0	100.00%	
510-4713-5030 Water Expense Harbor	\$750	\$253	\$750	\$0	100.00%	
510-4713-5035 Sewer Expense Harbor	\$1,400	\$398	\$1,400	\$0	100.00%	
510-4713-5040 Phone Service, Landline & Wireless	\$0	\$139	\$139	(\$139)	#DIV/0!	
510-4713-5050 Internet & Cable Services	\$720	\$344	\$720	\$0	100.00%	
510-4713-5300 Insurance, Property & General Liability	\$23,000	\$13,446	\$26,891	(\$3,891)	116.92%	
510-4713-6025 Janitorial & Kitchen Supplies	\$0	\$1,296	\$3,500	(\$3,500)	#DIV/0!	
510-4713-6150 Comptr, Sftware & Electronics < \$5,000	\$1,000	\$40	\$540	\$460	54.00%	
510-4713-6175 Vehicles & Powered Equipment Fuel	\$3,300	\$151	\$1,200	\$2,100	36.36%	
510-4713-6200 Vehicle & Powered Equip. Supplies & Svcs	\$8,000	\$3,996	\$8,000	\$0	100.00%	
						Increase for backlog of repairs & \$5000 East Inner harbor
510-4713-6225 Repair & Maintenance Supplies Harbor	\$65,000	\$8,407	\$85,900	(\$20,900)	132.15%	work
510-4713-6230 Repair & Maint Suppl Reimbrsbl	\$1,500	\$0	\$0	\$1,500	0.00%	Pumpout boat no longer in service
510-4713-6400 COGS - Fuel for Resale	\$353,000	\$158,344	\$355,000	(\$2,000)	100.57%	
510-4713-6800 Debt Service - Principal Payment HRB	\$78,693	\$20,999	\$78,693	\$0	100.00%	
510-4713-6850 Debt Service Interest - Harbor	\$23,964	\$12,094	\$23,964	\$0	100.00%	
510-4713-6900 Contingency Fund Expense Harb Fund	\$13,875	\$0	\$13,875	\$0	100.00%	
510-4713-7010 Building, Equipment, Other CAPITAL BUDGET	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-7060 Infrastructure - Breakwaters & Jetties	\$0	\$0	\$20,000	(\$20,000)	#DIV/0!	Structural piling repair
510-4713-7070 Vehicles & Equipment CAPITAL BUDGET	\$0	\$0	\$0	\$0	#DIV/0!	
510-4713-7085 Infrastructure - Docks & Misc CAP BDGT	\$61,000	\$0	\$40,100	\$20,900	65.74%	\$40.1K Cap Plan Eval; move remainder to repair & Maint
TOTAL HARBOR EXPENDITURES	\$936,157	\$341,583	\$1,092,312	(\$156,155)		
HARBOR REVENUE LESS EXPENDITURES	\$0	\$104,115	\$0	\$0		

*Based on 4 months of FY22 Data and 8 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual General Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

520-SANITATION FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
520-3150-1000 Refuse Collection Fees	\$229,771	\$101,293	\$229,771	\$0	44.08%	
520-3150-2000 Bulk refuse collection fees	\$600	\$325	\$600	\$0	54.17%	
520-3150-3000 Miscellaneous Refuse fees	\$0	\$0	\$0	\$0	0.00%	
520-3150-4000 Penalties & Interest - Garbage Charges	\$0	\$1,029	\$0	\$0	0.00%	
520-3900-6000 Appropriation from Fund Balance	\$160,224	\$0	\$168,952	\$8,728	0.00%	
TOTAL SANITATION FUND REVENUE	\$390,595	\$102,647	\$399,323	\$8,728	26.00%	
520-4520-3020 Maint Svc Contracts	\$216,513	\$55,560	\$223,613	(\$7,100)	25.66%	Rate increase with new contract
520-4520-3500 Advertising Services	\$0	\$81	\$81	(\$81)	0.00%	
520-4520-5300 Insurance, Property & General Liability	\$1,000	\$402	\$1,000	\$0	40.18%	
520-4520-6225 Repair & Maintenance Supplies Sanitation	\$12,858	\$14,405	\$14,405	(\$1,547)	112.03%	New trash cans
520-4520-7090 Bulding, Equipment, Other CAPITAL BUDGET	\$0	\$0	\$0	\$0	0.00%	
520-4520-7100 Depreciation Expense Sanitation	\$0	\$0	\$0	\$0	0.00%	
520-4520-8110 Transfer to Capital Fund	\$160,224	\$0	\$160,224	\$0	0.00%	Will transfer when trail project draws closer
TOTAL SANITATION FUND EXPENDITURES	\$390,595	\$70,448	\$399,323	(\$8,728)	18.00%	
SANITATION FUND REVENUE LESS EXPENDITURES	\$0	\$32,199	\$0	\$0	22.00%	

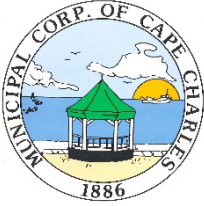
Based on 5 months of FY22 Data and 7 months of FY21 trends

Estimated sanitation fund balance at end of FY22 after new contract price increase = \$82,800



TOWN COUNCIL
Work Session
January 6, 2022
Cape Charles Civic Center
Immediately Following the Special Meeting

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Town of Cape Charles Personnel Manual Update
3. Organizing Schedule of Public Meetings
 - Upcoming Meeting Schedule
 - Pending Items to Schedule
 - a) Strategic Planning Town Hall Meeting
 - b) Strategic Planning Work Session
 - c) Comprehensive Plan Kick-Off Meeting – Joint Work Session with Planning Commission & Town Council
4. Adjournment

 TOWN OF CAPE CHARLES	AGENDA TITLE: Cape Charles Personnel Manual		AGENDA DATE January 6, 2022
	SUBJECT/PROPOSAL/REQUEST: Discussion of update to the Personnel Manual.		ITEM NUMBER: 2
	ATTACHMENTS: Responses to Council comments; Proposed Manual; Appendix A Whistleblower Policy		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Jodi Outland	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town of Cape Charles Employee Personnel Manual has not been updated since 2016. Many new employment laws have gone into effect in Virginia since then which could increase employer liability exposure if not addressed.

ITEM SPECIFICS:

Having an updated Personnel Manual is essential for not just outlining policy and expectations, but to limit liability. Staff has been working on a comprehensive update for some time. There are so many changes, use of track changes was not practical.

While most of the Personnel Manual is merely updating wording, layout, and enhancements to policy, several key areas have been added or updated significantly as a result of both experience from management's perspective and the new laws enacted in the State.

Some of the most significant revisions include:

- *Updated the EOE* sections throughout the manual to be inclusive of expanded protected classes, as well as for reasonable accommodations as outlined in the Virginia Values Act (2020) and the expansion of the Human Rights Act (2021)
- *Holiday and Weather Pay* (section VI. A. and E.) - This was updated as a result of budgeting constraints for time being paid over a 40-hour work week, yet accommodating essential workers who must work holidays and during weather closures
- *Harassment and Violence* (Section X.) - This has been expanded
- *Alcohol and Drug Free Workplace* (section XI) - Recreational use of marijuana was legalized in July of 2021 therefore the drug policy had to be re-written in all aspects of its application
- *Employee Ethics, Conduct and Responsibilities.* (section XIII) - has been expanded to include a Social Media policy and Personal Appearance and Hygiene policies. Retirement and Conflict of Interest have been updated
- *Computer Use and Monitoring of E-Mail and Internet Access* (section XIV) - With the recommendation of the Town's IT consultant this section was updated to be more current and strive to protect the Town from cyber-attacks

Please also see the attached RESPONSES TO COUNCIL COMMENTS document.

RECOMMENDATION:

Staff recommends that Council review the updated Personnel Manual and provide direction for formal approval at the Regular Town Council meeting on January 20, 2022.

Personnel Manual

RESPONSES TO COUNCIL COMMENTS:



Note: Our manual has always been derived from templates and guidance received from the HR consulting arm of the Virginia Risk Sharing Association (VRSA), our liability provider. Our Employee Manual should accomplish three things; protect us from liability, outline Policy, and be a guide of conduct for all employees to follow.

Questions/Notes:

Below are points that arose in the review process by specific council members.

Italics- Council paraphrased comments

HR's Response in **red**.

(XX) Council Member's initials who made comment

Mechanics, Formatting & General Editing:

To save both time and space, each individual suggested correction on mechanics, grammar, or formatting will not be addressed here; however, all issues noted will be corrected.

Other:

I.C. *Police Manual-Applicability: Does the Police dept. policies and procedures need updating.*

(AF) (SB) **Yes, The Police Manual needs to be updated too. But one Manual at time, 😊**

II. *Definitions. There are certain terms used throughout these policies that should be captured here also: Non-exempt (even though exempt is defined), at-will, appointive officer and safety sensitive.* (PG) **We can add *non-exempt* and *safety sensitive* to the definition list. *At-Will* is defined in the At-Will statement where it belongs. The "Definitions" on page 3 is defining employee types.**

III.A. *Vietnam era veterans: Not sure why Vietnam era vet is called out separately* (AF) (PG) **was an oversight and replaced with Veterans.**

III. Equal Employment Opportunity A.1. 3. Policy Statement; using all the same language. (SB) **The language will be updated so protected classes are consistent throughout section/Manual.**

III.B. *Addressing, the Virginia Human Rights Acts for Pregnancy and Disability Appendices; Exhibits A and B. In summary, Paul has presented several questions about the presentation of the notices and their dissemination.* **Staff consulted with the Human Resources consulting arm of VRSA and they recommend to completely leave them out of the Personnel Manual. Notices from the Virginia Office of Civil Rights are correctly posted in the workplace. They will become a part of the onboarding materials given to all new hires as well as notices presented to employees who have a life qualifying event, such as a pregnancy. Generally, we refrain from**

putting specific timelines into the Employee Manual, so not to commit ourselves to an exact number, should we fail and hand it out a day late, we could open ourselves to liability.

General: Do all sections adequately provide for who assumes the TM role in his absence? Is there a need to specify among "acting/asst. town manager", Mayor or Town Council for different types of authority; (AF) (SB) Because of the small number of potential successors, the no-notice nature of personnel changes, and the varying capabilities of potential new individuals, the Town should remain less specific here to account for these variables, as well as associated staff availability (sick or vacation). The TM should be held responsible to make sure operations are adequately covered in his/her absence however he/she judges best. If the TM is out of the picture, the Charter defines what happens.

IV.B. Requirements for publicizing vacancies should be updated to include minimum expected digital dissemination, for example on Town Website. I don't know if there are any standard state resources/listings. (AF) Agreed. Insert definition for 'recently' (<1 year). (PG) Again, we generally prefer to avoid deadlines and time frames to increase our flexibility.

IV.K. Internal Promotion Publicizing vacancies for department head, TM, Asst. TM. (AF) Advertising is always an option when appropriate for the situation, but we should not bind ourselves to always having to do so. The Town Manager should have the option to promote internal candidates without having to advertise for these vacancies.

IV.F. Medical Examination. Is this at own or Town's expense? (SB) This is not part of the manual, however, the Town covers employment examination costs if required.

V.A. Pay and Classifications - Compensation Plan: Need to address current employees and pay band increases. I would add an item that if pay bands are increased, for those current employees falling below the band, compensation will be adjusted to be within the band on the day that the new band becomes effective. And yes, I know it could be a budget impact but this type of study should not catch us by surprise. (PG) Agreed.

V.B. Hours of Work and Police Overtime. Are hours over 171 paid "hour for hour" like those between 160 and 171? (SB) Hours worked over 171 are paid at time and a half. This is trued up every other payroll and is an example of how rules for law enforcement employees differ from other employees.

V.D. Compensatory Time. I feel that non-exempt employees need to get paid for OT (PG) (SD) Please see the following discussion on leave/time-off.

V.I. Holidays and Leave – (PG) (SB) (TH) Again see the following discussion on leave/time-off.

V.J. Mileage Reimbursement – "Why wouldn't mileage be paid at GSA rate also?" (SB) They are the same. GSA uses IRS rate. Otherwise, employees would have to claim as income if higher, or file on taxes to get the difference back.

VI.B.7 Reemployments Rights – Military Leave without pay. Please review 44-93.3 Reemployment Rights for correct wording. We refer to 90 days notification but there is also a 14-day notification if service was less than 180 days. (PG) We've sent our language to VRSA who advises our text is verbatim to their sample policy. Upon quick review of the link provided by VRSA, we could find no reference to the 14-day requirement.

VI.B.8 Leave for Volunteer Fireman insert TM for coordination also since code official reports to him. (PG) Not necessary, the TM is the code official's "supervisor".

VIII – Performance Evaluation for TM – Insert that the annual TM performance evaluation will be conducted by TC and signed by Mayor. (PG) Will update to include annual TM performance evaluation will be conducted by TC and signed by Mayor.

IX Health and Safety. Employee may be subject to drug and/or alcohol testing. Who makes this call since this is a big thing? Should be identified. (PG) Supervisors would be the likely source to identify an impaired person, though any department head could make the call (The Town plans to have supervisory training to identify impairment). Supervisors or department heads may also request HR have an employee tested upon reasonable suspicion.

X.B. Sexual Harassment – Should there be mandatory yearly training for this? (SB) We strive to conduct training for harassment annually, but if the Town makes that a requirement in policy, then we become liable if there is an incident and we did not fulfill this obligation. The Town is under no legal obligation to provide sexual harassment training; however, it is a good practice.

X.E. Harassment and Violence Investigation and Confidentiality. Written contents and finding maintained in a place of security and limited access. Where is this location? Should be identified. (PG) Depends on the type of file. For example, employment files are stored securely in the HR Office, but payroll is stored in the Treasurer's office. However, when/if Town offices move, this might change. We prefer to leave this unspecified in formal policy for now.

XI.C.5. I think the "town reserves the right to search" sentences need to be tighter. "Maintains full control" is too vague. Do we want to say "on town property" or is that too broad? Do we include lockers or similarly "private" spaces that others don't generally have access to? (AF) Staff checked with VRSA for appropriate language and they agree we can use "town property".

XII. How do we define outdoors workspace? Do we want to prohibit smoking within 20 feet of town buildings? (AF) Agreed this should be clarified. Staff recommends a policy of no smoking within 30 feet of any entrance to a town building.

XIII.E. Either here or in Section XV, I think you need to explicitly prohibit wearing political attire, buttons, etc. when on duty. (AF) Good point, will update this.

XIII.F: Social Media: When it says the use of social media policy is still being developed, is there a timeline? We obviously need a more substantive section. (AF) (TH) Since social media itself is a fluid and fast changing medium, staff now recommends a free-standing social media policy (outside of this manual) which can be updated more frequently.

XIII.G. *Conflict of Interest – Act is hereby made a part of this Personnel Policy. Are the employees given this document with the manual?* (PG) (Refers to the Virginia Comprehensive Conflict of Interest Act). No, the full Act is huge and overwhelming. Neither do we provide other referenced guidance (like the Procurement Code). If desired, we could delete this reference.

XIII.J. *Retirement. The second paragraph (physically or mentally incapable of performing) should receive separate section.* (PG) Disagree, this appears to be the appropriate place for it.

XIII.O.1. *Cell Phone. Employees may be able to use personal phones for town business. See HR manager for more information. Why isn't information provided here? If HR mgr has criteria for deciding, insert it here.* (PG) It is not in the manual because it does not apply to everyone. Perhaps, "If applicable, see HR manager for a copy of the "Cell Phone Reimbursement Policy"

XIII Q. *FOIA - Town has 5 working days - add unless extension is accordance with VA code is obtained.* (PG) Agreed.

XIV.A.: *First para, last sentence, I assume it means to read "such as other town employees" not "other towns' employees"?* (AF) The wording is correct, meant to address external users in certain situations.

XIV.D. 2. *Computer Use. reference to 'authorized supervisory personnel' - who is this and why not specifically identify here.* (PG) Non-specific to account for personnel or organizational changes.

XIV.E.1. *Message to Legal Counsel – printed and filed in an appropriate place. What does this mean to an employee?* (PG) We can check with VRSA/attorney for potential better wording.

XIV.D.6: *In addition to the broad language in Section XV, I would list political activity among the prohibited uses.* (AF) Agreed.

XVI.A. *Adding to list of misconduct. Recognizing it's not an inclusive list, I would add a couple things to the list of misconduct: 1. misrepresenting authority (e.g. indicating approval of something not in one's authority to approve), 2. Revealing confidential or proprietary information.* (AF) Agreed.

XVI.B.2 *Boards and Commissions. (ii) and appointees of elected individuals or elected groups (v) should be deleted since this is an employee manual.* (PG) That is exactly why this needs to remain; this section identifies who is not authorized in this procedure.

