



## Policies Governing University Staff

### No. 4010

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1/10/2017

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**Policy Owner:**  
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**Affected Parties:**  
Faculty  
Staff

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### 1.0 Purpose

In accordance with the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Restructuring Act) and the Management Agreement approved by the university's Board of Visitors, effective July 1, 2006, the university has two groups of salaried non-faculty employees: (i) those covered under the Virginia Personnel Act and State HR policies (classified staff), and (ii) those covered under university Human Resources policies (university staff). The purpose of this policy is to provide human resources policies for university staff, including employees transferred from other state agencies.

### 2.0 Policy

All new salaried non-faculty employees, including transfers from other state agencies, hired on or after July 1, 2006, will be University Staff employees subject to the University Human Resources policies. Until such time as the Human Resource policies are developed for staff, university staff will be covered by the policies and benefits for classified staff, with differences noted in the relevant Virginia Tech policies.

### 2.1 Types of Non-Faculty Employment

#### 2.1.1 Classified Staff

The Restructuring Act included language that permitted existing classified staff to determine whether or not to remain in a position that is covered by the Virginia Personnel Act. Positions covered by the Virginia Personnel Act are subject to the policies and procedures of the Virginia Department of Human Resource Management (DHRM). Virginia Tech classified staff hired prior to July 1, 2006, may remain classified staff even if they receive transfers or promotions to other Virginia Tech staff positions. Classified staff will be provided an opportunity to convert to university staff whether through transfers/promotions within Virginia Tech and/or during the university's enrollment period (at least once every two years).

#### 2.1.2 University Staff

All new salaried non-faculty employees hired on or after July 1, 2006 will be designated as university staff. University staff positions are not subject to the provisions of the Virginia Personnel Act. All current Virginia Tech Human Resources policies are applicable to university staff unless otherwise noted.

#### 2.1.3 Wage Employees

All wage employees, regardless of hire date, are hired as hourly wage employees and are covered under Virginia Tech Human Resource policies relating to wage



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employment. Hourly wage employees are limited to working a maximum of 1,500 hours in a fiscal year. No exceptions will be granted.

### **2.2 Policies and Benefits Provided to All Classified and University Staff**

Employees in both classified and university staff positions are covered by the state's Workers' Compensation program and the State Employee Grievance Procedure. They are also eligible to participate in the Virginia Retirement System and enroll in the state's insurance programs.

### **2.3 Classified Employees Transferring from Other State Agencies**

Classified employees transferring to Virginia Tech from other state agencies on and after July 1, 2006 will be employed as university staff, and will be covered by the university's Human Resources policies.

Unless otherwise noted, the following provisions apply to employees transferring from state agencies to Virginia Tech in university staff positions:

- Virginia Tech will recognize the employee's seniority based on continuous salaried state service.
- State employees who transfer to a Restructured University and have completed their probationary period will not be required to serve another probationary period. If at the time of transfer the employee is on probation, s/he will be required to complete the probationary period. Time worked at the former agency will be counted toward the completion of the probationary period at Virginia Tech.
- Virginia Tech will accept the transfer of annual leave balances and the employee's leave accrual date.
- State employees transferring from another state agency who currently have a traditional sick leave balance will be paid off for their sick leave balance by their agency at the time of transfer. They will become VSDP participants with the Restructured University.
- State employees who transfer to a Restructured University and are enrolled in VSDP will continue to participate in VSDP and will have the same coverage provided to current state transfers. Their VSDP sick leave and personal/family leave balances will transfer.
- Employees' compensatory and holiday leave balances should be paid out by their current agency in accordance with the state's policy.
- Virginia Tech will allow employees to include time worked with prior state agency towards meeting the requirements for eligibility under the Family Medical Leave Act.
- When new HR policies are developed, these employees will be subject to such policies.

### **3.0 Procedures**

The university will distinguish the categories of salaried employees, including classified staff and university staff, on the appropriate personnel forms. It is essential that university departments accurately distinguish between these two groups of employees. This is particularly important when hiring new employees. Appropriate forms and offer letter templates are maintained by Human Resources (<https://hrapps.hr.vt.edu/resourceguide/>).



## 4.0 Definitions

**Classified staff** – Employees who are covered by the Virginia Personnel Act, Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2 of the Code of Virginia, including policies and procedures established by the Virginia Department of Human Resource Management and who are not Participating Covered Employees. This includes salaried, non-faculty employees hired before July 1, 2006 who remained classified.

**Hourly Wage** – Employees paid on an hourly wage basis without regard to when they were hired. These employees are covered by HR systems established by the university under authority of the Board of Visitors.

**Restructured Higher Education Financial and Administrative Operations Act (the “Act”)** – The Act, included in Chapter 4.10 of Title 23 of the Code of Virginia, establishes a process for the restructuring of institutions of higher education of the Commonwealth of Virginia and provides that the university shall have responsibility and accountability for human resources management for all university employees, defined in the Act as “Covered Employees,” who pursuant to subsection A of § 23.1-1020 of the Act “are state employees of” the university.

**Staff** – Salaried non-faculty employees, and includes classified and university staff.

**University Staff** – Salaried non-faculty employees hired on or after July 1, 2006 who are covered by university HR policies and benefits.

## 5.0 References

*Restructured Higher Education Financial and Administrative Operations Act*, Chapter 10 of Title 23.1 of the Code of Virginia

<https://law.lis.virginia.gov/vacode/title23.1/chapter10/>

Virginia Personnel Act, Chapter 29 of Title 2.2 of the Code of Virginia

<https://law.lis.virginia.gov/vacode/title2.2/chapter29/>

Virginia Tech Presidential Policy Memorandum No. 257, *Human Resources Policies for University Staff under Higher Education Restructuring*

<https://policies.vt.edu/assets/257-human-resources-policies-for-university-staff-under-higher-education-restructuring-.pdf>

## 6.0 Approval and Revisions

On June 12, 2006, the Board of Visitors approved that the existing personnel policies, with minor revisions, will continue to be in place for newly hired University Staff until such time as the new human resources policies are developed.

Approved June 20, 2006 by Kurt J. Krause, Vice President for Business Affairs.

- Revision 1  
Removed initial implementation information since transition period has concluded.  
Approved January 10, 2017 by Vice President for Administration, Sherwood G. Wilson.



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- **Revision 2**  
Technical corrections to correct format, names of statutes, and web links to policies, statutes, and forms.  
Technical changes recommended January 2, 2020 by Compliance and Policy Officer, Ellen Banks.  
Approved January 6, 2020 by Vice President for Policy and Governance, Kim O'Rourke.