



TO: Human Resources Committee and Board of Supervisors
FROM: Michael J. Marciano
DATE: November 5, 2021
SUBJECT: HR Committee Agenda

The HR Committee will meet in the First Floor Boardroom at 107 North Kent Street on **Friday, November 12, 2021** at 9:00 a.m.

The agenda for the meeting is as follows:

1. Human Resource Policy Recommended Revisions

- a. Employee's Rights to Reasonable Accommodation for Disabilities – Revisions Made to Frederick County's Human Resources Policies V – Recruitment Selection and Employment and XX – Non-Discrimination/Non-Harassment
- b. Revised XIX – Driver Authorization Policy

2. Employee of the Year Recognition (To Be Held in Closed Session)

- a. The Human Resources Committee will enter a closed session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia (1950, as amended) for discussion of personnel matters, specifically, consideration of nominees for Employee of the Year.

Due to the COVID pandemic in 2020, an Employee of the Year was not selected. All employee of the month winners for 2020 and 2021 are provided to the Human Resources Committee for consideration of this recognition.



County of Frederick

Department of Human Resources

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To: Frederick County HR Committee
Frederick County Board of Supervisors

From: Michael Marciano, Director of Human Resources

Date: November 5, 2021

Re: HR Policy Edits Resulting from Changes to the Virginia Human Rights Act,
Title 2.2, Chapter 39 of the Virginia Code

Virginia's disability discrimination and accommodation statutes can be found in the Virginia Human Rights Act, Title 2.2, Chapter 39, of the Virginia Code. In 2020, the Virginia legislature passed a new pregnancy discrimination law, and, in 2021, approved an enhanced disability protection law.

Virginia's pregnancy discrimination law (Virginia Code Section 2.2-3909) requires employers with five or more employees to provide reasonable accommodations for pregnancy and childbirth related limitations, unless the employer can demonstrate that the accommodation would impose an undue burden.

Expanding the rights of disabled employees, Virginia's new law contains two important provisions. First, as with the pregnancy law passed in 2020, it is unlawful to refuse a reasonable disability accommodation unless the accommodation would constitute an undue hardship. The language related to accommodations and undue hardship is based on the nature of the employer's operation, the size of the facility where employment occurs, and the nature and the cost of the accommodation.

Second, the disability protection law (Virginia Code Section 2.2-3905.1) imposes notice requirements related to disabilities in the workplace. Virginia Legislature requires the employer to post a notice to employees about their disability accommodation rights, update employee handbooks to include a statement of those rights, and provide notice to new employees about their disability rights. Notice of an employee's disability rights must also be given to any employee reporting a disability within ten days of such a report.

The proposed revisions to Frederick County Human Resources Policies are being made to comply with changes to the Virginia Code in 2021. It is the recommendation of the Director of Human Resources that the Human Resources Committee, and, subsequently the Board of Supervisors, approve the revisions made to Frederick County's Policies: V: Recruitment, Selection and Employment and XX: Non-Discrimination/Non-Harassment.

Code of Virginia
Title 2.2. Administration of Government
Chapter 39. Virginia Human Rights Act

§ 2.2-3905.1. Reasonable accommodations for persons with disabilities; unlawful discriminatory practice; notice of rights. (2021 updated section)

A. As used in this section:

"Employer" means any person, or agent of such person, employing more than five employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year.

"Person with a disability" means the term as defined in § [51.5-40.1](#).

"Physical impairment" means the term as defined in § [51.5-40.1](#).

"Mental impairment" means the term as defined in § [51.5-40.1](#).

"Otherwise qualified person with a disability" means the term as defined in subsection A of § [51.5-41](#).

B. It shall be an unlawful discriminatory practice for an employer to:

1. Refuse to make reasonable accommodation to the known physical and mental impairments of an otherwise qualified person with a disability, if necessary to assist such person in performing a particular job, unless the employer can demonstrate that the accommodation would impose an undue hardship on the employer. In determining whether an accommodation would constitute an undue hardship upon the employer, the following shall be considered:
 - a. Hardship on the conduct of the employer's business, considering the nature of the employer's operation, including composition and structure of the employer's workforce;
 - b. Size of the facility where employment occurs;
 - c. The nature and cost of the accommodations needed, taking into account alternative sources of funding or technical assistance included under § [51.5-173](#);
 - d. The possibility that the same accommodations may be used by other prospective employees; and
 - e. Safety and health considerations of the person with a disability, other employees, and the public.
2. Take adverse action against an employee who requests or uses a reasonable accommodation pursuant to this section.
3. Deny employment or promotion opportunities to an otherwise qualified applicant or employee because such employer will be required to make reasonable accommodation for a person with a disability.
4. Require an employee to take leave if another reasonable accommodation can be provided to the known limitations related to the disability.
5. Fail to engage in a timely, good faith interactive process with an employee who has requested an accommodation pursuant to this section to determine if the requested accommodation is reasonable and, if such accommodation is determined not to be reasonable, discuss alternative accommodations that may be provided.

C. An employer shall post in a conspicuous location and include in any employee handbook information concerning an employee's rights to reasonable accommodation for disabilities. Such information shall also be directly provided

to (i) new employees upon commencement of their employment and (ii) any employee within 10 days of such employee's providing notice to the employer that such employee has a disability.

2021, Sp. Sess. I, c. [12](#).

V. RECRUITMENT, SELECTION AND EMPLOYMENT

5.1 Equal Opportunity Employer and Open Competition

All positions covered by these policies shall be open to all persons who possess the requirements for the positions as indicated in the official class specifications. The recruitment objective is to obtain well qualified applicants for all vacancies with selection based on the best qualified person available at the salary offered for the particular position.