XVI.B.3. (PG) Add a note within Manual that Paul is not to be called for any grievances. 😊

Whistleblower Policies: I find this conspicuous in its absence, both in terms of protecting town's interests and employees. The defense of "I'm a whistleblower" is greatly abused, but it is also unclear where someone with a legitimate concern is to turn if they lack confidence that anyone in town management will hear their concern without negative consequences. (AF) **Omitting a Whistleblower Policy was not an oversight. The new Whistleblower/Non-Retaliation Protections went into effect on 7/1/2021. VRSA made the recommendation to the Town that this is typically a stand-alone policy. However, Town Management is advising it becomes an appendix to the Manual, see attached.**

Personnel Policy Discussion (consider comments below in red):

While not a specific question, one of the common themes being asked in general was about *time off*. While public sector employees do tend to have more generous benefit packages than private sector employees; private sector employees earn much higher salaries and wages than their public sector counterparts. This is true across the board. So yes, Town benefits, specifically offerings of leave and holidays seem generous, but they are essential for us to remain competitive for the recruitment and retention of top candidates on the Shore. Older workers often value their time and flexibility over their earnings, and younger workers may have school aged children requiring doctor appointments or daycare during school closures/holidays.

Compensatory Time: In previous years, giving non-exempt employees who worked more than 40 hours in a work week comp time was the Town's default position. However, two recent occurrences have helped the Town to minimize comp time liability and switch to overtime as the new default. The first was the appointment of a new Town Manager in 2020 who required that overtime be paid unless the employee specifically requested comp time (federal law). The result: Back in July of 2020 the Town had over 200 hours of earned comp time on the "books" (liability). As of the end of 2021, this was down to only 20 hours. This amount will continue to drop, as comp time is always paid out before vacation.

The second was the recent Virginia Overtime Wage Act that the Governor signed into law beginning on July 1, 2021. Initially this was going to abolish comp time in the public sector (private sector employers do not offer comp time). A huge outcry was made across the State from Public Sector employers; so in August, the General Assembly amended the language putting comp time back on the table. But the threat of future action remains, so it is prudent to keep comp time to a minimum.

Town management prefers to keep comp time in the policy (at least until the law dictates otherwise) as it gives flexibility to both employer and employee. Make no mistake, the employee is now in the driver's seat. Comp time can only be granted if the employee asks for it first, and then only if the Town approves it. There may be, on occasion, certain circumstances in which comp time is the more preferred method for both parties. For example, employees who ask for comp time in lieu of overtime are often new employees with little to no accrued vacation time. This provides the employee with needed time off and saves the Town money on overtime expenses. Again, it must work for both parties or it wouldn't be approved.

Sick and Vacation: The Town follows a typical local government model of maintaining two separate accrual banks for employee time off; one for sick time and one for vacation. Currently both accrue at increasing rates, in 5-year increments, up to 25 years of service. Both sick and vacation time balances roll over into the following year.

Vacation: Currently, the maximum liability to the Town is 248 vacation hours (per employee), to be paid out at separation. When public sector colleagues on the Shore were asked about their leave policies, we found some were more generous, and others not as generous as the Town. Entities that cap the number of hours that can roll over to the next year, offer a greater number of hours for pay out at separation, thus increasing their liability. Capping the roll over essentially creates a “use it or lose it” vacation policy. The advantage of having a “use it or lose it” vacation policy is it encourages employees to take vacation which is good for their mental well-being and happiness. However, with too stringent a “use it or lose it” policy, employees may begin to request more vacation than can be covered by other Town staff.

Town management recommends keeping the current liability limit of 248 hours per employee. However, we feel that once that level has been accrued, employees should be required to take 40 hours of vacation per year. Any portion of those 40 hours not used would not carry forward to the following year. Hours accrued above 40 hours (if not used) would carry over consistent with current policy.

There is currently no upper limit to the amount of vacation time an employee can accrue. This may seem like an excessive benefit, but since the Town’s liability is capped, there isn’t any financial impact to the Town. The only impact could be operational if an employee sought to use all that leave. But such use would require Town approval, which would not be given if the Town could not absorb that work. Therefore, there isn’t much of an operational impact either. What an open-ended leave balance does provide, is peace of mind to the employee should they need time for a catastrophic situation.

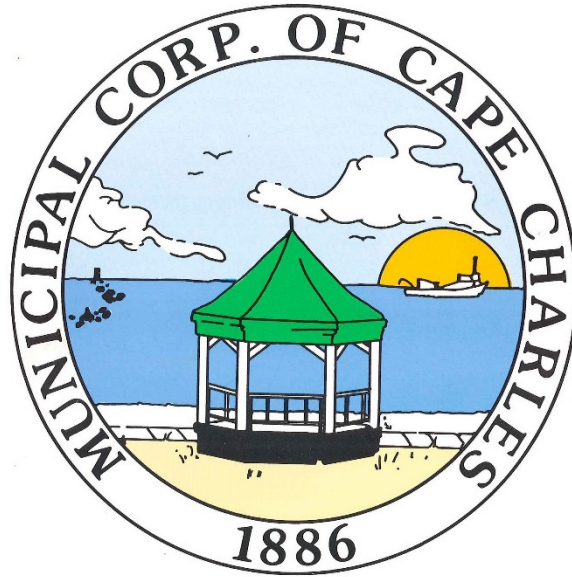
Sick: Currently, sick time accrues at an increasing rate the same as vacation time. However, staff has begun to question if this is really necessary. Vacation is supposed to be an increasing benefit that you earn with greater seniority (an important retention tool). But sick time has no cash value to the employee and is provided only to account for unanticipated medical needs. Such needs should affect all employees in a similar way. Therefore, perhaps we should go to a standard accrual rate for all employees, regardless of their seniority.

Staff recommends setting this new standard rate at 4 hours per pay period (which is just slightly higher than the current rate used for new employees). This would represent a significantly lower accrual rate for most employees. But if the Town were to move in this direction it is also recommended that we increase our current short-term disability benefit from 60% of salary to 80% of salary. The Town has a self-funded disability benefit, so the cost to the Town is the same whether we cover 60% by disability and 40% with accrued sick time, or if we pay 80% by disability and 20% with accrued sick time. Either way, we’re still budgeting for the full paycheck. Current employees would keep what they’ve accrued so far but going forward would accrue at the new rate. Over time, this would significantly reduce sick leave balances across the board.

Holidays: The Town follows the State holiday schedule (no more, no less), which is standard for municipalities. Northampton and Accomack Counties also follow the State schedule. The Town does allow employees to float Holidays within that pay period which gives us better work productivity and flexibility, although we remain closed to the public on official state Holidays, as is the County. For the new fiscal year, it is being recommended that Holiday pay be included in wages and salary so employees can receive Holiday pay in earnings rather than having to bank the time if worked. This would remain the employee's choice, much like comp time. Note: The State may amend the State Holiday calendar at any time, even mid-year (example; Juneteenth Day and Election Day added, and Lee-Jackson Day removed in 2020).

It is important to mention again that people do not come to work for the Town because of the pay. They want to work for the Town because we have good benefits, a good leave policy, and we treat employees well and fair. Recruiting top employees in our market is very challenging. If the Town were to offer fewer Holidays than our competitors, such as the County or the CBBT, it would further weaken our recruitment effort. Eliminating any of our current Holidays would only serve to crush morale and decrease productivity, without any significant benefit to the public. Almost half of our employees have children in school. When school is closed on Holidays (Friday after Thanksgiving, Election Day, etc..) they must scramble to find childcare.

Town management strongly recommends continuing to follow the State Holiday Calendar.



TOWN OF CAPE CHARLES PERSONNEL POLICIES

REVISED DECEMBER 1, 2021

TOWN OF CAPE CHARLES PERSONNEL POLICIES

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TOWN OF CAPE CHARLES PERSONNEL POLICIES

I. INTRODUCTION

A. Purpose

When you entered employment with the Town of Cape Charles, you began working for the citizens of the Town. A spirit of understanding and courtesy is essential to those in the public service. The objective of these Personnel Policies ("Policies") is to provide a uniform system of personnel administration for the staff of the Town of Cape Charles ("Town"), based on merit principles, equitable compensation, open competition in hiring and advancement, and equal employment opportunities.

It is the policy of the Town to establish reasonable rules of employment conduct (i.e., guidelines for management and employees to follow) and to ensure compliance with these rules through a program consistent with the best interests of the Town and its employees.

Additionally, it is the policy of the Town to strive for safety in all activities and operations, and to carry out the commitment of compliance with health and safety laws applicable to the Town by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions.

This manual is not, and shall not be construed as an explicit or implied contract, shall not modify any existing at-will status of any Town employee, and shall not create any due process requirement in excess of federal or state constitutional or statutory requirements. The term at-will means employees can terminate or be terminated at will. Exceptions are employees having written contracts signed by the Town Manager or Town Council.

B. Organization of the Personnel Function

The Town Manager is designated as the chief personnel officer and is responsible for personnel administration within the Town government. The Human Resources Manager (HR Manager) administers these policies under their supervision.

The Personnel/HR function shall be under the direction and supervision of the Town Manager. All official personnel files, including, but not limited to the following: employment applications, letters of appointment, reference checks, performance evaluations, notices of commendations, training documentations and disciplinary actions shall be maintained by the HR Manager. All employee files are confidential and copies of information contained therein may be released only upon written authorization of the employee or by requirement of State and Federal law.

C. Applicability of Rules

The Town of Cape Charles Personnel Policies apply to all Town employees except any employee specifically exempted by action of the Town Council.

Neither the Town Council nor the Town Manager is limited by the strict terms of this policy because it is not possible to include every conceivable circumstance in this document. This policy is intended to serve as a basic framework upon which equal and fair treatment of all employees may be predicated.

In addition to these policies, the Police Department has a separate Policies & Procedures Manual, adopted by the Town Council on November 12, 2009, which supplements the Town's Personnel Policies.

All personnel matters, including disciplinary actions, are considered to be of a confidential nature by the Town.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

D. Dissemination of Rules

The Town Manager will make public complete copies of the Cape Charles Personnel Policies. Each new employee of Cape Charles will be given a complete copy of this policy, and a receipt signed by the employee shall be maintained in the individual's personnel file to document the distribution. Department heads shall be responsible for maintaining a complete, current set of the policies and for bringing these items to the attention of all employees under their supervision. The Town Manager may issue memoranda interpreting situations not covered by this document to be disseminated to all employees for future application and guidance.

E. Modification of Policies

These policies do not constitute a contract of employment. The policies as a whole, or individually by section, may be modified, amended, or rescinded at the sole discretion of the Town Manager or Town Council without notice. Any amendments to the policy made by the Town Manager or Town Council become effective on the date of the amendment unless otherwise specified.

Official changes to this document will be disseminated to all Town employees by memoranda from the Town Manager. It is the responsibility of each employee to maintain their personnel manual.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

II. DEFINITIONS

Whenever responsibilities fall to the Town Manager under these Policies, they may designate another to fulfill their responsibilities.

- A. **Exempt Employee** – a salaried employee who performs executive, administrative or professional duties as defined under the Fair Labor Standards Act and its regulations. Full-time, part-time, and temporary employees may be exempt.
- B. **Full-time Employee** – an individual hired on either a salary or wage basis for an established position for an indefinite term who is expected to work a minimum of 40 hours a week.
- C. **Part-time Employee** – an individual hired on either a salary or wage basis for an established position for an indefinite term who is expected to work an established period of time that is less than 40 hours per week. Part-time employees who work 20 hours or more per week on a regular basis, are given a pro-rated accrual of leave benefits in accordance with their set hours of work (and charged accordingly) consisting of sick leave, annual leave and holiday leave. Employees working less than 40 hours a week on a regular basis are not eligible to participate in the Virginia Retirement System nor are they eligible for Town benefits.
- D. **Introductory or Probationary Employee** – a full-time or part-time employee who has worked for the Town for less than 6 months, or as specified in their offer of employment letter. The Town Manager may extend the probationary period for any employee up to an additional 6 months.
- E. **Seasonal or Temporary Employee** – an individual hired on a term basis, *e.g.*, day, week, period of months or on a project basis. When employment is varying in scheduled hours and is limited in duration to a project or an exceptional need for service, such employment, whether 40 hours per week or less, is regarded as temporary and such employee receives no Town benefits.

The Town Manager may also make use of summer interns, Job Training Partnership Act employees or similar programs as deemed in the best interest of the Town.

- F. **Contract Hourly Worker** – Individuals hired as contract hourly workers are not eligible for Town benefits, or for participation in the Virginia Retirement System and are not eligible to accrue sick leave or vacation days. Contract hourly workers may be hired for short-term special projects or for long-term or recurring tasks.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

III. EQUAL EMPLOYMENT OPPORTUNITY

A. Policy Statement

The Town of Cape Charles is an equal opportunity employer. It is the policy of the Town to prohibit discrimination of any type and to afford equal employment opportunities to employees and applicants, without regard to race, color, religion, sex, national origin, age, disability, pregnancy, childbirth, or related medical conditions, marital status, sexual orientation, sexual identity or veteran or active military status. The Town will conform to the spirit as well as the letter of all applicable laws and regulations. The Town will take action to employ, advance in employment and treat qualified Vietnam era veterans and disabled veterans without discrimination in all employment practices.

This policy applies to every aspect of employment practices including, but not limited to the following:

1. Recruiting, hiring and promoting in all job classifications without regard to race, color, religion, sex, age, national origin, political affiliation, sexual orientation or disability, except where such a factor can be demonstrated as a bona fide occupational qualification.
2. All decisions for hiring or promotions shall be based solely upon each individual's qualifications for the position to be filled.
3. Other personnel actions such as compensation, benefits, transfers, layoffs, training, assignments, will be administered without regard to race, color, religion, national origin, sex, age, political affiliation, sexual orientation or disability.

B. Accommodating Individuals with Disabilities

The Town provides equal employment opportunities to qualified individuals with disabilities. Reasonable accommodations will be provided to a qualified employee or applicant with a disability when that employee or applicant requests an accommodation. A qualified employee or applicant is one who is able to perform the essential functions of the job with or without accommodation. A request for an accommodation will be denied if the accommodation is not shown to be effective, places an undue burden on the Town, or if the employee poses a direct threat to the health and safety of him or herself or others.

Please see Appendix I, Exhibit A - Virginia Human Rights Act Reasonable Accommodations for Pregnancy on page 59.
Exhibit B- Virginia Human Rights Act Reasonable Accommodations for Discrimination on page 60.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

IV. RECRUITMENT AND SELECTION

A. Employment At Will

Every employee of the Town has the status of “employee-at-will,” meaning that no one has the contractual right, express or implied, to remain in the Town’s employ. The Town may terminate an employee’s employment, or an employee may terminate their employment, without cause, and with or without notice, at any time for any reason. No supervisor or other representative of the Town has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. Exceptions are employees having written contracts signed by the Town Manager or Town Council.

B. Open Positions

In the event of a job vacancy, the HR Manager may publicize such vacancy in appropriate newspapers or other sources. Vacancies in appointive officer positions must be publicized at least once a week for two consecutive weeks. The HR Manager shall have the discretion to select the newspapers to be used and/or to use any other forms of solicitation deemed necessary or appropriate for the position involved.

All positions shall be open to all individuals who meet the minimum requirements for the position. The recruitment objective is to obtain well-qualified applicants for all vacancies and selection shall be based on the best-qualified person available at the compensation offered for the particular position as specified in the job description.

First consideration will be given to current employees who desire to fill an open position, if the current employee is qualified for the position and if the placement best serves the needs of the Town.

Employment decisions shall be handled in a manner consistent with the Virginia Conflicts of Interest Act. The Town is an equal opportunity employer and values diversity. All employment is decided on the basis of qualifications, merit and business needs.

C. Application

All applicants for Town employment must fill out and furnish complete information on the Town of Cape Charles Employment Application for the position for which they apply. Providing false information on an application may be grounds for dismissal from Town employment.

Except for seasonal student workers, applicants are expected to have a high school diploma or its equivalent. Those persons applying for positions which require the operation of a motor vehicle must present a valid driver’s license at the time of employment. All applicants for Town employment shall be required to meet established standards specified in the job description for the particular position as a condition of employment.

D. Selection

Department heads shall examine applications and interview applicants for employment upon request of the Town Manager and recommend applicants for filling vacancies existing within their departments. The Town Manager has the final approval for filling such vacancies, with the exception of appointive officers who are appointed by the Town Council.

All job offers from the Town are subject to receipt of a satisfactory background check report and drug screening. The background check could include a check of driving record with the State Division of Motor Vehicles, a check with references, an investigation of criminal history record,

TOWN OF CAPE CHARLES PERSONNEL POLICIES

and an investigation into any prior abuse or potential abuse of alcohol and narcotic substances which would impair performance and pose a threat to the public welfare and safety.

E. Hiring Authority

The Town Manager has complete authority for hiring, promoting and discharging employees in accordance with these policies with the exception of appointive officers who are appointed by the Town Council. The Town Manager also has the responsibility and authorization for administering the personnel system established by these policies. Hiring, promoting, demoting and discharging decisions should be reviewed by Human Resources prior to authorization from the Town Manager.

