

Chapter 5: Operations of the LDSS

*Administrative/HR Manual for Virginia Local Departments of Social Services
(LDSS)*

TABLE OF CONTENTS

Part I: Daily Operations of the LDSS.....	4
Policy Statement	4
Scope.....	4
Section I: Hours of Operation	5
Operating Hours of the LDSS	5
Options for Core Hours of Operation	5
Adjustments & Responsibilities	5
SECTION II: EMPLOYEE WORK SCHEDULES & OVERTIME HOURS.....	6
Determination of Employee Work Schedules.....	6
Adjustments to Employee Work Schedules.....	6
Alternative Employee Work Schedules.....	6
Alternative Schedule Options Available to the LDSS	7
Alternative Schedules that may be Required by Supervisors	7
Requirement to Work Additional Hours	8
Overtime	8
Employee Responsibilities	8
Section III: Rest Breaks & Meal Periods	10
Break Periods	10
Mandatory Meal Period	10
Part II: Inclement Weather & Other Emergencies	11
Policy Statement	11
Scope.....	11
Section I: Closing the LDSS	12
Weather/Emergency Closure Decision	12
Compensation for Closings	12
Essential Employees.....	12
Compensating Essential Employees.....	12
Requirement to Report & Late Arrival	12
Non-Essential Exempt Employees.....	13
Salary Eligibility During LDSS Closure:.....	13
Reporting to Work During an LDSS Closing.....	13

Chapter 5: Operations of the LDSS

LDSS Closing on Scheduled Rest Day	13
Part III: Use of the Internet, Information Systems, & Social Media.....	14
Policy Statement	14
Scope.....	14
Section I: Use of the Internet, Information Systems, & Social Media	15
General Information	15
Agency Information Technology (IT) Support.....	15
Business Use.....	15
Personal Use	15
Right to Monitor	15
Freedom of Information Act (FOIA)	16
General User Requirements.....	16
Use of Electronic Communication Tools & Social Media	16
Business Use.....	16
Personal Use	17
Information Security	17
Information Security System.....	17
Information Security	17
Information Security & Privacy Awareness Training.....	18
Prohibited Activities	18
Non-Authorized Use.....	19
User Content.....	19
Violations	19
Resources & Support	19
Part IV: Workplace Safety	20
Policy Statement	20
Scope.....	20
SECTION I: SAFETY IN THE WORKPLACE	21
Employer Responsibilities	21
Employee Responsibilities	21
Reporting & Recordkeeping Requirements	21
Workplace Injury & Illness Recordkeeping (OSHA 300 Forms).....	21
Reporting Requirements.....	22

Chapter 5: Operations of the LDSS

Right to Know About Safety Hazards	22
Inspections	22
Protection from Discrimination & Retaliation	23
GLOSSARY	24
Part I: Daily Operations of the LDSS.....	24
Part II: Inclement Weather & Other Emergencies	25
Part III: Use of the Internet, Information Systems, & Social Media.....	25
Part IV: Workplace Safety	25

[SPACE INTENTIONALLY LEFT BLANK]

PART I: DAILY OPERATIONS OF THE LDSS

POLICY STATEMENT

The Virginia State Board of Social Services establishes this policy for operations of Local Departments of Social Services (LDSS) to ensure consistency regarding core hours of operation, employee schedules, and rest breaks and meal periods.

SCOPE

This policy applies to all employees of Non-Deviating (ND) LDSS or Partially Deviating (PD) LDSS.

Additional Information:

All LDSS must comply with the requirements of the Federal Labor Standards Act (FLSA)¹. The following sections briefly discuss FLSA requirements for non-exempt employees regarding correct calculation of hours worked and overtime; and for both non-exempt and exempt employees, recordkeeping requirements regarding schedule and pay.

Chapter 2 of the [LDSS Administrative/HR Manual](#) thoroughly discusses FLSA requirements for both non-exempt and exempt employees. For questions, contact the [VDSS Classification & Compensation Team](#) (hr.class-comp@dss.virginia.gov).