It is the policy of Frederick County to comply with all federal and state laws providing for nondiscrimination in employment regarding qualified individuals with disabilities. Frederick County will not discriminate against qualified individuals, including those who are pregnant and/or have pregnancy related medical conditions, in regard to recruiting, hiring, promotion, termination, layoff, recall, transfer, compensation, training or other terms, conditions and privileges of employment.

Frederick County will provide reasonable accommodation for qualified individuals with disability in accordance with state and federal law. Please also see Section XX for more information regarding reasonable accommodation.

Frederick County further provides equal employment opportunities to all applicants for employment and prohibits discrimination and harassment of any type with regard any trait or characteristic protected by federal, state or local laws. This policy applies to all terms and conditions of employment, including recruiting, hiring, promotion, termination, layoff, recall, transfer, compensation, training or other terms, conditions and privileges of employment. For a list of classes currently protected by state and federal laws, please see the addendum to Section XX.

5.2 Original Employment

An individual beginning starting employment with the County for the first time shall, except as described below, usually be placed at the first step beginning of the pay range established for the class in which he/she is employed and that employment date should be defined as his date of hire. Based on a new employee's prior experience, proficiency, and other relevant criteria in the same or related capacity, placement may be accelerated within the assigned range upon approval of the County Administrator within current budget restraints. Appointments may be made below the minimum for a person who lacks the desired qualifications of the position; such persons are considered Trainees until such time as they acquire the minimum qualifications, at which time they are advanced to the normal entrance salary of the position.

5.3 Reemployment

When an individual is re-employed after a separation of thirty (30) or more calendar days, a new date of hire shall be established for computation of all merit increases and other salary adjustments. A returning employee who is re-employed will, except as described below, be placed at the lowest step beginning of the position's approved pay range. Based on the returning employee's prior proficiency and experience in the same or related capacity, an acceleration of up to and including the fourth step midpoint of the assigned range may be made upon recommendation by the Department Head and approval of the County Administrator. All time earned in previous employment shall not be counted toward the probationary period, annual leave, service awards, or any other longevity based program or benefit. Rather, only that time earned following actual re-employment shall be counted.

5.4 Reinstatement

An individual returning to the employ of the County within thirty (30) or less calendar days of separation, shall return to duty in the same position and class subsequent to the approval of the Department Head and the County Administrator. The appropriate pay step placement within the approved range of the class for all reinstated employees shall be determined by the County Administrator. Hire dates for all reinstated employees will remain the same as that associated with prior employment. All time earned previous to reinstatement shall be counted toward the probationary period, annual leave, service award, or any other longevity based program or benefit. Additionally, accrued paid leave will be utilized to cover the actual time missed prior to reinstatement. Should paid leave not be available, leave without pay will be utilized to cover the actual time missed prior to reinstatement.

5.5 Temporary Employment

Persons may be employed to temporary positions without commitment as to tenure. Temporary employees may be part-time or full time, not eligible for benefits, and subject to re-evaluation by Department Head.

5.6 Temporary Appointments

Persons may be appointed to temporary positions without commitment as to tenure. Temporary appointments are for full time, benefit eligible positions and subject to re-evaluation by Department Head. Temporary appointments are also eligible for a salary increase with the approval of the Department Head and County Administrator.

5.7 Reclassification

When such a position cannot accurately be described or compensated by assignment to an existing class or position, the County Administrator shall establish a new class or position, based upon written documentation submitted by the Department Head, with appropriate range and title, subject to approval by the Board of Supervisors. A reclassification is the assignment of the employee's regular and continuing duties to a descriptive and commensurate class or position. Reclassification does not adjust the employee's hire date.

5.8 Promotion

Based upon recommendation by the Department Head, employees may be considered for promotion and their salary may be adjusted. The County Administrator shall have the final authority to approve such promotions and any corresponding salary adjustments. The effective date of all promotions will be the first day of the month in which the promotion takes place. Employees who are promoted and are eligible for a merit evaluation may receive the scheduled merit increase.

5.9 Transfer Between Departments

When an employee makes a transfer between departments, no change of status or hire date occurs.

5.10 Appointing Authorities

The appointing authority is the person or group of persons having authority to make appointments under the laws of the State and the County. Each Constitutional Officer is the appointing authority for his department. The County Administrator approves appointments for all other positions covered by these policies; additionally, the Board of Supervisors appoints the County Administrator and the County Attorney.

XX. NON-DISCRIMINATION/NON-HARASSMENT

Frederick County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Frederick County prohibits discrimination, including harassment, on any illegal basis. The types of prohibited discrimination and/or harassment can be subject to change under the law. The addendum to this policy identifies the current forms of prohibited discrimination and harassment. The Human Resources Department will update the addendum as necessary consistent with changes in the law. Any employee found to have engaged in prohibited discrimination or harassment will be subject to discipline, up to and including termination.

Reasonable Accommodation Under the American with Disabilities Act (ADA) and the Virginia Human Rights Act

Frederick County prohibits discrimination or harassment based upon an employee's disability, or his/her being regarded as having a disability, and provides reasonable accommodations as required by the ADA and Virginia law. A person with disability means any person who has a physical or mental impairment that substantially limits one or more of his or her major life activities or who has a record of that impairment. Frederick County will not, in response to a request for reasonable accommodation: (1) take adverse action against an employee, (2) deny employment or promotions, or (3) require an employee to take leave if another reasonable accommodation can be provided.

Employees with disabilities may make requests for reasonable accommodations to the Director of Human Resources. Upon doing so, we may ask you for your input or the type of accommodation you believe may be necessary or the functional limitations caused by your disability. It is your responsibility to cooperate with management and engage in this interactive process. The relevant management, identified as having a need to know, will determine the feasibility of the requested accommodation in light of American with Disabilities Act and any Virginia guidelines. We will inform you of our decision on the accommodation request or on how to make the accommodation. Also, when appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals.