F. Medical Examination

Prior to Town employment, an applicant may be required to complete a medical examination for the purpose of determining fitness for the position. The Town also reserves the right to require such an examination at any time during employment. In addition, all applicants who are tentatively offered positions with the Town will be required to pass a drug analysis test prior to employment. Employees classified as safety sensitive may be subject to random drug testing at any time.

G. Introductory/Probationary Period

All new full-time and part-time employees shall be subject to a 6-month introductory period which shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his position, and for rejecting an employee whose performance does not meet the required standards. The Town Manager shall have the authority to extend this introductory period for any employee up to an additional 6 months in order to further evaluate the employee's ability to meet the required standards for a Town employee. The Town Manager or immediate supervisor shall, prior to the end of the 6-month introductory period, notify the employee in writing of the extension of the introductory period, the reasons for the extension, and the length of the extended introductory period. There is no appeal available for an employee released during the introductory period or extended introductory period except where discrimination is claimed. In establishing an introductory period, the Town does not abrogate or modify in any way the employment-at-will status that applies to its employment relationship with all employees.

Full-time employees will be eligible for participation in the Town's health insurance plans and the Virginia Retirement System on the first of the month following their hire date. Accrual of sick and vacation begins with the first pay period worked by the employee.

H. Special Programs

The Town Manager may make use of summer interns, Job Training Partnership Act employees or similar programs as deemed in the best interest of the Town.

I. Substitutes in Emergency Situations

In order to prevent disruptions to Town services or operations, the Town Manager or his designee may hire a substitute to fill a necessary position on a temporary basis. The Town Manager or his designee may hire individuals from those applications currently on file with the Town or experienced individuals known to the Town Manager or department head who can handle the type of work involved or may make use of commercial employment services providing temporary help. It is the intent of this provision to allow the hiring of individuals on a short-term basis where an individual employee is sick or where an emergency situation has arisen. Where a long-term vacancy exceeding 60 days is anticipated, the position may be advertised.

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J. Maintaining Applications on File

Applications in response to an advertised position shall be maintained in a current file status for 8 months and shall be considered in the event appropriate positions become available or in the event the Town needs substitutes or part-time employees. In the event that a position had been advertised and the individual who was hired fails to complete the introductory period or in the event that a similar vacancy occurs, the Town Manager shall have the discretion to fill the position from current applications on file or to readvertise the position. It is the intention of this provision that all qualified applicants be considered and that the Town not be required to readvertise a position where there are numerous qualified applications on file and where sufficient publication has recently been completed.

K. Internal Promotions

It is the policy of the Town to promote existing employees to positions for which they are qualified when vacancies occur. Where an employee is qualified to be promoted to a vacancy, the Town Manager may fill the position from among current Town employees without the necessity for following the procedures outlined in Section IV of this policy. A qualified Town employee, based upon merit and experience, who seeks the vacancy may be considered as a candidate for promotion by the Town Manager.

L. Exclusion of Employees as Mayor or Members of Council

No Mayor or member of Council shall be an employee of the Town and upon the qualification of any such person for such position, employment shall cease.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

V. EMPLOYEE COMPENSATION

The total compensation of employees consists of the regular salary for full and part-time employees, the employer's contributions to employee benefits, holiday pay, and various forms of leave with pay. Leave policies, found in Section VI, should be reviewed.

A. Pay and Classifications – Compensation Plan

1. The compensation plan for employees of the Town shall consist of:
 - a. A classification system for all classified jobs.
 - b. A pay grade that sets a range for each classified position shall be set by the Town Council.
2. The normal entrance rate of pay for new employees shall be at the lower end of the pay grade for the position with any exceptions to be authorized by the Town Manager.
3. Employees shall be paid following the end of each pay period on a bi-weekly schedule.
4. The compensation plan may be amended by the Town Council.

B. Hours of Work

1. The standard scheduled workweek for all full-time employees consists of 40 hours. This does not preclude the establishment of specified schedules other than 40 hours in a given workweek if approved by the Town Manager. Part-time employee schedules shall be pre-arranged and approved by the department head and Town Manager.

The Chief of Police shall establish the hours of work for all police officers. These positions are established so that a work period is consistent with 160 hours of work for a 28-day work cycle. Additional hours earned during a cycle between 160 and 171 are paid hour for hour. Any hours over 160 require approval by the Chief of Police and any hours over 171 require prior approval by the Chief of Police and the Town Manager. Please refer to the *Cape Charles Police Department Policy & Procedures Manual* for more detailed information.

Both full-time and part-time employees are entitled to one paid 15-minute break for each 4-hour work period. Such breaks, may not be used consecutively, may not accumulate from one day to another nor can they be used to extend a meal break.

2. The work period begins on Tuesday and ends on the following Monday.
3. Flexible work scheduling may be considered within the standard work week so long as the standard hours in a workweek, normally 40 hours, are not altered. Any variation is subject to prior approval by the HR Manager, the department head and Town Manager. Some examples are:
 - a. Arrive earlier in the morning and leave earlier in the afternoon.
 - b. Arrive later in the morning and leave later in the afternoon.
 - c. Add time to meal break and arrive earlier and leave later.

Other temporary or occasional flexible work schedules may include some combination of altered work start and stop times to allow employees to have medical appointments or take

TOWN OF CAPE CHARLES PERSONNEL POLICIES

care of personal business during work hours without being charged leave. If flexible work schedules are instituted on an ongoing basis, the department head may approve such only after consultation with the HR Manager and the Town Manager. An example of when an ongoing flexible work schedule may be requested could be for the employee to attend continuing education.

4. If an employee is unable to report for work or expects to be late, the employee must contact their department head as soon as possible but no later than the beginning of their scheduled work period, giving the reason for the absence or tardiness. Paid leave may or may not be approved. If an employee has difficulty reaching their department head, they should next contact the Human Resources Department. The responsibility to notify a supervisor(s) about absences or about tardiness always rests with the employee.

If a police officer is unable to report for work or expects to be late, they must contact the Chief of Police, giving the reason for the absence or tardiness. The Chief must then notify the Town Manager of the change in schedule(s) or lapse of police coverage. In the event the Chief cannot be reached, police personnel must contact the Town Manager. Paid leave may or may not be approved.

5. Employee work schedules may also be adjusted to meet Americans with Disabilities Act (ADA) requirements.

C. Time Clock Guidelines and Policy for Non-Exempt Employees

1. Introduction

The Town employs the use of an electronic time tracking system. The electronic time tracking system enables you to more accurately keep track of your time and allows the Town to more efficiently process your time worked and leave taken for payroll purposes. In order for this system to work to its fullest potential, all non-exempt employees shall follow the guidelines and policy outlined below. Your cooperation and compliance with this policy is required.

2. Official Time of Record

In order to ensure consistency of treatment of non-exempt employees, the electronic time keeping system and associated work records shall be considered as the “official” record of hours worked for non-exempt employees of the Town. Any disputes over actual hours worked or attendance will be resolved by referring to the electronic time keeping system records.

3. Employee Time Reports

The Fair Labor Standards Act (FLSA) requires that employers keep certain records for employees, including detailed records of time and payments. An electronic timekeeping system is used to record all hours worked and leave taken during the reporting period for non-exempt personnel. The automated time reports must reflect all regular and extra duty hours worked for the period and include personal leave, compensatory time, holidays, etc. Adjustments to hours and leave must be reported weekly to avoid errors and omissions that may occur if these adjustments are posted toward the end of the payroll period. All time clock adjustments must be sent to the Human Resources Department in writing. A supervisor’s signature may be required on time clock adjustments.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

4. Daily Clock In/Out Requirements

It is a job requirement that all non-exempt employees must “clock in” at the beginning of their work schedule and “clock out” at the end of the workday. Non-exempt employees shall also “clock in” and “clock out” when beginning their lunch break and upon return.

Under certain conditions, such as training at an off-site location, extracurricular events, etc., the employee should report time worked to their supervisor and then to the HR Manager so that their time worked can be input manually.

Other requirements and guidelines include:

- a. Employees are expected to clock in and out at their scheduled times, not more than 5 minutes before the scheduled work time or 5 minutes after the scheduled work time. If work duties require an employee to work beyond their scheduled time, the supervisor or department head shall be contacted for approval to work beyond schedule.
- b. Clock in and out times are rounded to the nearest quarter hour.
- c. It is prohibited to abuse or take advantage of the time clock rounding, e.g. clocking in at 8:07 a.m. knowing the clock will round back to 8:00 a.m. or clocking out at 4:53 p.m. knowing the clock will round forward to 5:00 p.m. Repeated offenses of this type may be grounds for disciplinary action.
- d. Employees are to clock out and back in for lunch as scheduled.
- e. Employees must submit a time change form or submit in writing for failure to clock in or out at a scheduled time. If an employee fails to clock in or out three (3) times in a pay week, an informal warning will be issued to the employee by the supervisor, department head or Town Manager. If another failure occurs in the following pay period, a formal written warning will be issued to the employee by the department head or Town Manager. (See Personnel Policies, Section XVI.A, for additional information.)

5. Falsification and Tampering

Due to the severity of the infractions below, immediate disciplinary action will be enforced which may include termination of employment.

- a. Any attempt to tamper with timekeeping hardware or software.
- b. Interference with the other employees’ use of the electronic time keeping system or “buddy” punching.
- c. “Time theft”; this occurs when an employee purposely and deliberately remains on the clock for a prolonged period of time to conduct personal business or earn double pay by working simultaneously for another organization.

The department head, HR Manager and Town Manager will review the specific details of such infraction, including but not limited to those listed above, to develop an appropriate response.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

6. Clock Problems

If an employee is unable to punch in or out because of a time clock malfunction, interruption at the work site or accidental oversight, it is the employee's responsibility to immediately inform their supervisor and/or the Human Resources Department. All clock adjustments must be submitting in writing to the HR Manager who will review the request and approve or decline the adjustment.

D. Compensatory Time

At the time this Handbook was updated in 2021, COMP time is allowed to be given in lieu of overtime for public sector non-exempt employees. Comp time is calculated, like overtime, at one and half times the hourly rate and must be approved by the employee's supervisor.

E. Overtime

It is the intention of the Town to comply in all respects with the Fair Labor Standards Act (FLSA or Act) in the payment of overtime pay to those employees who are not exempt from the Act. The Town will pay overtime pay to qualified employees at the rate of one and one-half times the normal hourly rate of the employee for time worked over 40 hours in a workweek. Overtime must be approved in advance by supervisors.

For the purposes of FLSA, the Town workweek extends from Tuesday through Monday. The normal workweek for town employees is 40 hours per week, from 8 a.m. to 5 p.m. Individual departments may vary from this schedule based upon approval of the Town Manager. The public hours for the Municipal Building offices are 8:30 a.m. to 4:30 p.m. Monday through Friday.

F. Termination Pay

Upon termination of employment, an employee is entitled to payment for unused annual leave, up to a maximum of 248 hours, less any deduction for outstanding debts against the Town. Such debts (for example, payments for insurance premiums or unreturned equipment) shall be deducted and withheld from the final paycheck of the employee. Any accrued compensatory time remaining will be paid upon termination of employment in accordance with FLSA and Section V.D. of this Policy. No compensation will be given for accrued sick days. The final paycheck shall be issued at the next regularly scheduled pay date less any amounts owed to the Town.

G. Performance Increases

The Town promotes excellence in its workforce. Pay increases within the pay range and budget constraints may be given to that end. It is the goal of each department that each employee's performance will be reviewed annually. Based on satisfactory performance and contributions to the organization, pay increases may be given. In exceptional circumstances an employee's pay may be increased in less than a year for meritorious service or enhanced responsibilities. Pay increases are not automatic or guaranteed and are subject to budgetary constraints.

H. Merit Awards

The Town Manager may grant a merit award to an employee to recognize superior service to the Town.

I. Benefits

Full time employees are eligible to participate in the Town's benefit program the first of the month after hire. Information on Town benefits may be obtained from the Human Resources Department.

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J. Mileage Reimbursement

Employees will be reimbursed with prior approval of the Town Manager at the mileage rate set annually by the IRS when using their personal cars on Town business trips. Requests for reimbursement for travel expenses incurred on Town business will be made on forms provided by the Town.

K. Reimbursement for Meals

Employees will be reimbursed for meals while on Town business trips according to the per diem rates established by the U.S. General Services Administration for the Commonwealth of Virginia. Please see www.gsa.gov for the reimbursement rates.

Per IRS regulations, the reimbursement amounts may be taxable if not part of an overnight stay for business.

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VI. HOLIDAYS AND LEAVE

A. Holidays

Authorized holidays will be announced at the beginning of the calendar year and will generally follow the guidelines set by the Commonwealth of Virginia and Northampton County. Typically, the holidays are as follows:

New Year's Day	Election Day
Martin Luther King Jr Day	Veterans' Day
President's Day	Day before Thanksgiving (close at noon)
Memorial Day	Thanksgiving Day
Juneteenth Day	Day after Thanksgiving
Independence Day	Christmas Eve
Labor Day	Christmas Day
Columbus Day	

A holiday falling on a scheduled vacation day will not be charged to vacation time but will be recorded as holiday time.

Full time employees are entitled to 8 hours for each scheduled Holiday; however, the Holiday may be *partially paid out* and the remainder "banked" to use as you would Annual Leave. For example, if there is "holiday pay" on your pay stub that says "3.75" this means that you only needed 3.75 hours to give you a 40-hour workweek.* The remainder, 4.25, is "banked" to use as you would vacation or COMP time. If you were to leave the Town's employ, you will receive the banked Holiday pay at the rate you are earning at the time of separation. *With department head approval*, employees who were performing essential duties during the Holiday period may be given their Holiday in a full 8-hour increment and as long as the employee was required to work on the Holiday or in support of the Holiday. With approval from their supervisor, employees may take or 'float' the holiday on a day other than the actual scheduled holiday. This needs to be reviewed by the HR Manager as well. *Call-Outs are an exception and will always be paid out as straight time or overtime (OT).

Regular part time employees working between 20 and 31 hours per week earn holiday pay at 50% (4 hours for a full day) and regular part time employees working more 32 hours or more, but less than 40, earn holiday pay at 75% (6 hours).

B. Leave

1. Annual Leave

Full-time employees will accrue paid annual leave for personal purposes at the following rates and may be used on an hour for hour basis. Regular part-time employees working 20 hours or more per week will accrue paid annual leave at a prorated amount of the following rate which is determined by their annualized average work schedule.

Under 5 years of service	3.69 hours per pay period
5-9 years of service	4.62 hours per pay period
10-14 years of service	5.54 hours per pay period
15-19 years of service	6.46 hours per pay period
20+ years of service	7.38 hours per pay period

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Annual Leave is earned each pay period for which work is performed. The HR Manager shall be responsible for tracking the accrual and use of annual leave based upon hours worked per pay period. Employees are encouraged to take their annual leave and keep the accrued amount under 248 hours.

Annual leave shall be approved in advance by the department head and/or Town Manager.

If a reasonable work force cannot be maintained when two members of the same department request vacation for the same time period, the department head and/or Town Manager shall grant vacation approval to the person who applied first.

No employee will be issued pay in lieu of annual leave hours unless leaving the Town's employ.

No leave will be granted in advance of accrual.

In cases where employees resign, are dismissed, or go on leave without pay, they will be paid for all of their accumulated annual leave up to a maximum of 248 hours based on the employee's current rate of pay at time of separation. In the event of an employee's death, their estate shall be entitled to payment for any unused balance of annual leave up to the maximum of 248 hours authorized for accrual.

Annual leave is a benefit accrued by an individual employee and shall not be donated, loaned, or traded to another employee.

Employees with an active Virginia Retirement System account for previous service with a Virginia Retirement System covered agency or municipality will be credited with their prior years' service for leave accrual purposes.

2. Sick Leave

a. Sick Leave Accrual and Use

Full-time employees will accrue sick leave at the following rates which may be used on an hour for hour basis. Regular part-time employees working 20 hours or more per week will accrue paid sick leave at a prorated amount of the following rate which is determined by their annualized average work schedule.

Under 5 years of service	3.69 hours per pay period
5-9 years of service	4.62 hours per pay period
10-14 years of service	5.54 hours per pay period
15-19 years of service	6.46 hours per pay period
20+ years of service	7.38 hours per pay period

Sick leave is not earned if any employee works less than 15 days within a month for the Town. There is no limit to the amount of sick leave that may be accumulated. Department heads shall have the authority to approve the use of sick leave. Whenever a question arises concerning the legitimacy of the use of sick leave, a certifying statement from the employee's physician may be required. Failure to provide proof of illness shall constitute reason for nonpayment of days taken. Such action shall also be construed as grounds for further disciplinary action. Sick leave may be used, if any is available, for health-related needs such as: medical, dental, mental health and optical appointments, for the emergency care

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of an immediate family member (spouse, father, mother, brother, sister, fathers/mothers in-law, sons or daughters in-laws. If no such sick leave is available, the employee must use compensatory or annual leave in order to avoid loss of pay.