[SPACE INTENTIONALLY LEFT BLANK]

¹ [29 U.S.C. §§ 201–219](#); [29 CFR Part 553](#)

SECTION I: HOURS OF OPERATION

OPERATING HOURS OF THE LDSS

OPTIONS FOR CORE HOURS OF OPERATION

The LDSS may choose from the following options for the core hours of operation of the LDSS:

1. **Standard Agency Workweek Schedule:** Consists of five (5) days, forty (40) hours-per-week.
2. **Alternate Agency Workweek Schedule (Two Options):**
 - a. Five (5) days, 37.5 hours-per-week; or
 - b. Five (5) days, thirty-five (35) hours-per-week

Note: Calculations for pay, overtime, and leave accrual **must** align with the chosen weekly hours (37.5 or 35), not the standard 40-hour workweek. Overtime calculation applies to non-exempt employees, while pay and leave accrual calculations are applicable to **both** non-exempt and exempt employees.

ADJUSTMENTS & RESPONSIBILITIES

The LDSS local director is responsible for setting and adjusting the core hours of operation based primarily on the needs of LDSS clients and the public. Typically, these hours align with the Virginia Department of Social Services (VDSS) operational hours. Each LDSS may align its hours of operation with those of its locality. However, if the locality's hours are less than forty (40) hours per week, calculations for pay, overtime, and leave accrual **must** reflect the alternate number of hours.

The LDSS local director may adjust core hours of operation as needed to meet business requirements. When changes occur, LDSS must accurately update all timekeeping records required by the FLSA for **both** non-exempt and exempt employees and make necessary adjustments to leave accrual calculations.



Helpful Hints: Establishing Hours of Operation

To prevent miscalculations of pay, overtime, and leave accrual, a standard workweek schedule is recommended. Choosing an alternate agency workweek schedule that deviates from either the 37.5-hour or 35-hour-per-week schedule is not advisable.

Need help calculating pay, overtime, and leave accrual amounts? Refer to these resources:

- ◆ See **Chapter 2** of the [LDSS Administrative/HR Manual](#) to determine accurate pay and overtime calculations; contact the [VDSS Classification & Compensation Team](#) (hr.class-comp@dss.virginia.gov) with questions.
- ◆ See **Chapter 4** of [the LDSS Administrative/HR Manual](#) to determine accurate leave accrual calculation; contact the [VDSS Local HR Support Team](#) with questions.
- ◆ Refer to ["Rest Break and Meal Periods"](#) in this chapter for guidelines on integrating breaks and meals into the work schedule and accurately recording time.

SECTION II: EMPLOYEE WORK SCHEDULES & OVERTIME HOURS

DETERMINATION OF EMPLOYEE WORK SCHEDULES

The LDSS local director or supervisor sets and adjusts work schedules for all agency employees based primarily on the needs of LDSS clients and the public. Individual schedules may change to accommodate operational requirements. **Employees are compensated only for hours actually worked.** It is the responsibility of all employees, both exempt and non-exempt, to adhere to their assigned work schedules.

For detailed information on calculating hours worked, refer to **Chapter 2** of the [LDSS Administrative/HR Manual](#).

ADJUSTMENTS TO EMPLOYEE WORK SCHEDULES

At the discretion of the LDSS local director or supervisor, an employee's schedule may be adjusted in response to emergencies or personal needs. Employees may seek adjustments through the reasonable accommodation process under the Americans with Disabilities Act (ADA) or request modifications under the Family and Medical Leave Act (FMLA). Requests under ADA or FMLA should be submitted to the LDSS local director or supervisor, with approval subject to evaluation of individual circumstances.

ALTERNATIVE EMPLOYEE WORK SCHEDULES

LDSS may implement individual work schedules differing from the chosen agency workweek schedule in the following manner:

1. Adjusting the number of days per week (e.g., 4 days versus 5).
2. Varying the number of hours worked in the day (e.g., 8 hours versus 10 hours).
3. Scheduling work during different times of the day (day, evening, or night shifts).

When establishing alternative schedules, supervisors should align weekly work hours with the agency's chosen schedule (40, 37.5, or 35 hours per week).

Not all positions are suitable for alternative work schedules. Decisions to implement such schedules should prioritize efficiency in LDSS operations. Contact the [VDSS Local HR Support Team](#) for guidance on implementing alternative work schedules.