Discrimination on the Basis of Pregnancy, Childbirth, and Related Medical Conditions

Frederick County prohibits discrimination on the basis of pregnancy, childbirth, and pregnancy-related medical conditions, to include lactation. This prohibition extends to all areas of employment, including hiring, firing, promotion, compensation, and benefits. Prohibited discrimination includes, but is not limited to:

- Refusing to hire an employee on the basis of pregnancy, childbirth, or related medical conditions;
- Denying a promotion to an employee on the basis of pregnancy, childbirth or related medical conditions because the employer would have to make reasonable accommodations for those conditions;
- Failing to provide reasonable accommodations to employees who are pregnant, have given birth, or have related medical conditions, to include lactation;
- Taking adverse action against an employee who requests or uses a reasonable accommodation related to pregnancy, childbirth or related medical conditions; and
- Requiring an employee to take leave for a pregnancy, childbirth, or related medical conditions when another reasonable accommodation is available to the employee.

It is further Frederick County's policy to offer reasonable accommodations to employees on the basis of pregnancy, childbirth, and related medical conditions. Such accommodations include, but are not limited to:

- 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; and
- job restructuring, a modified work schedule, light duty assignments, and leave to recover from childbirth.

Harassment

For purposes of this policy, harassment includes verbal or physical conduct that denigrates or shows hostility toward an individual or conduct that creates an intimidating, hostile, or offensive working environment for an individual because of the individual's protected class. Such conduct may include, but is not necessarily limited to, slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing, stereotyping, insulting or obscene comments or gestures, display or circulation in the workplace of written or graphic material that denigrates or shows hostility toward the individual or group, or other verbal or physical actions relating to an individual's protected class.

Because there is often confusion related to the meaning of sexual harassment, it deserves additional clarification. Sexual harassment includes any unwelcome sexual conduct (including sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature) when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can take many forms. The following is a partial list of the types of behavior that could constitute sexual harassment:

- Unwanted or unwelcome physical contact or conduct of any kind, including patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact;
- Verbal abuse of a sexual nature, including sexual flirtations, advances, propositions, sexual innuendoes, or sexually suggestive, insulting, or graphic comments, noises, or sounds;
- Sexually explicit, suggestive, or offensive jokes;
- Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress, body, appearance, or personal life;
- The display or distribution in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs, drawings, or magazine pictures; and
- Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

To violate the law, harassment must be serious in nature, be repeated, and/or have an impact on employment. This policy, however, not only prohibits unlawful harassment, but also offensive conduct that is contrary to Frederick County's professional expectations for its employees. Thus, Frederick County may take action to address offensive behavior or statements based on a person's protected class even if such action(s) standing alone would not rise to the level of unlawful harassment.

Reporting Obligations

Any employee who feels he or she has been subjected to or has witnessed any kind of discrimination or harassing behavior as described in this policy should immediately notify his or her supervisor or Department Head. In addition, if for any reason an employee is not comfortable with reporting harassment to his or her supervisor or Department Head, including but not limited to instances in which the supervisor or Department Head is engaging in or allowing the harassment, an employee may always instead opt to notify the Director of Human Resources. A supervisor who becomes aware of any harassment, or who receives allegations of harassment from any employee, must immediately advise the Director of Human Resources.

Investigation

All complaints will be investigated in a timely manner and confidentiality will be maintained to the extent permitted by the circumstances consistent with the need to investigate and address the issue. Employees must cooperate fully and truthfully in any investigation relating to this policy. Depending on the results of the investigation, Frederick County may take corrective action, including such discipline as is appropriate, up to and including immediate termination of the employee.

Retaliation Prohibited

Frederick County forbids retaliation against any employee for making a good faith complaint or cooperating fully and truthfully in an investigation under this policy. Any employee who is found to have engaged in retaliation in violation of this policy will be subject to discipline, up to and including termination. If an employee believes he or she has been retaliated against in violation of this policy, the employee must report such violation in the same way other violations of this policy are reported.

Individuals and Conduct Covered

This policy prohibits harassment, discrimination, and retaliation whether engaged in by, or directed at, employees, contractors, clients, vendors, or others an employee may come into contact with while working or representing the County. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

Updated/Approved: 9/9/2020

ADDENDUM REGARDING NON-DISCRIMINATION/NON-HARASSMENT

Issued by Human Resources Department, July 2020

In keeping with Frederick County's commitment to a work environment in which all individuals are treated with respect and dignity, discrimination and/or harassment on the following bases is prohibited:

- Race, to include discrimination on the basis of traits historically associated with race, including hair texture, hair type, and protective hairstyles such as braids, locks, and twists
- color
- religion
- sex
- national origin
- pregnancy, childbirth, medical conditions related to pregnancy or childbirth
- age
- marital status
- disability
- military service
- veteran status
- gender identity
- sexual orientation
- genetic information (such as information that could be used to determine an employee's risk for disease).

Updated/Approved: 9/9/2020



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To: Frederick County HR Committee
Frederick County Board of Supervisors

From: Michael Marciano, Director of Human Resources

Date: November 5, 2021

Re: Revision of XIX: Driver Authorization Policy

Frederick County's Driver Authorization Policy dates to February 2013. Recently, we have encountered situations where a qualified applicant was disqualified for a position due to a driving conviction that, in some cases, dated back decades. The proposed revisions address those situations, and others, by considering convictions only within the past five (5) years. The proposed policy has been shared with Department Heads who oversee employees who drive County vehicles, and their input was carefully considered. Input from the County's insurance provider, VACORP, has also been incorporated into the policy. It is the recommendation of the Director of Human Resources that the Human Resources Committee, and, subsequently the Board of Supervisors, approve the revisions made to Frederick County's Policy XIX: Driver Authorization Policy.