Unless extreme circumstances prevent them from doing so, employees must notify their department head no later than one hour into their normal scheduled workday if they intend to use sick leave. Sick leave is charged on an hour-for-hour basis for all employees and is not considered an entitlement.

In the case of an employee's resignation, dismissal, retirement, death, or leaving Town employment for any reason, no compensation will be paid for unused sick leave.

Employees with an active Virginia Retirement System account for previous service with a Virginia Retirement System covered agency or municipality will be credited with their prior years' service for leave accrual purposes.

b. **Prolonged Illness or Disability**

If it is evident that an employee will be out of work for a prolonged illness, injury or disability, the employee is encouraged to complete a short-term disability claim form which can be found from the Human Resources Department. Short term disability requires a 7-day waiting period and pays 60% of the employee's base salary. It is up to the insurance company whether or not the claim will be honored. The employee is required to use existing sick, comp or vacation time to make up the 40%.

c. **Sick Leave Bank**

Once an employee has exhausted all sources of leave with pay, an employee memorandum may be sent to all employees from the HR Manager asking whether or not they would like to donate some of their accrued sick leave to a sick leave bank designated to assist the employee confronting the prolonged illness or disability. It is completely voluntary and any time so contributed would then be used by the employee in need. This would allow the employee in need to remain on a leave-with-pay status and still receive full benefits.

Exceptions to this policy may be considered on a case-by-case basis and approved by the Town Manager.

3. **Funeral / Bereavement Leave**

In case of death of a close family member, funeral leave without loss of pay not exceeding 3 days may be used. Close family is defined as an employee's spouse, parent, spouse's parent, son, daughter, sons/daughters in-laws, brother, sister, grandparents, grandchild, stepchildren, stepparents, guardian, and any persons residing in the same household as the employee.

If leave is desired for a death other than family as defined above, the Town Manager may grant additional leave with pay.

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4. Parenting Leave

Employees may use sick leave, annual leave, compensatory leave, or leave without pay for a maximum period of 3 months in the event of a birth or adoption. Additional time may be approved by the Town Manager in extenuating circumstances and upon receipt of a physician's statement. The parenting leave request should be submitted at least 30 days prior to the leave and should include the expected date of return to work. At least 2 weeks before the date of return to work specified in the leave approval, the department head must be advised in writing of the intent to return to work. At the end of the parenting leave period, the employee will be reinstated to the previous job held or to a job of like classification and pay.

5. Family and Medical Leave Act of 1993 (FMLA)

Employees of the Town are not eligible for the FMLA until such time that the Town employs 50 or more FTE (full time equivalent) employees.

6. Civil Leave

An employee will be given time off without charge to leave or loss of pay for performing jury duty; when subpoenaed as a witness to appear before a court, public body or commission; serving as a blood donor; performing emergency civilian duties in connection with national defense or for the purpose of voting in a national, state, or local election. The period of such leave shall be only as necessary for the performance of the activity, plus any necessary travel time.

7. Military Leave

a. Military Leave with Pay

An employee shall be granted a leave of absence without loss of vacation or sick leave for annual active-duty training as a member of the National Guard or any reserve component for the Armed Forces of the United States for a period not exceeding 15 work days. An employee who is absent for emergency duty with the National Guard or military branch under orders of the Governor pursuant to the Code of Virginia will be entitled to leave of absence with pay for the period of ordered absence.

The Town will pay any such employee the difference between their salary and the pay received for the military duty.

b. Military Leave without Pay

An employee who enters active duty or who receives orders in any of the Armed Forces of the United States during the time of war or other declared national emergency or who is called to service in the Virginia Militia by order of the Governor shall be placed on military leave without pay commencing on the first business day following the last day of active employment with the Town. The employee on such leave is entitled to be restored to a similar position upon return from active duty provided the employee makes application to the Town not later than 90 days after the date of honorable discharge or separation under honorable conditions. Job restoration is further conditioned on the position still existing and the employee being physically and mentally capable of performing the work of the

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vacated position.

8. Leave for Volunteer Firemen

The Town Manager may authorize any employee who is an active member of the Cape Charles Volunteer Fire Company to respond to alarms during regular hours of employment without loss of pay or benefit right. The employee must coordinate with their supervisor or department head to ensure adequate coverage in the department during the employee's absence.

The Town assumes no liability for injuries to Town employees in their capacity as volunteer firemen.

C. Workers' Compensation Leave

When an employee is unable to report to work because of incapacity that is the result of an injury under the Virginia Workers' Compensation Act, the employee will receive for the first 7 days of absence full salary minus normal payroll deductions. The first 7 days of Workers' Compensation leave will be charged against the employee's accrued sick leave balance.

If the absence is longer than 7 days, the employee will receive for the period of absence the full compensation that is provided under the Workers' Compensation Act. If the period of incapacity extends beyond 21 calendar days, the employee will be required to reimburse the Town the amount of compensation awarded to the employee for the employee's first 7 days of absence. This is an obligation owed to the Town and one which, if not reimbursed promptly, will be deducted from future monies (wages, terminal leave pay, etc.) owed to the employee by the Town.

D. Leave Without Pay

1. Special Circumstances

When special circumstances require an extended leave that exceed the employee's accrued annual leave, the Town Manager may grant an employee leave without pay while maintaining 40 hours of annual leave in the employee's account, provided that the operations of the Town's programs will not be adversely affected.

2. Unauthorized Absence

An unauthorized absence from duty during required hours of attendance shall be treated as absence without pay and may be grounds for disciplinary action, up to and including discharge. Where the conditions warrant and adequate reasons for failure to secure authorization prior to the absence are found to exist, the absence may be authorized by a later grant of leave.

E. Inclement Weather Policy

When weather conditions are such that it is necessary to close Town offices to protect the health and safety of employees, the following procedures will apply.

1. The decision to close the offices will be made by the Town Manager or the Mayor. The Town Manager will notify the department heads who will notify the staff. If there is any doubt, an employee should contact their supervisor, who will communicate the emergency plan procedure.

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The Town currently uses Nixel to enable electronic notifications to employees via email, text messages, automated phone calls, etc.

If offices must close early due to severe weather conditions, employees will be so notified by their department head at the direction of the Town Manager or the Mayor.

2. If the office is closed due to inclement weather or any unforeseeable event, non-exempt hourly employees may receive a day's pay. As with Holiday pay, the weather-related pay will compensate you monetarily to a 40-hour work week. Part time employees receive either their shift time or a half day pay depending on their accrual status. IF AN EMPLOYEE WAS NOT SCHEDULED TO WORK on the office closure date, they do not receive weather pay. If an employee is out on a scheduled vacation or sick day, they also do not receive weather pay. Essential employees (Police, Public Works, Plants) receive the weather pay as well as any required hours they worked on the closure. If a non-essential employee chooses to work on an office closure day, and has approval from their supervisor, the time worked will be put into their COMP bucket so long as they have reached a 40-hour work week.
3. When inclement weather conditions result in authorized changes in the work schedule, such as late openings or early closings, employees will be paid for such authorized absences. To qualify for payments, employees must work all or part of the work schedule not affected by the authorized change.

When inclement weather conditions create transportation difficulties that result in late arrival of employees to work, such lost time shall be taken off leave balances unless otherwise authorized by the immediate supervisor.

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VII. EMPLOYEE DEVELOPMENT

A. General

It is the policy of the Town to encourage employees to obtain training designed to develop the employee's value to the organization. Leave with partial pay or leave without pay may be available under the Education Leave provisions addressed below.

The cost of training and related expenses undertaken at the direction of the Town Manager or the Town Council shall be paid in full by the Town.

Employees who take advantage of the opportunity to do so will be allowed to apply for and may receive reimbursement for eligible educational expenses such as tuition, fees, etc. as long as prior approval of the Town Manager had been granted.

This program is not designed to support a full-time course of study but is intended to enhance the quality of work that the individual brings to the job.

In order to be eligible for educational expense reimbursement, employees must be past their introductory period and in good standing. For reimbursement, the education being pursued must be in a field that is related to the needs or the anticipated needs of the Town and is subject to the Town Manager's approval. Employees who voluntarily leave within the first year following any training exceeding \$500.00 including, but not limited to, certifications and licensures, will be responsible for reimbursing the Town 100% for the amount equal to the cost associated with their educational pursuit. During the second year, employees will be responsible for reimbursing the Town 50%, and within the third year, 25%. Any employee who voluntarily quits a program prior to completion of the course will not be reimbursed by the Town, or will be subject to reimbursing the Town if the course was paid in full. Reimbursement is limited to 6 credit hours or equivalent per semester for courses in which at least a "C" grade is achieved. Participants with unacceptable grades in a course will not be reimbursed.

1. Criminal Justice Training Academy

All Cape Charles police officers must obtain certification from the Virginia Department of Criminal Justice Services (DCJS). For officers hired by the Town without DCJS certification, the Town will provide education assistance to attend the Criminal Justice Training Academy (Academy). The Town incurs substantial expense to provide law enforcement training for the new officers. Each officer attending the Academy will be required to sign an Education Assistance / Tenure Agreement agreeing to repay the Town all expenses related to their attendance at the Academy if the officer voluntarily leaves the Town's employment within 3 years. If the officer is terminated due to unsatisfactory performance or disciplinary reasons before the end of the 3 year-period, the officer will repay the Town for each month of the un-served balance, prorated daily.

2. Education Leave – For pursuit of courses of study

Education leave is discretionary and is normally taken with partial pay or without pay. When an employee can demonstrate that the pursuit of the educational program will have an immediate and discernable benefit to the Town, leave with full pay may be granted by the Town Manager. The conditions of such leave shall be subject to a case-by-case determination based on factors which include the nature of the education or training, length of the absence, work record of the employee, work requirements at the time of the request, and value of the education or training to Town.

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The cost of training and related expenses undertaken at the direction of the Town Manager or Town Council may be paid in full by the Town. In such case, the hours of training count as hours worked. If the training was not required by the Town, the hours do not count as hours worked.

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VIII. PERFORMANCE EVALUATIONS

A. Purpose

Employee performance evaluation is designed to encourage positive development of employees within the various classes of positions. A more efficient working organization can be established by the common understanding that employees and supervisors are working together for a common purpose.

B. Frequency

Supervisors shall periodically conduct informal performance evaluations with employees to ensure that goals, objectives, standards and milestones are understood and being met. This will allow corrective action (e.g., training, resources, schedule adjustment, etc.) to be taken in a timely basis.

Supervisors shall prepare annual written performance evaluations for their employees. It is recommended that performance evaluations be reviewed by the HR Manager prior to being presented to the employee. Performance evaluations will be maintained in the employee's permanent personnel file.

The Town Manager or an employee's supervisor may request an evaluation of an employee at any time during the year where a change of duty or responsibility occurs or if there is a significant change in performance.

Upon the completion of any evaluation, the supervisor will review the rating with the employee. Employee comments, if any, should be noted and recorded as a permanent part of the evaluation form. The supervisor will ask the employee to acknowledge the evaluation by signing the form. If the employee declines to do so, a notation will be made on the form that the evaluation was discussed and that the employee declined to sign. All evaluations will be reviewed by either the Town Manager or the HR Manager and signed off as the reviewing official. Supervisors are responsible to ensure that Human Resources Department has a copy for the employee's file submitted in a timely fashion.

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IX. HEALTH AND SAFETY

A. Workers' Compensation

Workers' Compensation provides benefits for an employee in the event of certain occupational illnesses, injuries, or death. Any job-related accident or workplace injury, no matter how insignificant, must be reported to the department head, HR Manager or Town Manager as soon as possible, no later than 24 hours, and the appropriate forms completed. The completed forms must be submitted to the Human Resources Department to file the claim.

It is required by the Virginia Risk Sharing Association (VRSA) that all work injuries are reported to a supervisor/department head or the HR Manager prior to seeking medical treatment except in the case of dire emergency.

The Town has selected a panel of physicians to whom employees must go for all work-related injuries. The panel of physicians is updated as needed by VRSA and copies are provided to all employees. In the event an injury requires immediate medical attention, the employee may go directly to the nearest hospital emergency room; follow-up care must be with the panel of physicians.

Depending on the nature of the job-related accident or workplace injury, the employee may be subject to drug and/or alcohol testing.

B. Occupational Safety and Health

The Town attempts to provide a safe and healthy working environment for all employees by providing the necessary safety education and training. Employees shall follow all prescribed safety procedures when performing their daily activities and shall further exercise all reasonable and prudent judgment to ensure safety.

Each supervisor has the responsibility for ensuring that the various work centers are free from any recognized hazards that might lead to death or injury. Further, it is the responsibility of each employee to perform all work in a safe manner. All hazards, deaths, injuries, and illnesses that occur on Town property must be reported to a department head, HR Manager or the Town Manager within the same day of the discovery or occurrence.

Employees are directed to utilize all applicable safety procedures and to perform all work in a safe manner. Employees are responsible for bringing to their supervisor's attention any potential hazards that might exist within their workstation. Supervisors are responsible for developing and maintaining work safety rules and for providing these rules in writing to their subordinates.

Specifically, employees shall:

1. Report all injuries, regardless of severity, to the supervisor immediately but no later than 24 hours. If the supervisor is not available, the injury must be reported to the HR Manager before medical treatment is sought;
2. Report and, if possible, correct all unsafe conditions or acts;
3. Avoid horseplay and mischief, which could cause injury;
4. Take all standard safety precautions to prevent injury;
5. Follow all safety rules.

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X. HARASSMENT AND VIOLENCE

A. Harassment

The Town is committed to having a diverse workforce with all employees being valued for their individual capabilities and contributions, complying with all federal, state, and local laws on equal employment opportunity, and providing a workplace free from tensions involved in conduct that does not relate to the Town's business. In particular, the hostile atmosphere created by non-work-related conduct including ethnic, racial, sexual, or religious remarks, animosity, unwelcome sexual advances, requests for sexual favors, or other similar conduct is not permitted.

Harassment based on race, sex, color, national origin, religion, age, appearance or disability will not be tolerated. Harassment arises from the dynamics of the workplace and can be based on nuances, subtle perceptions, and implicit communications. Conduct that may rise to the level of harassment includes verbal remarks (epithets, derogatory statements, slurs, jokes), physical contact (assaults, physical interference with movement or work, touching), visual displays (displaying of printed or photographic materials, objects), and other actions that are demeaning or hostile.

B. Sexual Harassment

Sexual harassment is unwelcome advances, requests for favors, or other verbal, written or physical conduct of a sexual nature when any of the following occur:

1. Submission to such conduct is either explicitly or implicitly made a term of condition of employment;
2. Submission to or rejection of such conduct is used as a basis for employment decisions;
3. The conduct is severe or pervasive enough to create an intimidating, hostile, or offensive work environment, or has the purpose or effect of unreasonably interfering with an individual's work performance.

Examples of sexual harassment, include but are not limited to:

1. Physical assaults;
2. Subtle or overt pressures or direct requests for sexual favors;
3. Inappropriate displays of sexually suggestive objects or pictures;
4. A pattern of unwelcome conduct of a sexual nature that would be offensive to a reasonable person such as unnecessary touching, abusive or demeaning language or gestures (including remarks about another's clothing, body or body movements, or sexual activities), or teasing or joking.
5. Inappropriate texting, emailing or use of social media aimed at an individual with overt sexual or harassing undertones.

No supervisor or coworker shall intimate either explicitly or implicitly that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's employment, evaluation, pay, advancement, assigned duties, shifts, or any other conditions of employment.

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C. Workplace Violence

Workplace violence is physical or verbal aggression, as well as oral or written words, gestures, or other forms of expression which communicate a direct or clear potential threat to self or others. Intentional property damage is also considered a form of violent behavior. Employees must understand that there are potential consequences for improper statements, even those intended to be made in jest.

Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Town property or on Town time will not be tolerated. If an employee displays any violence in the workplace or threatens violence in the workplace, the employee is subject to immediate discipline, up to and including discharge, and criminal charges.

1. Procedure for Reporting

All Town personnel are responsible for immediately notifying the HR Manager, Town Manager or department head of any threats or potential acts of violence that they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees shall also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related, might be carried out on a Town site, or is connected to Town employment.

Any report of violence shall be handled in a confidential manner.

For situations warranting immediate medical or security assistance, employees should contact 911.

D. Violations

An employee who believes that this policy is being violated should (1) inform the offending person(s) that the conduct is unwelcome and (2) should report it immediately to the HR Manager. The report should be made in writing; however, a report will also be accepted by phone or in person.

Charges will be promptly and thoroughly investigated and corrective actions taken if the charge is founded. If it is determined that a violation has occurred, appropriate relief for the employee(s) bringing the complaint and appropriate disciplinary action, up to and including discharge, against the person(s) who violated the policy will follow.