ALTERNATIVE SCHEDULE OPTIONS AVAILABLE TO THE LDSS

Implementation of alternative employee schedules requires approval from the LDSS local director or supervisor and may be terminated at any time without employee consent. Examples of alternative schedules include:

1. Flexible work schedules (e.g., variable start and end times with core hours).
2. Compressed work schedules (e.g., four, 10-hour days).
3. Rotational shifts.
4. Job-sharing arrangements.



Helpful Hints: Flexible & Compressed Work Schedules

Flexibility in Scheduling:

Allowing flexibility in scheduling helps to improve retention and increase engagement. For example:

Steven and Jane work for an LDSS that is open to the public Monday-Friday, 8am – 5pm. The agency has a 40-hour workweek schedule where agency employees take a 1-hour, unpaid lunch per day.

- ◆ Steven requested and was approved for a **flexible** schedule where he works from 7 am – 4 pm, Monday-Friday. His start and end times vary from the agency hours, but Steven still works a five day, 40-hour per week schedule consistent with the agency workweek schedule.
- ◆ Jane requested and was approved for a **compressed** schedule that allows her to work Monday – Thursday, 10 hours per day, with a 1-hour, unpaid lunch; she is scheduled off on Friday. Jane still works 40 hours per week, though the number of days per week and number of hours per day differ.

Questions: Contact the [VDSS Local HR Support Team](#) for assistance with implementing flexible or compressed work schedules.

ALTERNATIVE SCHEDULES THAT MAY BE REQUIRED BY SUPERVISORS

There are certain circumstances where the LDSS local director or supervisor may require alternative employee work schedules without the employee's consent:

Chapter 5: Operations of the LDSS

1. Non-exempt employee work schedules may be adjusted during the work period by the supervisor to prevent overtime hours. For inquiries regarding FLSA overtime requirements, please contact the [VDSS Classification & Compensation Team](mailto:hr.class-comp@dss.virginia.gov) (hr.class-comp@dss.virginia.gov).
2. In emergency situations, the supervisor may require employees to work outside their regular work hours without their consent. Employees are obligated to adhere to the assigned schedule in these instances.

Refusal to comply with the required schedule under such circumstances may lead to disciplinary action.

REQUIREMENT TO WORK ADDITIONAL HOURS

Employees who take approved annual or sick leave during the workweek may be required to work additional hours within the same workweek. LDSS may substitute the additional hours worked for hours of leave with the employee's approval.

OVERTIME

According to the FLSA, non-exempt employees must receive overtime pay for hours worked over forty (40) in a workweek at a rate of not less than time and one-half their regular rate of pay. Non-exempt employees may work overtime hours only as authorized by the LDSS local director or supervisor and are expected to work overtime as required. **Exempt employees are not eligible for overtime pay.**

For a detailed discussion of the FLSA and overtime, including options for leave substitution, refer to **Chapter 2** of the [LDSS Administrative/HR Manual](#).

EMPLOYEE RESPONSIBILITIES

Employees are required to adhere to their assigned work schedules, which includes reporting to work at the specified start time, departing at the specified end time, and taking meal periods and breaks as assigned. Employees should promptly notify their supervisor if they are unable to adhere to their assigned work schedules.

[SPACE INTENTIONALLY LEFT BLANK]



Helpful Hints: Rotational Shifts & Job Sharing

C Rotational Shifts: Rotational shifts involve employees working set periods that change in a cycle, such as morning, evening, and night shifts. This method may be suitable when:

- ◆ Work regularly occurs outside normal business hours.
- ◆ Managing employee leave is challenging.
- ◆ Boosting productivity and motivation is necessary.

Examples of Rotating Shifts:

- ◆ 8-hour Shifts: 6am – 2pm and 2pm – 10pm OR 6am – 2pm; 2pm – 10pm and 10pm – 6am
- ◆ Pitman Rotating Shifts: Four teams alternate between 12-hour day and night shifts, working no more than three consecutive days. Example cycle: 2 days on, 2 days off; 3 days on, 2 days off; 2 days on, 2 days off.

Best Practices:

- ◆ Clearly communicate shift expectations and gather schedule availability before hiring.
- ◆ Provide schedules well in advance and accommodate reasonable time-off requests.
- ◆ Allow shift swaps to accommodate employee needs.
- ◆ Maintain fairness and consistency in scheduling to avoid over- or under-scheduling.