XIX. DRIVER AUTHORIZATION POLICY

Purpose:

To establish standards which determine if a driver can operate a County vehicle.

Goal:

To make activities as safe as possible for participants and reduce the County's liability exposure relative to the operation of County vehicles.

Policy:

All employees and volunteers who will need to drive a County vehicle must have a driving record check conducted by the Virginia Department of Motor Vehicles upon hire and/or prior to operating a County vehicle.

The following guidelines will be applied to determine if an individual may operate a County vehicle. Individuals must possess a valid driver's license for the vehicle classification for which they are assigned. Individuals may not drive a County vehicle if the following has occurred.

1. Driver's license suspended or revoked in the previous three years.
2. Convicted of:
 - a. Operating under the influence of drugs or alcohol
 - b. Failure to stop after an accident (hit and run)
 - c. Homicide or manslaughter with a motor vehicle
 - d. Operating a vehicle with a suspended license
 - e. Participating in a speed contest or drag race
 - f. Fleeing or eluding a police officer
 - g. Reckless driving or driving to endanger
 - h. Theft or use of a motor vehicle in the commission of felony
 - i. Assault with a motor vehicle
 - j. Violation of state regulations on implied consent
3. More than two convictions for motor vehicle moving violations (other than those listed in #2) during the previous 36 months.
4. Involvement in two or more avoidable (at fault) accidents during the previous 36 months.
5. Any combination of three incidents in #3 and #4.

All drivers are required to report any traffic and/or motor vehicle charge, wreck, citation, arrest, etc., to their supervisor or department head within 24 hours following the incident.

Approved (no changes): 02/13/2013

XIX. DRIVER AUTHORIZATION POLICY

A. Purpose: This policy applies to County employees who operate a vehicle on County business. This policy provides guidelines for the County and its employees to protect the safety of County employees and citizens.

B. Definition of Terms

1. **County vehicle:** Any motorized mode of transportation including but not limited to cars, vans, trucks, buses, motorcycles, etc., owned by or otherwise in the possession, custody, or control of the County. For purposes of this policy only, this includes any vehicle owned by a recognized Frederick County Volunteer Fire/Rescue Company used and/or driven by employees of the Fire & Rescue Department.
2. **Regular Drivers on County Business:** Refers to employees who, in the performance of their essential job functions, operate County vehicles on County business.
3. **Distracted Driving:** Driving a moving motor vehicle on any highway, road, or street, while holding a handheld personal communications device, except as may be otherwise permitted by applicable law, when any of the following conditions apply:
 - a. Operating a County vehicle
 - b. Operating a personal vehicle on County business
 - c. Driving on County property

If County employees need to use their phones, they must pull over safely to the side of the road or another safe location.

C. Driving Standards:

1. No County employee shall operate a vehicle on County business unless the employee has held a valid driver's license for a minimum of two (2) years.
2. Prior to driving a County vehicle as a Regular Driver on County Business, all employees must provide the Human Resources Department with a copy of their current, valid driver's license.
3. No County employee shall engage in distracted driving, as defined in this policy.
4. Employees may not drive a County vehicle or operate a private vehicle on County business if any of the following have occurred:
 - a. Driver's license suspended or revoked within three years of hire date.
 - b. Convicted within the past five years of any of the following:
 - (1) Operating under the influence of drugs or alcohol
 - (2) Fleeing or eluding a police officer
 - (3) Failure to stop after an accident (hit and run)
 - (4) Operating a vehicle with a suspended license
 - (5) Participating in a speed contest or drag race
 - (6) Reckless driving or driving to endanger
 - (7) Violation of state regulations on implied consent
 - c. Convicted within the past ten years of any of the following:

- (1) Homicide or manslaughter with a motor vehicle
 - (2) Theft or use of a motor vehicle in the commission of felony
 - (3) Assault with a motor vehicle
- d. More than two convictions for motor vehicle moving violations (other than those listed in b above) during the past three years.
 - e. Involvement in two or more avoidable (at fault) accidents during the previous three years.
5. All Regular Drivers on County Business must immediately report in writing any change to their license status to their immediate supervisor and the Department of Human Resources the next business day following the traffic and/or motor vehicle charge, wreck, citation, arrest, etc.

D. Consequences of Driving Violations:

If an employee violates the driving policy and fails to report any violation as required by the next business day, one of the following actions may take place.

1. He/she is immediately reassigned to a non-driving position, or
2. He/she is immediately relieved of job duties that require driving, or
3. He/she is terminated if neither of the first two options is feasible.

Two key factors shall be assessed in making the determination as to the action that will occur: (1) the business needs of the department and (2) the extent to which driving is a significant part of the affected employee's job duties. To be significant, driving shall be required on a daily or weekly basis in the employee's job description for the position.

E. Annual Driving Check: In addition to the driving record check that is part of the pre-employment screening process, those employees who are Regular Drivers on County Business will have an annual driving record check conducted by the Human Resources Department. The annual driving record will obtain records for covered employees from Virginia. Employees with a current valid driver's license from a jurisdiction other than Virginia must provide a transcript of their driving record from the issuing jurisdiction to their immediate supervisor at the time of the annual driving record check conducted by Human Resources.

F. Reasonable Cause Driving Check: The County also will require testing when there is reasonable cause to suspect an employee is acting in a manner that raises concern about the ability to operate a County vehicle in a manner that meets the standards of this policy.