A non-employee who subjects an employee to harassment in the workplace will be informed of the Town's policy and appropriate actions will be taken to protect the employee from future harassing conduct.

In all cases, the Town will make follow-up inquiries to ensure that the harassment has not resumed.

An employee violating this policy will be subject to disciplinary action, including termination. The employee who brought the complaint will be provided information on the outcome of the investigation.

E. Investigation and Confidentiality

It shall be the duty of the Town Manager who has received a written complaint specifying harassment or violence of any kind to investigate such complaint and where warranted, to take such corrective action as is reasonable and necessary.

1. Failure of the Town Manager to investigate the complaint shall be reported to the Mayor

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and Town Council and may result in disciplinary action against the Town Manager.

2. Where a complaint is made against the Town Manager, it shall be submitted to the Mayor and Town Council. The Mayor shall appoint a member of the Council or other individual to investigate the complaint and report to the full Town Council for appropriate action.

The investigation of harassment or violence complaints shall be prompt and thorough. The investigation shall be confidential in nature and shall not be communicated to other parties in connection with seeking information about the investigation.

The written contents and findings of the investigation shall be maintained in a place of security and limited access. Such records may be made available to any court or federal agency having jurisdiction over harassment complaints after consultation with the Town Attorney. Breach of confidentiality may result in disciplinary action, including dismissal.

F. Retaliation

Retaliation is illegal and contrary to the policy of the Town. Employees who bring complaints of discrimination or who identify potential violations, witnesses interviewed during the investigation, and others who may have opposed discriminatory conduct are protected from retaliatory acts.

If an employee believes that they are being retaliated against, a written report should be made to the HR Manager and/or Town Manager. Those who are found to be acting in a retaliatory manner will be disciplined for such conduct.

G. Rights of Persons Against Whom a Complaint is Made: Notice of Complaint and Right to be Heard.

Persons against whom a complaint is made shall receive written confidential notice from the Town Manager or investigating party within 5 working days that a complaint has in fact been made.

Such notice shall inform such party of the right to be heard and the right to produce witnesses and present evidence asserting that the complaint is without merit. There is no right to have an attorney present in these internal investigations of complaints or to confront and cross-examine witnesses.

The party against whom the complaint is made shall receive written confidential notice within 5 working days of the conclusion of the investigation stating either that there is or is not probable cause to believe that harassment or violent situation may have occurred. Where there is probable cause to believe that harassment or violence may have occurred, appropriate disciplinary measures will be included.

H. Frivolous or Groundless Complaints

Where the results of an investigation reveal that a complaint is wholly frivolous or groundless, the employee having made such complaint may be subject to disciplinary action, including dismissal.

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XI. ALCOHOL AND DRUG FREE WORKPLACE

A. Purpose

This policy is intended to provide guidelines for the detection and deterrence of alcohol and drug abuse. It is the policy of the Town to maintain a safe, healthful, and productive work environment for all employees. To that end, the Town will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs, or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale, or tends to undermine public confidence in the Town's work force.

It is further the Town's policy that the unlawful manufacture, distribution, possession, or use of a controlled substance by Town employees in the work place is prohibited.

Employees are reminded that if they are aware of a problem with substance abuse, professional help is available through the Town's health care program and Employee Assistance Program (EAP). Contacts with and assistance rendered by the Town staff are kept confidential. Employees with a problem are encouraged to use this avenue to help themselves before their employment is jeopardized.

B. Legalization of Marijuana

On July 1, 2021, the State of Virginia legalized recreational use of marijuana for individuals aged 21 and over and legalized possession of no more than 1 ounce of marijuana without the intent to distribute; public use of this drug is prohibited. At the time of this policy manual's update, the Federal Government had not yet legalized marijuana, therefore the Town maintains a conservative view. The Town also maintains a strict policy against being under the influence of marijuana while on duty. Therefore, all "safety sensitive" employees may be randomly drug tested and may be disciplined or terminated for use of illegal drugs or being under the influence of any substance, including marijuana. Safety sensitive positions include those operating in: Law Enforcement, the Wastewater Treatment Plant, the Water Plant, Code Enforcement, and Public Works.

The Town will not provide a "Reasonable Accommodation" (RA) for safety sensitive employees possessing a medical marijuana card. Employees who are not in safety sensitive positions may ask for an RA when providing a medical marijuana card; however, this must also be accompanied by a physician's statement. As with alcohol, any employee who acts impaired on the job will be subject to drug testing. Exhibiting impairment on the job will constitute reasonable suspicion and trigger appropriate testing. If an employee tests positive for marijuana while appearing to be impaired, disciplinary measures may be taken, up to and including termination.

C. Consent and Testing

All employees are subject to be tested whenever reasonable suspicion of drug and/or alcohol abuse on the job is indicated. All new hires' employment with the Town is contingent upon a clean drug screen. Random drug testing for all safety sensitive positions may be performed throughout the year.

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1. Testing Upon Reasonable Suspicion.

“Reasonable suspicion” means an articulable belief based on specific facts and reasonable inferences drawn from circumstances that may include but are not limited to:

- a. A pattern of abnormal or erratic behavior (e.g., hyperactivity, unexplained mood swings, paranoia, hallucinations);
- b. Information provided by a reliable and credible source;
- c. A work-related accident;
- d. Direct observation of drug or alcohol use;
- e. Possession of drugs or drug paraphernalia;
- f. Prolonged or frequent sick leave or absenteeism;
- g. Presence of the physical symptoms of drug or alcohol use (e.g., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes, needle marks/scar tracks on arms, etc., unusual perspiration or shakes, unusual drowsiness or sluggishness); or
- h. Other unusual behavior that can reasonably be interpreted to indicate that the employee may be under the influence of drugs, a controlled substance, or alcohol.

Supervisors are responsible for observing and monitoring their employees’ behavior for signs or symptoms of drug or alcohol use and shall promptly report any such observation to the appropriate department head or designee or the Town Manager.

2. Unannounced Random Testing.

All employees in safety sensitive positions will be required to participate in unannounced random drug/alcohol testing through a selection process determined by the Town Manager. An employee may be randomly picked more than once or not picked at all during the 12-month period. Any employee who is subject to random testing must report to the testing site immediately upon notification.

3. Refusal to Consent.

A job applicant who refuses to consent to a drug and/or alcohol test when requested will be denied employment with the Town. An employee who refuses to consent to a drug and alcohol test is subject to disciplinary action up to and including termination. Any refusal or failure to cooperate fully with the administration of a test, any behavior which makes testing more difficult, or prevents administration or completion of the test or in any manner alters or attempts to alter the test result will be treated as a refusal to consent, regardless of whether a consent form is signed.

4. Confidentiality of Test Results.

All information from an employee’s or applicant’s drug and alcohol test is confidential and only those with a need to know are to be informed of test results. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee or applicant. The results of a positive drug test shall not be released until the results are confirmed.

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Disclosures, without an employee's or applicant's consent, may also occur when: (1) the information is compelled by law or by judicial or administrative process, (2) the information has been placed at issue in a formal dispute between the employer and employee or applicant, (3) the information is to be used in administering an employee benefit plan, or (4) the information is needed by medical personnel for the diagnosis or treatment of the individual who is unable to authorize disclosure.

5. Consequences of Confirmed Positive Test Results:

- a. Applicants. Job applicants will be denied employment with the Town if their initial drug test results show a positive result for any illegal substances. Applicants shall be informed in writing if they are rejected on the basis of a confirmed positive drug test results. Employees must be able to pass drug screen for all controlled substances if they are in a safety sensitive position.
- b. Employees. If an employee has a positive test result for any illegal drug, the employee may be subject to termination.
- c. Reasonable Accommodation (RA). Only non-safety sensitive employees may provide a Medical Marijuana Card and seek an RA. They must also provide a physician's statement clearly stating that the physician has reviewed the duties of the position and believes the employee can safely perform the tasks.

The Town reserves the right to search, without employee consent, all areas of property in which the Town maintains full control. The Town vehicles are subject to search by appropriate supervisory personnel.

D. Employee Responsibilities

1. No employee shall unlawfully manufacture, dispense, possess, use, or distribute any controlled substance, medication, or alcohol.
2. Any employee convicted under a federal or state statute regulating controlled substances shall notify their supervisor and the Town Manager within 5 days after the conviction.
3. No employee shall consume alcoholic beverages or use marijuana immediately before work, during work hours, or while at work during breaks or lunches.
4. No employee shall be impaired by alcoholic beverages, marijuana, or other controlled substances immediately before work, during work hours, or while at work during breaks or lunches.
5. No employee shall represent the Town in an official capacity while impaired by any controlled substances.
6. No employee using medication that may impair performance shall operate a motor vehicle or engage in safety sensitive functions while on duty for Town.
7. Employees may seek an RA with a medical marijuana card as long as they provide a physician's note and are not classified as "safety sensitive" and/or do not drive a Town vehicle on a regular basis.

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8. An employee who has reason to believe that the performance of another employee is impaired by any controlled substance shall immediately notify the supervisor, HR Manager or Town Manager.

DISCIPLINARY ACTION. Because of the serious nature of illegal use or abuse of alcohol, controlled substances, and/or non-prescribed use of medication, appropriate employee disciplinary action will be taken, up to and including termination.

E. Criminal Convictions: Notification

1. It shall be the responsibility of every employee to notify the employee's department head in writing of any criminal drug statute conviction for a violation occurring in the work place no later than 5 days after such conviction. Any failure of an employee to provide this notification shall be a separate ground for disciplinary action, up to and including termination.
2. Any department head who receives notification of a criminal drug statute conviction for a violation occurring in the work place shall immediately report the same to the Town Manager in addition to other administrative actions directed by this policy.

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XII. SMOKING – TOWN-OWNED AND CONTROLLED BUILDINGS, WORK PLACES AND VEHICLES

No smoking is permitted inside any Town-owned and controlled buildings, work places, and vehicles.

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XIII. EMPLOYEE ETHICS, CONDUCT AND RESPONSIBILITIES

A. Conduct

Town employees are expected to conduct themselves in a professional and courteous manner, as representatives of the Town. Employees are expected to avoid any action, which might result in giving preferential treatment to any organization or person, losing independence or impartiality of action, or adversely affecting the integrity of the Town.

B. Gifts and Gratuities

An employee of the Town shall not accept gifts, gratuities, or loans from organizations, business concerns, or individuals with whom the employee has official relationships related to the business of the Town government. These limitations are not intended to prohibit the acceptance of articles of negligible value that are distributed generally nor to prohibit employees from obtaining loans from regular lending institutions.

C. Town Property

Employees are prohibited from selling town property, unless, it has been explicitly marked for disposal. Employees must get permission from the Town Manager to take any such property for personal use or to sell.

D. Personal Calls

While at work, employees are expected to exercise discretion in using personal cellular phones. Personal calls during the work hours, regardless of the phone used, can interfere with employee productivity, safety and may be distracting to others. Employees are encouraged to make personal calls during breaks and lunch.

E. Personal Appearance & Hygiene

Employees should use common sense when dressing for work or when attending Town functions. With the exception of those positions that conduct maintenance duties, work outdoors, or perform general labor, employees are expected to dress in "**casual professional attire**". Clothing should be free of holes, frays, and stains. Clothing should fit loosely and not show midriff skin. If shorts are to be worn in summer months by office personnel, they must not be sweat pants or gym shorts, cut-offs, or of a length considered to be "short-shorts".

Employees are expected to maintain good personal hygiene. Employees should groom their hair to present a professional appearance and be free of excessive body odor, bad breath, or other strong odors such as cigarettes, other smoke, perfumes, or cologne; unless caused by or deemed necessary for a physician certified medical condition.

Supervisors of non-office workers may set precedent for the attire at their workplace, which may include uniforms.

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F. Social Media

The use of social media during work hours will be avoided as it takes away from employee productivity, unless it can be justified as related directly to a work responsibility. The use of social media outside of work hours is an area that is still being developed in this policy.

Employees represent the Town both on and off duty. Employees must remember that they are Public Servants and what they say and do on social media is often scrutinized by the public. If expressing an opinion regarding any Town business, care must be made to clarify such opinion as personal and not in any way associated with the Town. Inappropriate posts or any comments that are offensive, racial, or discriminatory in nature will be condemned by the Town and will reflect negatively upon the employee. Employees are also asked to be mindful of political posts that can be interpreted as mean spirited, offensive, or harassing. In other words, civility is always highly encouraged.

G. Conflict of Interest

Town employees are expected to discharge their duties conscientiously and to conduct themselves in a manner, both on and off the job, which will reflect favorably upon the Town government. Each employee shall refrain from any use of their official position that is motivated by the desire for private gain for themselves or other persons. Each employee shall exercise care in their personal financial activities to avoid any appearance of acting on the basis of information obtained in the course of performing their Town activities. The Virginia Comprehensive Conflict of Interest Act is hereby made a part of this Personnel Policy and is applicable to Town employees as stated therein. Town employees are also subject to the provisions of the Town Public Procurement Ordinance. No employee is permitted to purchase or bid on Town equipment, property, or facilities, unless offered to the public as part of a general sale or auction. Failure to comply with this policy is cause for immediate dismissal.

H. Felony Conviction

Conviction of a felony is cause for the immediate dismissal of a Town employee.

I. Change of Address

All employees are required to notify their department heads, and the Human Resources Department of any change of address or telephone number within 3 working days of such change.

J. Retirement

When an employee subject to the provisions under the Virginia Retirement System (VRS) reaches retirement age in accordance with its provisions, and desires to retire from Town employment, the employee shall provide written notification to the department head, Town Manager and Human Resources Department. A representative from the Human Resources Department shall provide such assistance as may be necessary and appropriate to process forms, paperwork, and other information to ensure that the employee's retirement will be accomplished through VRS in a timely manner. It is incumbent upon the employee to advise the Human Resources Department with sufficient advance notice (60 days minimum) so that VRS can be notified in advance and have sufficient time to process all required paperwork in order to commence retirement payment at the time requested by the employee.

When an employee covered under VRS becomes physically or mentally incapable of performing the duties of their position in a satisfactory manner, it shall be the duty of the Town Manager to

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consider the employee's transfer to a position for which the employee is eligible and the duties of which they could perform in a satisfactory manner, or to consider the employee to apply for disability or retirement if appropriate. Any employee, whether or not covered under VRS, should not be continued in a position when they have become physically or mentally incapable of performing the duties of that position in a satisfactory manner unless a reasonable accommodation can be made.

K. Employees' Responsibilities

Each employee is expected to:

1. Obey applicable policies, laws, ordinances, and codes of the Town, County, Commonwealth, and United States;
2. Conduct themselves, both on and off the job, in a manner which will reflect credit on the Town and refrain from any disorderly or embarrassing conduct or other behavior which could reflect poorly on the Town;
3. Endeavor to fulfill the duties and responsibilities of their position in a dedicated, timely, and professional manner;
4. Render full and efficient service;
5. Exercise courtesy and tact in dealing with fellow employees and the public at large;
6. Treat all citizens equitably, fairly, and politely;
7. Conserve, properly utilize, and protect Town funds, property, equipment, and materials;
8. Protect co-workers and citizens from potential and real hazards; and
9. Safeguard confidential information.

L. Supervisors' and Department Heads' Responsibilities

In addition to the responsibilities of an employee, each supervisor and department head is expected to:

1. Treat employees in a fair and equitable manner;
2. Enforce these regulations;
3. Inform and educate employees about the Town's expectations, rules, and other guidelines governing conduct, discipline and job performance;
4. Advise employees of any amendments to this manual; and
5. As warranted, investigate apparent employee offenses, obtain facts, make complete reports to the Town Manager and recommend appropriate action.

Department heads are responsible for documenting all personnel actions, both disciplinary and positive, concerning their employees. These documents are open to inspection by the Town Manager and/or designee and copies should be placed in the employees' personnel files. Documentation will provide a basis for promotions, formal and informal warnings, reprimands, suspensions, demotions, dismissals, removals or other personnel actions.

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M. Safety

Town employees will conform to all safety policies established by the Town which are necessary to safely perform a task. Supervisors will be responsible for seeing that such policies are followed.

N. Personal Firearms

With Town Manager approval, employees may be permitted to carry firearms while on duty or on Town property. A valid and current permit or license to carry must be submitted to the HR Department upon such approval.

O. Care of Town Property & Equipment

Employees are responsible for the proper care of Town property and equipment assigned to them. Damaged or lost property may subject the responsible individual to reimbursement charges and possible disciplinary action.

All equipment and property must be clean, in good working order, and conform to department specifications. Town property and equipment shall be used only for official purposes and in the capacity for which it was designed. All employees shall immediately report to their department head any loss or damage to Town property or equipment assigned to or used by them. Department heads shall also be notified of any defects or hazardous conditions existing in any Town equipment or property. Department heads shall immediately notify the Town Manager of any serious problems concerning Town property or equipment.

Town employees are required to surrender all Town property in their possession upon separation from employment. Failure to return such items will cause the individual to be required to reimburse the Town for the fair market value of the article(s). The value of the article(s) will be deducted from the last paycheck. If the value of the article(s) exceeds the amount of pay, the individual will be required to submit the appropriate payment to the Town.

1. Cell Phone Usage

Some employees will be issued a Town-owned cell phone to be used for work-related communications which shall be used for business purposes only. Internet usage will be monitored.

Employees in possession of a Town-owned cell phone are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection. Failure to produce the phone for inspection or return will result in the employee being charged the cost to replace the phone.

Employees who utilize their personal cell phone for work related calls on a regular basis may be eligible for a monthly stipend to help cover data charges. For more information, see the HR Manager.

It is the employee's responsibility whether they have a Town-issued cell phone, or use a personal cell phone in which they are being reimbursed for, to have their voice mail box set up and that phone calls or texts are returned in a prompt matter. Employees will

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surrender their phones, whether personal or Town-issued, to obtain Freedom of Information Act (FOIA) data whenever requested.

2. Use of Town Vehicles

Employees driving a Town vehicle must possess a valid driver's license in good standing and have prior approval from their supervisor.

Smoking is not permitted in a Town-owned vehicle. Use of mobile devices, especially texting, are not permitted while driving a Town vehicle. Town vehicles shall be used for official purposes only. Pets are not permitted on a regular basis in a Town vehicle. The use of such vehicles for personal business or pleasure purposes shall be subject to disciplinary action.

Non-employees will be transported in Town vehicles only, when necessary, to accomplish an official purpose and only in such a manner that adheres to accepted safety practices. All occupants of a Town vehicle will obey and abide by all traffic laws. Such transportation will be performed in accordance with departmental policy or at the direction of the Town Manager.

If applicable, please refer to the *Use of Town Vehicle Policy* addendum and sign the agreement page.

P. Inquiries Concerning Town Matters

In the interest of protecting the sensitivity and confidentiality of personnel and other Town-related confidential information, we need to take care in handling outside inquiries regarding the Town. We therefore require you to follow these guidelines in responding to inquiries about Town business from the press, outside attorneys, and other parties outside the Town's administration.

1. Inquiries from the Press

In response to press inquiries, the caller should be referred to the Town Manager. Please notify the Town Manager immediately after making such a referral.

2. Inquiries from Outside Attorneys

In response to oral or written inquiries from outside attorneys regarding individual Town employees or any Town matters, the attorney should be referred to the Town Manager.

3. Inquiries from Other Outside Parties Regarding Individual Employees or Disputes with the Town of Cape Charles

From time to time, inquiries are made by others regarding individual employees or disputes with the Town. Such inquiries should be referred to the Town Manager.

As a matter of general practice, the individual receiving the call or inquiry should not comment upon or discuss any Town employee or Town issue, claim or dispute, but simply refer the matter to the Town Manager. In the absence of the Town Manager, all inquiries should be directed to the Mayor.

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Q. Inquiries for Documents / Freedom of Information Act

The citizens of the Town have a right to obtain information and documentation as allowed under the Virginia Freedom of Information Act (FOIA). However, citizens are generally not allowed access to information about personnel matters, real property transactions that have not been the subject of a public hearing or open Council meeting, private matters regarding individuals that do not relate to public business, prospective business transactions that are not the subject of open bidding, consultation with legal counsel or certain law enforcement actions.

If a Town employee receives an inquiry for a document, and if there is not a clear directive as to whether the document should be disclosed, the matter should be referred to the Town Clerk/FOIA Officer. Under FOIA regulations, the Town has 5 working days to respond to requests. Requests by elected or appointive officials for documents require extra care. Such elected or appointive officials are entitled to the same documents that are available to other citizens. They may also have access to certain other documents to enable them to perform their duties, but such requests should come through the department head, and if there is any question regarding the release of a document to an elected or appointive official, it should be referred to the Town Manager. Documents will not be created in response to FOIA or other requests.

R. Treatment of Citizens

All Town employees are required to act with the utmost respect and to provide assistance to all of our citizens regardless of their race, color, creed, sex, financial status, personal preferences, religious preferences, residence, associations or community standing. Any employee not adhering to this standard may be disciplined up to and including discharge.

No citizen, elected or appointive official or Town employee will be given special treatment. Any attempts by such persons to utilize their positions to obtain special treatment on their own behalf or for others, particularly family members or business partners, shall be reported immediately to the Town Manager or Mayor. The Town wants to avoid any appearance of impropriety and to treat all of its citizens fairly. The Town intends to properly comply with the State and Local Government Conflict of Interest Act and the Virginia Public Procurement Act Ethics in Public Contracting requirements.

No Town employee shall engage in malicious gossip about the Town, its employees, elected or appointive officials or citizens.

S. Reporting of Inappropriate Behavior

All Town employees will report suspicions of theft of property or services or inappropriate behavior by anyone associated with the Town to the Town Manager. Inappropriate behavior is considered to be, but not limited to, drug usage, alcohol consumption on the job or worksite, careless or willfully causing destruction of Town property, insubordination, filing false statements, using Town property for personal use or gains, falsifying time sheets or using official authority or position to improperly influence or control or modify the political process of the Town.

Any allegation or suspicion of malfeasance on the part of any Town employee or other Town public official shall be brought to the attention of the Town Manager or Mayor for appropriate action.

Failure to abide by any of the regulations in this section may lead to disciplinary action up to and including termination.

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XIV. COMPUTER USE AND MONITORING OF E-MAIL AND INTERNET ACCESS

A. Purpose and Scope

The Town provides electronic mail (e-mail), internet access, and other types of electronic communications systems and hardware (*e.g.*, cell phones, smart phones, personal digital assistants, smart devices, etc.), to employees for their use in performing their duties for the Town. This policy explains the Town's rules and expectations for the proper use of electronic information devices and systems, in whatever form. This document also sets forth the Town's policy with respect to when e-mail messages, internet access, or other electronic communications may be monitored by other people within the Town, as well as the circumstances under which such information may be disclosed to persons outside the Town administration. For example, access to e-mail may be granted to external users, such as other towns' employees, special task-force members, or pursuant to a lawful subpoena.

All electronic mail is a local government record and may be considered a "public record" for the purposes of the Commonwealth of Virginia Public Records Act. Under the Public Records Act, certain e-mail communications may be open to public access and inspection. In addition, such communications may be subject to discovery under the Virginia or Federal Rules of Civil Procedure.

B. Background

The Town finds that e-mail and internet access provides many benefits to the Town and its employees. E-mail often improves communication between different departments, eliminates unnecessary paperwork, allows communication with many other governmental offices almost instantaneously, and generally facilitates the smooth operation of Town services. Internet access provides improved research capabilities that enhance the different departments' delivery of services to the public.

C. Ownership

All electronic systems, computers, and other hardware, software, temporary or permanent files, and any related systems or devices used in the transmission, receipt, or storage of electronic information are the property of the Town. E-mail messages are considered to be Town property. Also, they may be retrieved from storage even after they have been deleted by the sender and the recipient.

D. Statement of Policy and Overview of Usage Policy.

It is Town policy that the e-mail system, internet access, and other electronic information systems, like other Town assets, is used only for the benefit of the Town. Use of e-mail, internet access, or other electronic information systems, that violates Town policies or state and/or federal law is prohibited and may lead to disciplinary action up to and including termination. All employees who use e-mail and/or internet access will certify that they have read and fully understand the contents of this policy by signing the attached acknowledgment. Any and all statements and opinions made by individuals using e-mail, whether implied or expressed, are those of the individual and not necessarily the opinions of the Town or its management.

1. **Privacy.** Employees should be aware that e-mail messages may be read by others for a variety of valid reasons. Although this statement applies to many other types of Town correspondence, the informal nature of e-mail may lead one to forget or ignore the fact that e-mail is not considered to be the private property of the sender or the recipient, even if passwords or encryption codes are used for security reasons. In short, employees should

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have no expectation of privacy with respect to their use of the Town's computer, email, or other electronic communication systems, whether their use was incidental "personal" use or job-related use.

2. **Monitoring.** The Town reserves the right to monitor messages and internet access under certain circumstances, as enumerated in this document. Supervisors have the authority to inspect the contents of any equipment, files, calendars, or electronic mail of their subordinates in the normal course of their supervisory responsibilities and without the express permission from the user(s). An individual qualified in data management shall extract stored e-mail messages or internet access records when requested to do so by authorized supervisory personnel.

No employee of the Town will indiscriminately monitor another employee's or Town official's email or electronic files without their permission. Doing so will result in being subject to disciplinary action.

Reasons for monitoring or retrieving e-mail messages or internet access records include the following:

- during the course of an investigation that has been triggered by indications of impropriety,
- when it is necessary to locate substantive information relevant to a breach of security of the email system,
- at any time there may be system hardware or software problems,
- for regular system maintenance,
- any messages relevant to a lawsuit or other legal action involving the Town,
- a suspicion of a crime or a violation of this policy
- To comply with authorized FOIA requests,
- To retrieve data necessary for Town processes or operations as directed by the Town Manager.

The Town will disclose any e-mail message or internet access records to law enforcement officials if legally required to do so. In addition, e-mail messages may be retrieved if there is a need to perform work or provide a service when the user-employee is unavailable.

3. **Personal Use.** E-Mail, Newsgroups and Internet are intended to be used for business purposes. Personal use of these facilities, except for incidental purposes, is prohibited without prior consent of the department head. Incidental use includes confirming plans with a family member, making a doctor's appointment, checking on a child or similar uses. In the event that personal use occurs, that usage must not interfere with business activities, must not involve solicitation, must not be associated with any "for personal profit" outside business activity, must not be associated with any political activity or opinion and must not potentially embarrass the Town or its employees. Should employees make incidental use of e-mail to transmit personal messages, those messages will be treated no differently than other messages and may be accessed, reviewed, copied, deleted, or disclosed. You should not expect that a message will never be disclosed to or read by others beyond its original intended recipient(s).
4. **Authorized Uses.** Supervisors or department heads may authorize the use of e-mail and internet access to send and receive messages and to subscribe to list-servers from recognized professional organizations and entities relating to the official duties of the

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Town. All employees are authorized to use e-mail and internet access as they would any other official Town communication tool. Communication by e-mail and internet is encouraged when it results in the most efficient or effective means of communication.

5. Uses Subject to Approval. The following uses require the written approval of the employee's department head or Town Manager:

- Using hardware, related computer equipment, and software not owned or purchased by the Town for e-mail or internet access related to Town business.
- Reading electronic mail of another employee without prior written approval. However, an employee's supervisor may inspect the contents of e-mail pursuant to the section entitled "Ownership" in this policy.
- Encrypting any e-mail message unless specifically authorized to do so and without depositing the encryption key with the computer administrator or your immediate supervisor prior to encrypting any messages. If an employee is allowed to encrypt e-mail, this does not mean that e-mail is intended for personal communication nor does it suggest that encrypted e-mail messages are the private property of the employee.
- The downloading of any software or programs.
- Remote access to the Town's computer network.

6. Prohibited Uses. The following actions are prohibited:

- forwarding chain letters or other non-work-related information or images;
- adopting the identity of another person on any e-mail message, attempting to send electronic mail anonymously, or using another person's password;
- misrepresenting yourself or your affiliation with the Town in any e-mail message;
- composing e-mail for any personal commercial or promotional purpose, including personal messages offering to buy or sell goods or services;
- using e-mail to conduct employee organization, association, or union business;
- using or viewing obscene, racist or sexist language, pornographic images, or sexually explicit images or language;
- interfering with or disrupt any Town network or internet users, services, programs or equipment. Disruptions include but are not limited to propagation of computer viruses or other debilitation programs, and using the Town network to make unauthorized entry to any other machine accessible via the network or internet; and sending or receiving any software in violation of copyright law.

7. Open Meeting Requirements. When using email or other forms of electronic communication, Town employees should keep in mind the open meeting requirements under state law, and should not use such communications to circumvent such requirements. Simultaneous or near simultaneous electronic communications may be construed as a meeting that requires public notice and participation. If in doubt, contact the Town Clerk/FOIA Officer.

E. Confidential Information

Employees must exercise a greater degree of caution in transmitting confidential information via e-mail than with other forms of communications. Why? Because it paves the way for another person to redistribute such information almost effortlessly. Confidential information should never be transmitted or forwarded to other employees inside or outside the Town who do not have a "need

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to know”. To reduce the chance that confidential information inadvertently may be sent to the wrong person, avoid misuse of distribution lists and make sure that any lists used are current.

If you are unsure whether certain information is confidential, consult your supervisor. Examples of information that either are or may be considered confidential include but are not limited to:

- Certain personal information from a person’s personnel file, including medical records about employees and personal employee information, such as home address, telephone numbers, identities of family members, and Social Security numbers;
- information that, if released, would give a competitive advantage to one prospective bidder over another for Town contracts;
- private correspondence of elected officials;
- trade secrets or commercial or financial information of outside businesses;
- information related to the regulation of financial institutions or securities;
- information regarding an ongoing criminal investigation; and taxpayer information.

E-mail messages that contain confidential information should have a confidentiality declaration printed at the top of the message in a form similar to the following:

**“THIS MESSAGE CONTAINS CONFIDENTIAL INFORMATION OF
THE TOWN OF CAPE CHARLES.
UNAUTHORIZED USE OR DISCLOSURE IS PROHIBITED.”**

Since copies of e-mail may be backed up or sent to other systems, they can easily be retrieved later by information system personnel who should not know the content of the message. Therefore, employees should keep in mind that e-mail may **not** be the best form of communication with respect to certain types of confidential information.

- 1. Messages to Legal Counsel.** All messages to and from legal counsel seeking or giving legal advice should be marked with the following legend in all capital letters at the top of the page:

“CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED INFORMATION”.

In addition, to preserve the attorney/client privilege, messages to and from legal counsel should never be sent to distribution lists or forwarded to anyone else. It is best if such messages are not retained on a network e-mail system. If a copy of an attorney/client privileged communication needs to be retained, it should be printed and filed in an appropriate place.

F. Copyright Infringement

The ability to attach a document to an e-mail message or transfer a file through the internet for distribution may increase the risk of copyright infringement as prohibited by federal law. A user can be liable for the unauthorized copying and distribution of copyrighted material through email systems or the internet. Accordingly, you should not copy and distribute by e-mail or internet any copyrighted material of a third party, such as software, database files, documentation, articles, graphics files, and down loaded information, unless you confirm in advance from appropriate sources that the Town has the right to copy or distribute such material. Any questions concerning these rights should be directed to appropriate legal counsel.

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G. Retention of E-mail

The Town strongly discourages the local storage of large numbers of e-mail messages because of the large amount of storage space needed; however, emails are considered as public records. The Library of Virginia's Records Retainment Schedule should be reviewed prior to the deletion or destruction of a public record.

H. Policy Violations

Violations of this policy will be reviewed on a case-by-case basis and may result in disciplinary action up to and including termination. All e-mail messages and internet access usages are subject to all state and federal laws that may apply to the use of e-mail or the internet. In addition, violations of this policy or misuse of the Town's e-mail system or internet access could result in civil or criminal prosecution.

Please complete the "Acknowledgement Regarding Computer and Monitoring of E-mail and Internet Access" located at the end of this Personnel Policy Manual.

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XV. POLITICAL ACTIVITY

- A. An employee shall not be coerced to support a political activity, whether funds or time are involved.
- B. An employee shall not engage in political activity on work premises or during work hours.
- C. An employee shall not use Town-owned equipment, supplies or resources, and other attendant material (electronic storage devices, paper, computer online and access charges, etc.) when engaged in political activities.
- D. An employee shall not discriminate in favor of or against, any person or applicant for employment based on political activities.
- E. An employee shall not use the employee's title or position while engaging in political activity.

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XVI. DISCIPLINE AND GRIEVANCES

A. Disciplinary Actions

If an employee's work performance or behavior is deemed unsatisfactory, disciplinary actions may involve one or more of the following actions depending on the gravity of the situation and the previous history of employment with the Town. The Town reserves the right to take any of these actions at any time without taking previous actions.