G. Commercial Driver's License (CDL) Requirements: The U.S. Department of Transportation (DOT) drug and alcohol testing regulations for Commercial Driver's Licensed (CDL) employees are contained in 49 CFR Parts 40 and 382. All employees and applicants who hold or are offered a position that is a safety sensitive position or that requires a CDL as a condition of employment and continued employment must be tested for drugs and alcohol under the following conditions

1. Pre-employment
2. Random
3. Post-accident
4. Return to work after testing positive and follow-up.

A refusal to immediately submit to a drug test when required or a verified finding of alcohol or illegal drug use may result in withdrawal of a conditional offer of employment or disciplinary action up to and including termination. As indicated by the employee's job description, employees may be determined to be critical to the safety and security of employees or citizens.

H. CDL Clearinghouse: The Federal Motor Carrier Administration (FMCSA) has established the CDL Drug and Alcohol Clearinghouse (Clearinghouse). This database contains information pertaining to violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of CDLs.

The Clearinghouse rule requires employers (such as the County), medical review officers (MROs), substance abuse professionals (SAPs), consortia/third party administrators (C/TPAs), and other service agents to report to the Clearinghouse information related to violations of the drug and alcohol regulations in 49 Code of Federal Regulations, Parts 40 and 382, by current and prospective employees.

All new hires required to have a CDL will need to register to provide electronic consent in the DOT Clearinghouse to allow the County to conduct a full query of the driver's Clearinghouse record. A limited query is required annually for current employees and checks for the presence of information in the queried driver's Clearinghouse record. The employee is only required to sign a release for the County to run the report. The full query is used when CDL drivers are hired and will disclose detailed information about any resolved or unresolved violations in a driver's Clearinghouse record.



County of Frederick

Department of Human Resources

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To: Frederick County HR Committee
Frederick County Board of Supervisors

From: Michael Marciano, Director of Human Resources

Date: November 5, 2021

Re: Employee of the Year Selection

Due to the COVID pandemic in 2020, an Employee of the Year was not selected. All employee of the month winners for 2020 and 2021 are provided to the Human Resources Committee for consideration of this recognition.

Employee of the Month Resolution

Awarded to:

Shelia Harden

WHEREAS, the Frederick County Board of Supervisors recognizes that the County's employees are a most important resource; and on September 9, 1992, the Board of Supervisors approved a resolution which established the Employee of the Month award and candidates for the award may be nominated by any County employee; and

WHEREAS, the Board of Supervisors upon recommendation by the Human Resources Committee selects one employee from those nominated; and

WHEREAS, Shelia Harden, a member of the Division of Court Services team at the Northwest Regional Adult Detention Center, provided assistance for the majority of the workload for a full-time employee who was out on Medical Leave from June 5, 2019 to October 15, 2019, and during this time Shelia did an excellent job working the front desk and taking on a majority of tasks assigned to that position as well as keeping her own job responsibilities in check; and

WHEREAS, in September of 2019 the Division was informed by the Commission on VASAP that the old client database system would be replaced by a new system by the end of 2019 requiring all active cases to be re-entered into the new system, and

WHEREAS, during the month of October Shelia audited over 500 active cases on the old system and working with the case managers was able to close services for approximately 200 offenders, greatly reducing the number of cases needing to be entered into the new system, and

WHEREAS, on more than one occasion Shelia has taken on additional job responsibilities to help the agency without being asked and without hesitation, and over the last few years Shelia has always been the first to help wherever or however she can. As a dependable employee, Shelia displays quality work and leadership skills and takes pride in her position with Frederick County, Division of Court Services.

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 22nd day of January 2020, that Shelia Harden is hereby recognized as the Frederick County Employee of the Month for January 2020; and

BE IT FURTHER RESOLVED, that the Board of Supervisors extends gratitude to Shelia Harden for her outstanding performance and dedicated service and wishes her continued success in future endeavors; and

BE IT FINALLY RESOLVED, that Shelia Harden is hereby entitled to all of the rights and privileges associated with this award.

Board of Supervisors
County of Frederick, Virginia

Charles S. DeHaven, Jr., Chairman



**County of Frederick
Employee of the Month
Nomination Form**

Received: (HR use)

Do you know of an employee who

Exhibits **EXTRA** effort...

Goes **ABOVE AND BEYOND** the requirements of his or her position...

Provides **OUTSTANDING** service...

Makes a significant contribution, accomplishment or achievement to the County of Frederick and its residents.

Criteria for Employee Recognition: Please mark the appropriate contribution(s):

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Critical Thinking and Problem Solving | <input type="checkbox"/> Interpersonal Skills | <input type="checkbox"/> Professionalism | <input type="checkbox"/> Superior Accomplishment |
| <input type="checkbox"/> Customer Service (Exceptional) | <input checked="" type="checkbox"/> Leadership Qualities | <input checked="" type="checkbox"/> Project | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Dependability | <input type="checkbox"/> Monetary Savings Ideas | <input checked="" type="checkbox"/> Quality | |
| <input type="checkbox"/> Innovation/Creativity | <input type="checkbox"/> Performance/Skill Level | <input type="checkbox"/> Resourcefulness | |
| <input type="checkbox"/> Integrity | <input type="checkbox"/> Positive Attitude | <input type="checkbox"/> Safe Work Practices | |

Employee Name: Shelia Harden

Department: NRADC/DCS

Nomination Submitted By: Patricia Lowery

Department: NRADC/DCS

Nominator's Signature: *Patricia Lowery*

Date: 11/7/19

Describe the employee's accomplishments/contributions that were **ABOVE AND BEYOND** the normal duties expected of the position. Describe how the employee provided exceptional service:

I would like to nominate Shelia Harden for Employee of the Month as she provided assistance for the majority of the workload for a full-time employee while she was out on Medical Leave from June 5, 2019 to October 15, 2019. During this time Shelia did an excellent job working the front desk and taking on a majority of tasks assigned to that position as well as keeping her own job responsibilities in check. In September of 2019 we were informed by the Commission on VASAP that our old client data base system will be eliminated and become a read only system on December 31, 2019. This will require all active cases on our old system to be re-entered into the new system. During the month of October Shelia audited over 500 active cases on our old system and has informed the Director of ASAP as well as the case managers the need of the offender cases in order to have their cases switched from the old system to the new system. During the audit of these cases, Shelia was able to close services for approximately 200 offenders, which greatly reduced the amount of cases which will need to be entered into the new system. Because the old system will become read only we will also be required to enter over 1400 cases which are closed but carry an outstanding balance. Plans to begin entering these cases will take place during the week of November 11, 2019. Shelia reported to me on October 29th that she has already started entering the outstanding balance cases.

Specifically describe the actions that meet the criteria of this award. Describe the value added to the department, team or organization.

On more than one occasion Shelia has stepped up and taken on additional job responsibilities to help this agency without being asked and without hesitation. Over the last few years we have had several staff members retire, resign or unexpectedly be out of the office for an extended period of time for medical/family leave. Shelia is always the first to help wherever or however she can. Shelia is always displaying quality work and takes pride in her position with Frederick County, Division of Court Services. This shows me as her supervisor that she is a dependable and dedicated employee who does not hesitate to use her leadership skills to go above and beyond for only for this agency but also for the County of Frederick.

Employee of the Month Resolution

Awarded to:

Margie Sargent

WHEREAS, the Frederick County Board of Supervisors recognizes that the County's employees are a most important resource; and on September 9, 1992, the Board of Supervisors approved a resolution which established the Employee of the Month award and candidates for the award may be nominated by any County employee; and

WHEREAS, the Board of Supervisors upon recommendation by the Human Resources Committee selects one employee from those nominated; and

WHEREAS, Margie Sargent has been employed by the Winchester Regional Airport Authority for about one year and during this time she has quickly learned an entirely new industry (aviation), while exemplifying outstanding customer service qualities; and

WHEREAS, Margie makes the flying customers' priorities her own: namely safety above all, client satisfaction, and expedient, professional service; and

WHEREAS, Margie is courteous and respectful in every customer interaction, and can be trusted to multi-task and prioritize her duties accordingly to ensure that customers' time is respected and frequently has been recognized by customers for the quality of her service; and

WHEREAS, Margie has taken it upon herself to learn aspects of airport functions beyond her role, has provided insightful feedback to management about airport operations, and regularly exceeds the standard when it comes to the expectations for job performance in the Customer Service Representative position;

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 25th day of March 2020, that Margie Sargent is hereby recognized as the Frederick County Employee of the Month for March 2020; and

BE IT FURTHER RESOLVED, that the Board of Supervisors extends gratitude to Margie Sargent for her outstanding performance and dedicated service and wishes her continued success in future endeavors; and

BE IT FINALLY RESOLVED, that Margie Sargent is hereby entitled to all of the rights and privileges associated with this award.

Board of Supervisors
County of Frederick, Virginia

Charles S. DeHaven, Jr., Chairman



County of Frederick Employee of the Month Nomination Form

Received: (HR use)

Do you know of an employee who

Exhibits **EXTRA** effort...

Goes **ABOVE AND BEYOND** the requirements of his or her position...

Provides **OUTSTANDING** service...

Makes a significant contribution, accomplishment or achievement to the County of Frederick and its residents.

Criteria for Employee Recognition: Please mark the appropriate contribution(s):

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Critical Thinking and Problem Solving | <input checked="" type="checkbox"/> Interpersonal Skills | <input checked="" type="checkbox"/> Professionalism | <input type="checkbox"/> Superior Accomplishment |
| <input checked="" type="checkbox"/> Customer Service (Exceptional) | <input type="checkbox"/> Leadership Qualities | <input type="checkbox"/> Project | <input type="checkbox"/> Other |
| <input type="checkbox"/> Dependability | <input type="checkbox"/> Monetary Savings Ideas | <input type="checkbox"/> Quality | |
| <input type="checkbox"/> Innovation/Creativity | <input type="checkbox"/> Performance/Skill Level | <input type="checkbox"/> Resourcefulness | |
| <input type="checkbox"/> Integrity | <input checked="" type="checkbox"/> Positive Attitude | <input type="checkbox"/> Safe Work Practices | |

Employee Name: Margie Sargent

Department: Winchester Regional Airport

Nomination Submitted By: Nick Sabo

Department: Winchester Regional Airport

Nominator's Signature: _____

Date: 02/07/2020

Describe the employee's accomplishments/contributions that were **ABOVE AND BEYOND** the normal duties expected of the position. Describe how the employee provided exceptional service:

Margie Sargent has been employed by the Winchester Regional Airport Authority for about one year. In this time she has learned an entirely new industry (aviation), while exemplifying the qualities we look for in an effective Customer Service Representative (CSR). Margie is a quick study when it comes to determining a customer's needs to deliver a positive experience at the Winchester Regional Airport; from the student pilot just needing a coffee break to the corporate pilot who needs help coordinating a catering order for his/her passengers. She makes our flying customers' priorities her own; namely, safety above all, client satisfaction, and expedient, professional service. Margie has taken it upon herself to learn more about aviation than the bare minimum. She took a flight out of our airport to explore the local area on her own time, demonstrating that she understands the more she learns about the industry, the better she can be in her position. She has provided insightful feedback to management about airport operations. She is courteous and respectful in every customer interaction, and can be trusted to multi-task and prioritize her duties accordingly to ensure the customer's time is respected. Bottom line, Margie exceeds the standard when it comes to expectations for job performance in the CSR position.