1. **Informal Warning.** An immediate supervisor, department head, or the Town Manager or designee may counsel with an employee concerning matters which are of a minor nature but which require corrective action. This type of action is designed to assist the employee in proper conduct and is in the nature of constructive criticism and is not punitive in nature. Although this is not a written warning, documentation will be retained in the employee's personnel file.
2. **Formal Warning.** For either continued improper activity after one or more informal warnings or for situations that are deemed more serious, an immediate supervisor, department head, or the Town Manager or designee may issue a formal warning in writing to the employee. A copy of the letter will be retained in the employee's personnel file.
3. **Reprimand.** The Town Manager or designee may issue a reprimand to an employee who persists in improper behavior or activities or whose violation of a rule or policy requires formal discipline in the judgment of the Town Manager. The reprimand shall be in writing and shall be made a part of the employee's personnel file. The employee shall be given the opportunity to respond in writing to the reprimand, which shall also be included in the personnel file.
4. **Suspension.** In the event that dismissal of an employee is being considered or if in the Town Manager's opinion, the employee needs to be suspended and removed from the work place pending investigation of the matter, the Town Manager may suspend an employee with or without pay.
5. **Demotion.** The Town Manager may demote an employee whose work is unsatisfactory, inefficient, or below the level of competence necessary for the position involved if it appears that the employee has the potential to perform less responsible, less difficult, or less demanding work and if a position is available at that time which is suited to the employee's capabilities. An employee may also be demoted for disciplinary reasons.
6. **Dismissal or Removal.** The Town Manager may dismiss any employee for inefficiency, incompetence, insubordination, misconduct, any of the items listed as causes for disciplinary action in these Policies, or for other just cause. Prior to dismissal, the employee will be given written notice stating the causes for dismissal and advising of the employee's right to file a grievance, if applicable.

Prior to imposing disciplinary action, including termination, the supervisor shall inform the employee of the reason for the discipline and the employee shall have the right to comment on the discipline as described above. However, the supervisor, department head, or Town Manager or designee may have the employee removed from the workplace prior to giving an opportunity to comment if the employee's continued presence poses a safety danger, operational concerns or is disruptive to the workplace. The supervisor/department head shall document all conversations and actions for the employee's personnel file.

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The following are examples of misconduct that may result in discipline. The list is not inclusive and other misconduct, including those previously covered in these policies, may be subject to disciplinary action up to and including termination:

1. Willfully giving false statements to Town officials or to the public; falsifying Town records (including time records, leave records, job applications, or pay or reimbursement vouchers); negligence with Town property, or misuse of Town property,
2. Violating any lawful official regulation or order or willfully failing to obey a proper direction of the supervisor or Town Manager.
3. Taking property of the Town for one's personal use, for sale to another or for a gift to another.
4. Inducing, or attempting to induce, an officer or employee in the service of the Town to commit an unlawful act or to act in violation of any lawful or official regulation or order.
5. Unsatisfactory attendance, excessive absences, excessive tardiness or absence without prior notice.
6. Insubordination; inability or unwillingness to render satisfactory service.
7. Unsatisfactory performance, incompetence or inefficiency.
8. Any behavior that disrupts the orderly transaction of Town business or disrupts other Town employees in the performance of their duties.
9. Making any private and/or unauthorized promise of any kind binding upon either the duties of the position to which assigned or upon the Town itself.
10. Gambling on Town property.
11. Using or seeking to use, directly or indirectly, one's official position, authority, or influence to control or modify the political process of any person unless such action is part of one's official duties.
12. Any violation of the responsibilities listed throughout the entirety of the Personnel Policies.

B. Grievance

The purpose of this procedure is to provide a prompt, fair, and orderly method for the resolution of employee grievances initiated by eligible employees of the Town.

1. Definition of Grievance

- a. A grievance is a complaint or dispute by an employee relating to their employment, including but not necessarily limited to:
 - i. Disciplinary actions, including disciplinary demotions, suspensions, and dismissals provided that such dismissals result from formal discipline or unsatisfactory job performance.
 - ii. The application of personnel policies, procedures, rules, and regulations, and the application of ordinances and statutes.

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- iii. Acts of retaliation as the result of the use of or the participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth of Virginia, has reported any violation of such law to a governmental authority, has sought any change in law before the United States Congress or the General Assembly of Virginia, or has reported an incident of fraud, abuse, or gross mismanagement.
- iv. Discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, or sex.

b. Management Rights and Prerogatives

The Town reserves to itself the exclusive right to manage the affairs and operations of Town government. Accordingly, complaints involving the following management rights and prerogatives are not grievable:

- i. Establishment and revision of wages or salaries, position classification, salary scales or general benefits.
- ii. Work activity accepted by the employee as a condition of employment, or work activity which may reasonably be expected to be a part of the job content.
- iii. The contents of ordinances, statutes, budgets, or established personnel policies, procedures, rules, and regulations.
- iv. The methods, means, and personnel by which work activities are to be carried on, including but not necessarily limited to:
 - (a) The provision of equipment, tools, and facilities necessary to accomplish tasks.
 - (b) The scheduling and distribution of manpower/personnel resources.
 - (c) Training and career development.
- v. The hiring, promotion, transfer, assignment, and retention of employees in positions within the Town's service.
- vi. Failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly.
- vii. The relief of employees from duties, or taking action as may be necessary to carry out the duties, of the Town in emergencies.
- viii. Direction and evaluation of the work of Town employees.
- ix. Termination, layoff, transfer, demotion, or suspension from duties because of lack of work, reduction in force, reorganization, or job abolition, except where such action affects an employee who has been reinstated within the previous 6 months as the result of the final determination of a grievance. In any grievance brought under the exception to this paragraph, the action shall be upheld upon a showing by the Town that:

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- (a) There was a valid business reason for the action, and
- (b) The employee was notified of the reason in writing prior to the effective date of the action.

2. Coverage of Personnel

- a. Except as noted below, all non-probationary/introductory full-time and part-time employees are eligible to file grievances under this procedure. The following are the exceptions:
 - i. Key officials of the Town. For purposes of this procedure, a key official is defined as the head of any separate Town department.
 - ii. Members of boards and commissions.
 - iii. Employees whose terms of employment are limited by law.
 - iv. Officials and employees who serve at the will or pleasure of the Town Council.
 - v. Appointees of elected individuals or elected groups.
 - vi. Probationary/introductory employees in matters concerning their dismissal. Probationary/introductory employees may, however, use this procedure for complaints or disputes other than dismissals that are determined to be grievable.
 - vii. Temporary, limited term, and seasonal employees.
 - viii. Law enforcement officers as defined in Chapter 10.1 (§2.1-116.1, et seq.) of Title 2.1 of the Code of Virginia whose grievance is subject to the provisions of Chapter 10.1 and who have elected to proceed pursuant to those provisions in the resolution of their grievance, or any other employee electing to proceed pursuant to any other existing procedure in the resolution of his grievance.

3. Operation of the Grievance Procedure

- a. Step 1. An employee who believes they have a grievance and wishes to utilize this procedure shall discuss the grievance informally with their immediate supervisor within 20 calendar days of the occurrence of the incident giving rise to the grievance or within 20 calendar days following the time when the employee reasonably should have gained knowledge of its occurrence. A response to the grievance shall be communicated, either orally or in writing, to the grievant within 10 calendar days.

Note: If the complaint is alleging discrimination or retaliation by the immediate supervisor the grievance may be presented at Step 1 to the department head or, if there is no department head above the immediate supervisor to the Town Manager. If Step 1 is with the Town Manager, Step 2 is omitted and the written grievance is presented to the Town Manager. The grievance proceeds immediately to Step 3.

- b. Step 2. If the grievant is not satisfied with and does not accept the Step 1 response, or if a response is not provided within the required time frame, the grievant may proceed by putting the grievance in writing on the Grievance Form which is

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attached to this procedure. The Grievance Form shall be delivered, by mail or in person, to the department head within 10 business days of receipt of the supervisor's response or the deadline for that response, whichever occurs first. If the immediate supervisor is the department head, the written grievance should be presented to the Town Manager and it will proceed as if it were at Step 3.

The grievant shall specify the relief that expected to be gained through the use of this procedure. The department head shall promptly meet with the grievant. Normally, the only persons who may be present at the meeting or hearing shall be the department head, the grievant, and the appropriate witnesses. The department head shall render a written response to the grievance within 10 business days following receipt of the completed request form with a copy of the response being sent to the Town Manager. By mutual consent of the grievant and the department head, the grievant may skip Step 2 and proceed directly to Step 3.

- c. Step 3. If the grievant does not accept the response at Step 2, or if the department head fails to respond within the required time frame, the grievant shall indicate their desire to advance the grievance to Step 3 on the Grievance Form. The Grievance Form shall be delivered by mail or in person, directly to the Town Manager within 10 business days following receipt of the Step 2 response or immediately after the deadline for that response, whichever occurs first. If the Town Manager determines (or has previously determined) that the complaint is grievable, a meeting with the grievant, the grievant's representative if there is one, a representative of the affected department and the Town Manager will be held within 5 business days. Appropriate witnesses for each side and such other persons as the Town Manager or the grievant may want to call, may be present to offer testimony only. The Town Manager shall render a written response to the grievance within 10 business days following receipt of the completed request form.

In the event that the Town Manager determines that the complaint, or a portion of the complaint, is not grievable, the grievant may appeal that decision to the Circuit Court as set out in Section 7.b. of this procedure.

- d. Step 4. If the grievant does not accept the Step 3 written response, or if the Town Manager fails to respond within the required time frame, and the grievant wishes to advance to a grievance panel hearing, the grievant shall complete step 4 of the Grievance Form.

The Grievance Form shall be delivered, by mail or in person, directly to the Town Manager within 10 business days following receipt of the Step 3 response or the deadline for that response, whichever occurs first. The Grievance Form shall contain the name of the person whom the grievant desires to serve on the grievance panel. The grievant shall not name a person to serve on the grievance panel unless and until the grievant has received that person's consent to do so. The grievance shall be heard by an impartial grievance panel as set out in Section 6 of this procedure.

4. Grievability and Access

- a. Grievability and access are determined by the Town Manager generally when the grievance reaches Step 3. Only after the Town Manager has determined that a complaint is grievable and/or the grievant has access to the procedure may a

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grievance be advanced through Steps 3 and 4. Should the question of grievability or access arise at Step 2 the grievant or the department head may request a ruling on grievability and/or on access by the Town Manager. The Town Manager shall render a decision within 10 business days of receipt of the ruling request and shall send a copy of the decision to the grievant and the department head.

- b. The Town Manager's decision on grievability and/or access may be appealed to the Circuit Court of the County. Such appeals shall be instituted by the grievant by filing a notice of appeal with the Town Manager within 10 business days from the date the grievant received the decision. Within 10 business days after the filing of the notice of appeal, the Town Manager or his designee shall transmit to the Clerk of the Circuit Court a copy of the Town Manager's decision on grievability or access to the procedure, a copy of the notice of appeal, a copy of the grievance record, and copies of all exhibits. A list of the evidence furnished to the Court shall also be furnished to the grievant. The appeal will be heard by the Court as provided by law. The decision of the Court is final and is not appealable.

5. General Terms

Except as otherwise noted, the following rules apply to all levels of grievance hearings.

- a. Time intervals specified in Steps 1 through 4 may be extended by mutual consent of the parties.
- b. All grievance meeting and hearings shall be held during normal Town working hours unless both the grievant and the Town Manager should mutually agree otherwise.
- c. Town employees who are necessary participants at grievance hearings shall not lose pay for time necessarily lost from their jobs and will not be charged leave because of their attendance at the grievance proceedings.
- d. At the Step 3 meeting, the grievant, at their option, may have present, a representative of their choice. If the grievant is represented by legal counsel the grievant will notify the Town Manager of same, no later than 5 days before any meeting; the Town likewise has the option of being represented by counsel.
- e. The use of recording devices or a court reporter is not permitted at Step 1, 2, and 3 meetings. Only Step 4 hearings may be recorded.
- f. Hearings are not intended to be conducted like proceedings in court and the rules of evidence do not necessarily apply.
- g. At Step 4, the grievance panel shall have the discretion to limit the attendance at the hearing of persons not having a direct interest in the hearing.
- h. At the request of either party, Step 4 hearings shall be private.
- i. Except in grievances involving discipline or in cases where the grievance panel determines otherwise, the grievant shall present their evidence first.
- j. The grievance panel shall determine the propriety of and the weight to be given the evidence submitted.

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- k. Both the grievant and the Town may call appropriate witnesses. All witnesses, including the grievant, shall be subject to examination and cross-examination.
- l. Witnesses shall be present only while actually giving testimony and shall otherwise be excluded from the room.
- m. The grievant shall not be entitled to financially recover more than that the grievant lost; the grievant's costs are not to be assessed against the Town.
- n. Where a grievant has obtained partial relief at one level of this grievance procedure but decides to appeal to the next higher level, the filing of a request form to the next higher level shall constitute rejection of, and relinquishment of any claim to, any and all relief granted at the previous level.
- o. Each party shall bear the costs and expenses, if any, of their legal counsel or representative.

6. Rules Concerning Grievance Panels and Panel Hearings

- a. Selection of Grievance Panel.
 - i. Within 5 calendar days of receipt of the Step 4 request form, the Town Manager shall appoint a member to serve on a grievance panel. The member selected by the grievant and the member selected by the Town Manager shall then select a third member.
 - ii. If the panel member appointed by the grievant and the panel member appointed by the Town Manager or designee cannot agree upon a third panel member within 20 calendar days of the Town's receipt of the selection of the first 2 panel members, then the chief judge of the Circuit Court shall choose an impartial, third panel member. The third panel member shall act as chair of the panel.

- b. Eligibility to Serve on Grievance Panel.

The panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute, giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant, and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee, or co-employee of the attorney shall serve as a panel member.

The following rules apply to Step 4 grievance panels and the conduct of Step 4 grievance panel hearings:

- i. The grievant shall bear the reasonable costs and expenses, if any, of their panel member.
- ii. The Town shall bear the reasonable costs and expenses, if any, of its panel member and those of the third panel member unless the grievant objects. Upon objection, the reasonable costs and expenses of the third panel member shall be shared equally between the Town and the grievant.

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- iii. No person shall receive any compensation, whether monetary or otherwise, for their time in serving as a member of a grievance panel. Notwithstanding this prohibition, a Town employee serving as a member of a grievance panel may receive their usual Town salary for the period served on such a panel.
- iv. The panel shall promptly set the date, time, and location for hearing the grievance and shall notify the parties.
- v. The Town shall provide the panel with copies of the grievance record prior to the hearing, and shall provide the grievant with a list of the documents furnished to the panel.
- vi. Each party shall furnish to the other with copies of all documents, exhibits, and a list of witnesses it intends to use at the panel hearing 7 calendar days in advance of the hearing.
- vii. Both the grievant and the Town may be represented by legal counsel or other representative at the panel hearing. Such representatives may examine, cross-examine, question, and present evidence on behalf of the grievant or the Town before the panel without being in violation of the provisions of Virginia Code §54.1-3904.
- viii. The panel shall have the authority to determine the admissibility of evidence without regard to the burden of proof so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence. The Town shall present its evidence first in grievances challenging a disciplinary action and shall have the burden of persuasion on such issue.
- ix. All evidence shall be presented in the presence of the panel and the parties except by mutual consent of the parties.
- x. The decision of the panel should be rendered as soon as possible, but, in any case, not later than 5 business days following the conclusion of the hearing.
- xi. The panel shall have the authority, if it finds (based on the greater weight of the evidence) that the grievant has been denied a benefit or wrongly disciplined without just cause (where such cause is required) to reverse, reduce, or otherwise modify such action and, where appropriate, to order the reinstatement of such employee to their former position with back pay.
 - (a) Back pay shall not exceed pay for time actually lost or paid leave required to be taken due to such suspension or discharge, in an amount the panel believes equitable up to the amount of actual loss.
 - (b) Any award of back pay shall be offset by interim earnings the grievant earned during the period of separation.
 - (c) The panel also has the power to sustain, modify, or reverse the Town's action.

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- xii. The panel shall not have authority to do any of the following:
 - (a) Formulate policies or procedures.
 - (b) Alter existing policies or procedures.
 - (c) Circumscribe or modify the rights afforded the parties in this procedure.
 - (d) Grant relief greater than that which the grievant has requested in the request form.
- xiii. The majority decision of the panel, acting within the scope of its authority, shall be final and binding, subject to existing policies, procedures, and law.
- xiv. The question of whether the relief granted by a panel is consistent with written policy shall be determined by the Town Manager or designee, unless the Town Manager or designee has a direct personal involvement with the event or events giving rise to the grievance, in which case the decision shall be made by the Attorney for the Commonwealth for the County.
- xv. Either party may petition the Circuit Court for an order requiring implementation of the panel decision.

7. Compliance

- a. Except as noted in paragraph 7.b., after the initial submission of the grievance to the immediate supervisor, the failure of either party to comply with all substantial procedural requirements of this procedure without just cause shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within 5 business days of receipt of written notification by the other party of the noncompliance. Such written notification by the grievant shall be made directly to the Town Manager.
- b. If one of the management respondents in Steps 1, 2, or 3 does not respond to the grievance, the grievant at their option may move the grievance to the next level by submitting it without the response to the next Step or the grievant can provide the Town Manager notice of the non-compliance as set forth in paragraph 7.a.

The Town Manager shall determine compliance issues. Compliance determinations made by the Town Manager or designee shall be subject to judicial review, which shall be initiated by the grievant filing a petition with the Circuit Court of the County within 20 business days of the compliance determination.