Specifically describe the actions that meet the criteria of this award. Describe the value added to the department, team or organization.

Four specific examples:

- The airport received a letter from an appreciative customer who thanked Margie specifically for helping them procure provisions for a trip on short notice. Margie called vendors on their behalf and coordinated delivery of the items to the airport in time for departure.
- Margie covered a new employee's two weekend shifts (22.5hrs total) on short notice; enabling the employee to attend a child's soccer game that was scheduled prior to accepting the position. Margie then volunteered to cover a shift for another employee's medical appointment days later. For a minimally staffed organization, this "team player" attitude is invaluable.
- On a day off, Margie called to relay a message from a co-worker about the need for replacement tires on a fuel truck. Her prompt attention ensured the tires were changed quickly with no degradation to safety or service.
- Margie shines in interactions with the public. A family with small children visited the airport recently and Margie kept their contact information to notify them when "big aircraft" were coming. This family also wrote a letter to the airport, stating in part, "Thank you so much for your hospitality. We had such a wonderful afternoon and learned many new things...I now look forward to flying to Kentucky to visit my grandmother - it doesn't seem so scary."

The actions described above are precisely the kinds of actions that make Margie a great employee, a valuable member of the airport team, and deserving of the award of Employee of the Month.

Employee of the Month Resolution

Awarded to:

Jennifer Fost

WHEREAS, the Frederick County Board of Supervisors recognizes that the County's employees are a most important resource; and on September 9, 1992, the Board of Supervisors approved a resolution which established the Employee of the Month award and candidates for the award may be nominated by any County employee; and

WHEREAS, the Board of Supervisors upon recommendation by the Human Resources Committee selects one employee from those nominated; and

WHEREAS, Jennifer Fost has been the 4-H Secretary and Receptionist for the Frederick County Extension Office for 25 years and is an exceptional employee who is very committed to the Extension community and to the people of Frederick County; and

WHEREAS, Jennifer is known for providing excellent support and service to Extension staff, 4-H volunteers, 4-H youth members, and the general public as well as for her cheerful personality, efficient and resourceful customer service, considerate nature, attention to detail, and loyalty; and

WHEREAS, during the last five months Jennifer has mastered and successfully implemented the new 4-H Online registration/enrollment system, working closely with the state 4-H office to implement the new program provided by Virginia Tech, and, with very little instruction, used her excellent problem solving skills to make the system as user friendly as possible, and this was all accomplished while working with our community providing assistance by helping citizens enroll themselves, their family, or their club, and make project selections; and

WHEREAS, by demonstrating dedication to her job, Frederick 4-H, Virginia Cooperative Extension, and the residents of Frederick County as she ensured the VCE-Frederick office was consistently available by phone, appointment, or drop-off throughout the entire COVID pandemic Jennifer exemplifies what it means to be a stellar employee; and

NOW, THEREFORE BE IT RESOLVED by the Frederick County Board of Supervisors this 28th day of April 2021, that Jennifer Fost is hereby recognized as the Frederick County Employee of the Month for April 2021; and

BE IT FURTHER RESOLVED that the Board of Supervisors extends gratitude to Jennifer for her outstanding performance and dedicated service and wishes her continued success in future endeavors; and

BE IT FINALLY RESOLVED that Jennifer Fost is hereby entitled to all of the rights and privileges associated with this award.

Board of Supervisors
County of Frederick, Virginia

Res. No.

Charles S. DeHaven, Jr., Chairman



County of Frederick
Employee of the Month
Nomination Form

Received: (HR use)
03/29/2021

Do you know of an employee who

Exhibits **EXTRA** effort...

Goes **ABOVE AND BEYOND** the requirements of his or her position...

Provides **OUTSTANDING** service...

Makes a significant **contribution, accomplishment or achievement** to the County of Frederick and its residents.

Criteria for Employee Recognition: Please mark the appropriate contribution(s):

- | | | | |
|---|---|---|---|
| <input checked="" type="checkbox"/> Critical Thinking and Problem Solving | <input checked="" type="checkbox"/> Interpersonal Skills | <input checked="" type="checkbox"/> Professionalism | <input checked="" type="checkbox"/> Superior Accomplishment |
| <input checked="" type="checkbox"/> Customer Service (Exceptional) | <input checked="" type="checkbox"/> Leadership Qualities | <input type="checkbox"/> Project | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Dependability | <input type="checkbox"/> Monetary Savings Ideas | <input checked="" type="checkbox"/> Quality | |
| <input checked="" type="checkbox"/> Innovation/Creativity | <input checked="" type="checkbox"/> Performance/Skill Level | <input checked="" type="checkbox"/> Resourcefulness | |
| <input checked="" type="checkbox"/> Integrity | <input checked="" type="checkbox"/> Positive Attitude | <input checked="" type="checkbox"/> Safe Work Practices | |

Employee Name: Jennifer Fost

Department: VA Cooperative Extension

Nomination Submitted By: Dyllan Chapins

Department: VA Cooperative Extension

Nominator's Signature: _____

Date: 03/29/2021

Describe the employee's accomplishments/contributions that were **ABOVE AND BEYOND** the normal duties expected of the position. Describe how the employee provided exceptional service:

Jennifer Fost has been the 4-H Secretary and Receptionist for the Frederick County Extension Office for 25 years. Jennifer is an exceptional employee who is very committed to the Extension community and to the people of Frederick County. She provides excellent support and service to Extension staff, 4-H volunteers, 4-H youth members, and the general public. She is typically the first face you see or the first voice you hear when dealing with the Extension Office. Our reoccurring Extension clients know and love Jennifer for her cheerful personality and sweet demeanor. Her considerate nature, attention to detail, and loyalty to her role have endeared her to her co-workers and the people that we serve. She efficiently provides any information, fulfills requests, and provides excellent customer service to all who seek the services of Virginia Cooperative Extension in Frederick County. Jennifer is helpful, caring, resourceful, and happy to offer service no matter the task. She is team player, radiates kindness and goes out of her way to help others without hesitation.