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The following is included pursuant to the Law Enforcement Officer's Procedural Guarantees Act (LEOPGA) - §§ 9.1-500 through 9.1-507 of the Code of Virginia, 1950 as amended.

Conduct of Investigation

The LEOPGA specifies that whenever a law-enforcement officer is the subject of an investigation by an agency, and the focus of the investigation concerns matters, which could lead to the dismissal, demotion, suspension or transfer for punitive reasons:

- The officer shall be questioned at a reasonable time and place as designated by the investigating officer, preferably when the officer under investigation is on duty and at one of the following locations: office of the command of the investigating officer; or the office of the local precinct or unit of the officer being investigated, unless the matters being investigated are of such a nature that requires immediate action.
- Prior to the officer being questioned, the officer shall be informed of (i) the name and rank of the investigating officer and of any individual to be present during the questioning and (ii) the nature of the investigation.
- If a blood or urine specimen is taken from a law-enforcement officer for the purpose of determining whether the officer has used drugs or alcohol, the specimen shall be divided and placed into two separate containers. One container shall be tested while the other is held in a proper manner, to preserve the specimen, by the facility collecting or testing the specimen. Should the first specimen test positive, the law-enforcement officer shall have the right to have the second specimen tested by an independent laboratory of their choice (pursuant to §§18.2-268.1 through 18.2-268.1); the laboratory chosen by the officer must be accredited or certified by one or more of the following bodies: the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB), the College of American Pathologists (CAP), the United States Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA), or the American Board of Forensic Toxicology (ABFT). The officer shall notify the chief of the agency in writing of the request within 10 days of being notified of positive specimen results.

Notice of charges; response; election to proceed under grievance procedure of local governing body

Prior to dismissing, demoting, suspending without pay, or transferring for punitive reasons, the following rights shall be afforded the law-enforcement officer:

- Notified in writing of all charges, the basis therefore, and the action which may be taken;
- Given an opportunity, within a reasonable time limit after the date of the written notice provided above, respond orally and in writing to the charges. The time limit shall be determined by the agency, but in no event shall it be less than 5 calendar days unless agreed to by the law-enforcement officer;
- The law-enforcement officer may be assisted by counsel at the officer's own expense; and
- Given written notification of their right to initiate a grievance under the grievance procedure established by the local governing body pursuant to §§15.2-1506 and 15.2-1507. A copy of this grievance procedure must be provided upon request.
- A law-enforcement officer may proceed under either the local governing body's grievance procedure or the LEOPGA, but not both.

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Personal assets of officers

No law-enforcement officer shall be required or requested to disclose any item of their property, income, assets, source of income, debts, or personal or domestic expenditures, including those of any member of their family or household, unless (i) such information is necessary in investigating a possible conflict of interest with respect to the performance of their official duties (ii) such disclosure is required by law, or (iii) such information is related to an investigation. Nothing in this section shall preclude an agency from requiring the law-enforcement officer to disclose any place of off-duty employment where they may be contacted.

Hearing; hearing panel recommendations

Whenever a law-enforcement officer is dismissed, demoted, suspended or transferred for punitive reasons, the officer may, within a reasonable amount of time (as set by the agency) following such action, request a hearing. If the law-enforcement officer makes a timely request, a hearing shall be held within a reasonable amount of time (as set by the agency). This hearing shall not be set later than 14 calendar days following the date of the request unless agreed upon by the law-enforcement officer. The law-enforcement officer and the agency will have the opportunity to present evidence, examine, and cross-examine witnesses. The law-enforcement officer can be represented by counsel unless the officer and agency are afforded, by regulation, the right to counsel in a subsequent de novo (new) hearing.

The Grievant and the Agency head are both allowed to pick one panel member from within the agency. These two panel members will select a third member from within the Agency. If the two appointed members cannot agree upon a third member, then the Chief Judge of the judicial circuit wherein the grievant's duty station lies, will choose the third member.

The hearing panel may, and on the request of either the law-enforcement officer or their agency shall, issue subpoenas requiring the testimony of witnesses who have refused or failed to appear at the hearing. The hearing panel shall rule on the admissibility of the evidence. A record shall be made of the hearing.

At the discretion of the agency, it may, in lieu of complying with §9.1-502 give the law-enforcement officer a statement, in writing, of the charges, the basis therefore, the action which may be taken, and provide a hearing as provided for in this section prior to dismissing, demoting, suspending or transferring for punitive reasons the law-enforcement officer. Any recommendations of the hearing panel and the reasons therefore, shall be in writing and transmitted promptly to the law-enforcement officer or the officer's attorney and the agency head. Such recommendations shall be advisory only, but shall be given significant weight.

Immediate suspension

Nothing in this chapter shall prevent the immediate suspension without pay of any law-enforcement officer whose continued presence on the job is deemed to be a substantial and immediate threat to the welfare of the agency or the public, nor shall anything in this chapter prevent the suspension of a law-enforcement officer for refusing to obey a direct order issued in conformance with the agency's written and disseminated regulations. In such a case, the law-enforcement officer shall, upon request, be afforded the rights provided for under this chapter within a reasonable amount of time set by the agency.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

Grievance Hearing Form
(Please type or print)

Name of Grievant Job Title
Department Telephone Number(s)

Step 2 – Department Head Meeting: To be completed by the grievant at Step 2 only and filed with the grievant’s department with a copy sent to the Town Manager.

- 1. Date of the incident-giving rise to this grievance.
- 2. Date of the grievant’s first awareness of the incident.
- 3. Have you had a Step 1 informal hearing with your immediate supervisor? Yes / No (check one)
If yes, when?
- 5. Person(s) against whom this grievance is directed.
- 6. Specify the incident that resulted in this grievance. (Use separate sheets if necessary)
- 7. Specify the policy(ies), rule(s), or regulation(s) at issue. (Use separate sheets if necessary)
- 8. Specify why the action taken was not proper. (Use separate sheets if necessary)
- 9. Specify the relief sought. (Use separate sheets if necessary)

Signature of Grievant Date Submitted

Department Head Response (Use separate sheets if necessary):

Signature of Departmental Head and Date Date Grievance Was Received

TOWN OF CAPE CHARLES PERSONNEL POLICIES

Request for Step 3 –Town Manager Meeting: To be completed by the Grievant at Step 3 only and filed directly with the Town Manager’s office.

I wish to have my grievance heard at the Step 3 (Town Manager) level. I understand that, by requesting to have my grievance heard at Step 3, I am giving up the relief, if any, that was awarded to me at Step 2.

Signature of Grievant

Date Submitted

Town Manager Response (Use separate sheets if necessary): _____

Signature of Town Manager and Date

Date Grievance Was Received

Request for Step 4 – Grievance Panel Hearing: To be completed by the grievant at Step 4 only and filed directly with the Town Manager.

1. I wish to have my grievance heard at the Step 4 (grievance panel) level. I understand that, by requesting to have my grievance heard at Step 4, I am giving up the relief, if any, that was awarded to me at Step 3.

2. Name of grievant’s panel member: _____

Address: _____

Telephone Number(s): (Home) _____ (Work) _____

Signature of Grievant

Date Submitted

Town Panel Member

Name of Town’s panel member: _____

Address: _____

Telephone Number(s): (Home) _____ (Work) _____

Signature of Grievant

Date Submitted

TOWN OF CAPE CHARLES PERSONNEL POLICIES

XVII. TERMINATION OF EMPLOYMENT

A. Resignation

To resign in good standing, an employee must give at least 2 weeks advance notice. If special circumstances exist, the notice requirement may be waived by the Town Manager. Failure to give the required advance notice will result in forfeiture of compensation for up to 2 weeks accrued leave. Failure to return to work at the expiration of an approved leave of absence shall be interpreted as a resignation.

B. Lay-off

The Town reserves the right to dismiss employees for lack of available work or funds. In such cases the employees affected will be given a minimum of 2 weeks advance notice.

C. Termination for Inability to Perform

An employee may be terminated if the employee becomes physically or mentally unable to perform the duties of the position. However, any such action shall be taken in a manner that complies with the requirements of the Americans with Disabilities Act.

D. Exit Interview

The HR Manager or designee will perform an exit interview with the employee upon notice of termination. The purpose of the exit interview is to complete necessary forms and discuss employment experiences.

F. Collection of Equipment and Keys

When an employee terminates, whether voluntary or involuntarily, the department head must collect any and all equipment (laptops, cell phones, safety equipment, etc. as well as keys on the last day of work. The correct paperwork must be completed with Human Resources. Failure to turn in any items owned by the Town will result in deductions from the employee's final pay check.

XVIII. MODIFICATION OF POLICIES

These policies do not constitute a contract of employment. The policies as a whole, or individually by section, may be modified, amended, or rescinded at the sole discretion of the Town without notice.

XIX. SEVERABILITY

The provisions of the Town of Cape Charles Personnel Policies are severable and, if any court of competent jurisdiction shall hold any of its provisions unconstitutional or otherwise invalid, the decision of such court shall not affect or impair any of the remaining provisions.

TOWN OF CAPE CHARLES PERSONNEL POLICIES

ACKNOWLEDGMENT REGARDING COMPUTER AND MONITORING OF E-MAIL AND INTERNET ACCESS

I hereby acknowledge that I have received and read a copy of the Town of Cape Charles's Policy for the Use and Monitoring of E-mail and Internet Access as well as the Acceptable Usage Policy Addendum. I understand that all e-mail communications systems, internet access, and other electronic devices and systems are the property of the Town, as is the information received from, transmitted by, or stored in these systems. I understand that I have no expectation of privacy in connection with any e-mail messages, the use of Town equipment, or the transmission, receipt, or storage of information in this equipment, or any Town electronic information system.

I acknowledge and consent to the Town's monitoring my use of Internet usage, e-mail, and other electronic devices and systems, at any time the Town deems it necessary in accordance with its policy. Monitoring may include reading and printing out all electronic mail entering, stored in, or disseminated by the Town of Cape Charles's system and equipment. I agree not to use code, access a file, or retrieve any stored information unless authorized to do so. I understand that this consent is a condition of my employment and/or continued association with the Town. I understand all the provisions specified in this policy. Further, I recognize that a violation of this policy may result in disciplinary action, including possible termination.

Employee: _____

Supervisor: _____

Date: _____

TOWN OF CAPE CHARLES PERSONNEL POLICIES

PERSONNEL POLICIES RECEIPT ACKNOWLEDGMENT

I hereby certify that I have received a copy of Town of Cape Charles Personnel Policies (Policies).

I understand it is my responsibility to read, familiarize myself with the policies, and understand the matters set forth in these Policies.

These Policies supersede all prior policies as to subjects addressed and all representations, oral or written. In the event of a contradiction between these Policies and the representation of a supervisor or management staff, the terms of these Policies will govern.

I understand that no statement contained in these Policies create any guarantee of continued employment or create any obligation, contractual or otherwise, on the part of the Town of Cape Charles.

I understand and acknowledge that the Town of Cape Charles has the right, without prior notice, to modify, amend, or terminate policies, practices, benefit plans, and other institutional programs within the limits and requirements imposed by law.

I further understand that compliance with these Policies is a specific condition of my continued employment and will be a condition of my employment throughout my service with the Town of Cape Charles. I understand that any violation of these Policies will subject me to disciplinary action, including termination.

Employee Signature: _____ Date: _____

Employee Name (printed): _____

TOWN OF CAPE CHARLES PERSONNEL POLICIES

A. Virginia Human Rights Act Reasonable Accommodations for Pregnancy

Protections from Discrimination – Va. Code § 2.2-3909

Effective July 1, 2020, employers with five or more employees for a 20-week period in the current or preceding year must provide reasonable accommodations for pregnancy, childbirth or related medical conditions, including lactation, unless the accommodation would impose an undue hardship. Employers also may not, in response to a request for a reasonable accommodation for pregnancy:

- ¬ take adverse actions against an employee;
- ¬ deny employment or promotions; or
- ¬ require an employee to take leave if another reasonable accommodation can be provided.

Reasonable Accommodations

Examples of reasonable accommodations include more frequent or longer bathroom breaks, breaks to express breast milk, access to a private location other than a bathroom for the expression of breast milk, acquisition or modification of equipment or access to or modification of employee seating, a temporary transfer to a less strenuous or hazardous position, assistance with manual labor, job restructuring, a modified work schedule, light duty assignments, and leave to recover from childbirth.

Interactive Process

When an employee requests an accommodation, employers must engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided.

Complaints

Any person who believes they were discriminated against on this basis may file a complaint with the Division of Human Rights or seek relief by filing a civil action in state court.

OFFICE OF THE ATTORNEY GENERAL

Division of Human Rights

202 North 9th Street

Richmond, Virginia 23219

www.ag.virginia.gov

human_rights@oag.state.va.us

P: (804) 225-2292; F: (804) 225-3294

TOWN OF CAPE CHARLES PERSONNEL POLICIES

B. Virginia Human Rights Act Reasonable Accommodations for Discrimination

Protections from Discrimination – Va. Code § 2.2-3905.1

Effective July 1, 2021, employers with more than five employees for a 20-week period in the current or preceding year must provide reasonable accommodations for otherwise qualified persons with disabilities if necessary to assist such person in performing a particular job, unless the accommodation would impose an undue hardship on the employer. “Person with a disability” means any person who has a physical or mental impairment that substantially limits one or more of her major life activities or who has a record of such impairment. Employers also may not, in response to a request for a reasonable accommodation for disability:

- ─ take adverse actions against an employee;
- ─ deny employment or promotions; or
- ─ require an employee to take leave if another reasonable accommodation can be provided.

Reasonable Accommodations

Examples of reasonable accommodations include modifying work policies, permitting the use of leave, reassignment to a vacant position, acquisition or modification of equipment, assistance with manual labor, job restructuring, a modified work schedule, and light duty assignments.

Interactive Process

When an employee requests an accommodation, employers must engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided.

Complaints

Any person who believes they were discriminated against on this basis may file a complaint with the Office of Civil Rights.

OFFICE OF THE ATTORNEY GENERAL

Office of Civil Rights

202 North 9th Street

Richmond, Virginia 23219

www.ag.virginia.gov

civilrights@oag.state.va.us

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Appendix A: Whistleblower Policy

A whistleblower as defined by this policy is an employee of the Town of Cape Charles who reports an activity that they consider to be illegal, dishonest, or a gross mismanagement of public funds or resources. The whistleblower is not responsible for investigating the activity, or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

If an employee has knowledge of or a concern of illegal, dishonest, or mismanagement activities, the employee is to contact their immediate supervisor, the Human Resources Manager, or the Town Manager. If the concern is with the Town Manager, the report should be made to the Mayor. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and/or to provide accused individuals their legal rights of defense.

The Town will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments, or threats of physical harm. Any whistleblower who believes they are being retaliated against must contact the Human Resources Manager immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing or poor work performance that may be alleged and investigated.

Employees with any questions regarding this policy should contact the Human Resources Manager.

Cape Charles Town Council

January 2022

Revised 1/3/22

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	31	1
2	3	4 <i>Special Gazette re: PPEA Process #1</i>	5	6 • 6:30 TC Pub Hrg/Spec Mtg re: FY22 Budget Amendment • Work Session re: Personnel Manual	7	8
9	10	11	12 <i>5:00 TC Executive Sess re: Board interviews</i>	13 • 6:30 Spec Mtg re: PPEA • Work Session re: Strategic Planning	14	15
16	17 	18 <i>Special Gazette re: PPEA Process #2</i>	19	20 <i>6:30 TC Regular Mtg</i>	21	22
23	24	25	26	27 <i>6:30 TC Town Hall Mtg re: Historic Design Guidelines Update (NEW)</i>	28	29
30	31					

Note: All meetings will be held at the Cape Charles Civic Center.

Cape Charles Town Council

February 2022

Revised 1/3/2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3 6:30 TC Work Session re: FY22/23 Employee Benefits (for budget prep)	4	5
6	7	8	9	10	11	12
13	14	15	16 6:30 TC Town Hall Mtg re: PPEA	17 6:30 TC Regular Mtg (possible Pub Hrg)	18	19 2:00 TC Town Hall Mtg re: PPEA
20	21 	22	23	24 6:30 TC Special Mtg re: PPEA (tentative)	25	26
27	28	1	2	3 6:30 TC Work Session re: FY23 Budget	4	5

Note: All meetings will be held at the Cape Charles Civic Center.

Cape Charles Town Council

March 2022

Revised 1/3/2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	1	2	3 6:30 TC Work Session re: FY23 Budget	4	5
6	7	8	9	10	11	12
13	14	15	16	17 • 6:30 TC Regular Mtg • Executive Session	18	19
20	21	22	23	24	25	26
27	28	29	30	31 6:30 TC Work Session re: FY23 Budget	1	2

Note: All meetings will be held at the Cape Charles Civic Center.