Specifically describe the actions that meet the criteria of this award. Describe the value added to the department, team or organization.

In the last 5 months Jennifer has mastered and successfully implemented the new 4-H Online registration/enrollment system. She has worked closely with state 4-H office to implement the new program provided by Virginia Tech. With very little instruction she used her excellent problem solving skills to make the system as user friendly as possible. Jennifer has been working with our community providing one on one assistance, via the phone, helping them to enroll their family, their club, individuals and project selection.

Her dedication to her job, Frederick 4-H, Virginia Cooperative Extension, and the residents of Frederick County was evident as she ensured the VCE-Frederick office was consistently available by phone, appointment, or drop-off throughout the entire COVID pandemic. Jennifer exemplifies what it means to be a stellar employee.

Employee of the Month Resolution

Awarded to:

Dana Lichliter

WHEREAS, the Frederick County Board of Supervisors recognizes that the County's employees are a most important resource; and on September 9, 1992, the Board of Supervisors approved a resolution which established the Employee of the Month award and candidates for the award may be nominated by any County employee; and

WHEREAS, the Board of Supervisors upon recommendation by the Human Resources Committee selects one employee from those nominated; and

WHEREAS, Dana Lichliter has been employed at the Frederick County Animal Shelter for over 14 years and is currently a Senior Animal Caretaker supervising the daily operations of the shelter's cat population including adoptions, administering shots, spaying and neutering, reading microchips, and routine healthcare; and

WHEREAS, Dana works with rescue organizations to facilitate cat adoptions and actively assists with the shelter's "Country Cat" program that places feral cats in farm homes; and

WHEREAS, recently, a co-worker with a history of allergic reactions suffered a serious allergic reaction and Dana, following the co-worker's direction, retrieved a medical device which featured audio instructions, listened to the instructions, and successfully administered the epinephrine; and

WHEREAS, Dana's ability to remain calm and act in a crisis resulted in her co-worker being transported to a local emergency medical facility for treatment and a successful recovery.

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 14th day of July 2021, that Dana Lichliter is hereby recognized as the Frederick County Employee of the Month for June 2021; and

BE IT FURTHER RESOLVED that the Board of Supervisors extends gratitude to Dana Lichliter for her outstanding performance and dedicated service and wishes her continued success in future endeavors; and

BE IT FINALLY RESOLVED that Dana Lichliter is hereby entitled to all of the rights and privileges associated with this award.

Board of Supervisors
County of Frederick, Virginia

Charles S. DeHaven, Jr., Chairman



County of Frederick
Employee of the Month
Nomination Form

Received: (HR use)
06/04/2021

Do you know of an employee who

Exhibits **EXTRA** effort...

Goes **ABOVE AND BEYOND** the requirements of his or her position...

Provides **OUTSTANDING** service...

Makes a significant **contribution, accomplishment or achievement** to the County of Frederick and its residents.

Criteria for Employee Recognition: Please mark the appropriate contribution(s):

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Critical Thinking and Problem Solving | <input type="checkbox"/> Interpersonal Skills | <input type="checkbox"/> Professionalism | <input type="checkbox"/> Superior Accomplishment |
| <input checked="" type="checkbox"/> Customer Service (Exceptional) | <input type="checkbox"/> Leadership Qualities | <input type="checkbox"/> Project | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Dependability | <input type="checkbox"/> Monetary Savings Ideas | <input type="checkbox"/> Quality | |
| <input type="checkbox"/> Innovation/Creativity | <input type="checkbox"/> Performance/Skill Level | <input type="checkbox"/> Resourcefulness | |
| <input type="checkbox"/> Integrity | <input type="checkbox"/> Positive Attitude | <input checked="" type="checkbox"/> Safe Work Practices | |

Employee Name : Dana Lichliter

Department: Public Works/Animal Shelter

Nomination Submitted By: Kathy Whetzel

Department: Public Works/Animal Shelter

Nominator's Signature: Kathy Whetzel

Date: 06/07/2021

Describe the employee's accomplishments/contributions that were **ABOVE AND BEYOND** the normal duties expected of the position. Describe how the employee provided exceptional service:

Dana Lichliter has worked for the Frederick County Animal Shelter for over 14 years as an Animal Caretaker and is currently a Sr. Animal Caretaker. Dana supervises the daily operations of the shelter's cat population; adoptions, shots, spay/neuter, micro chips, and healthcare. Dana works with rescue organizations to get cats adopted. She actively assists with the shelter's "Country Cat" program. This program places feral cats in farm homes.

On what started out as a routine day at work, a co-worker suffered a serious food allergy reaction. Having a history of allergic reactions, the employee carries epinephrine and was able to direct staff to the location of their epinephrine. Dana Lichliter retrieved the device; which featured audio instructions. Dana was able to follow these instructions and successfully administer the epinephrine. The employee was transported to a local emergency medical facility and was treated and released. Thanks to Dana's quick action, a not so routine day ended happily!

Specifically describe the actions that meet the criteria of this award. Describe the value added to the department, team or organization.

Dana administered epinephrine to a fellow employee suffering from an allergic reaction. Thanks to her ability to remain calm and take action, the employee was able to seek medical attention and recover fully.