Job Sharing: Job sharing divides one full-time position between two part-time employees who collectively fulfill its duties. This arrangement supports:

- ◆ Retaining skilled employees needing reduced hours.
- ◆ Enhancing flexibility in filling full-time roles amid recruitment challenges.

Key Considerations:

- ◆ Prioritize compatibility, collaboration, communication, and organization between job-sharing employees and their supervisor.
- ◆ Address potential conflicts and productivity issues proactively through clear planning and communication.

Questions: Contact the [VDSS Local HR Support Team](#) for assistance with implementing rotational shifts or job sharing.

SECTION III: REST BREAKS & MEAL PERIODS

The LDSS local director and supervisors are responsible for using the guidelines below to set expectations on how employee break and meal periods should be scheduled for the agency. Care should be taken in developing break and meal schedules to ensure the least possible disruption to LDSS operations.

BREAK PERIODS

1. The LDSS local director may grant employees who work the equivalent of a full day or longer a maximum of one (1) 15-minute rest break before and one (1) 15-minute rest break after the required meal period. Rest breaks are included on timesheets as hours worked. However, time *exceeding* fifteen (15) minutes during a rest break is unpaid and not included on timesheets as hours worked.
2. A “full day” is based on the workweek schedule of the LDSS:
 - a. Eight (8) hours (40-hour workweek);
 - b. Seven and one-half hours (7.5) hours (37.5-hour workweek); or
 - c. Seven (7) hours (35-hour workweek).
3. Breaks may not be used to “make up” for an employee’s late arrival, early departure, or cover time off for other purposes. Late arrivals and early departures are not permitted without permission of the LDSS local director or supervisor.
4. Break periods may not be combined unless permission is obtained from the LDSS local director or supervisor in advance.
5. Break periods must not be combined with the meal period.

MANDATORY MEAL PERIOD

1. Employees who work at least six (6) consecutive hours shall be afforded a meal period (lunch) of at least 30 (thirty) minutes and not more than 60 (sixty) minutes.
2. Meal periods 30-60 minutes in length shall not be included on timesheets in the count of hours worked per day unless the LDSS local director or supervisor has designated the meal period as part of the work schedule. When employees are required to work during their meal period, that period shall be included on timesheets as hours worked.
3. An employee may not work through the meal period without the permission of the LDSS local director or supervisor.
4. The meal period may not be used to “make up” for an employee’s late arrival, early departure, or cover time off for other purposes. Late arrivals and early departures are not permitted without permission of the LDSS local director or supervisor.

PART II: INCLEMENT WEATHER & OTHER EMERGENCIES

POLICY STATEMENT

The Virginia State Board of Social Services establishes a policy governing the closure of Local Departments of Social Services (LDSS) during inclement weather or emergencies, such as utility failure, fire, or forced evacuations.

SCOPE

This policy applies to all current employees, interns, and volunteers of Non-Deviating (ND) LDSS or Partially Deviating (PD) LDSS.

Additional Information:

In local jurisdictions where there is an inclement weather policy that applies uniformly to all local government employees, LDSS may partially deviate to the local policy if approved by the Virginia State Board of Social Services, ensuring substantial conformity with this chapter's inclement weather section¹. For more information on the deviation process, contact the [VDSS HR Policy Team](#) (hr.employeerelations@dss.virginia.gov).

[SPACE INTENTIONALLY LEFT BLANK]

¹ [§ 22VAC40-675-50](#)

SECTION I: CLOSING THE LDSS

WEATHER/EMERGENCY CLOSURE DECISION

1. The LDSS local board chairperson and local director decide to close the LDSS based on local weather or emergency conditions occurring **in the geographical area of the locality** and not in the area of the VDSS Home Office.
2. The LDSS local director determines how to notify employees of the closure, ensuring all are informed of the communication method.
3. The LDSS local director notifies his/her assigned [VDSS Local Engagement and Support \(LES\) Regional Director](#) of any delays or closures, who then informs the VDSS Home Office.

COMPENSATION FOR CLOSINGS

ESSENTIAL EMPLOYEES

Essential employee status is determined by the LDSS local director and board. The LDSS local director maintains a list of essential and non-essential employees, and designations are noted on each employee's [Employee Performance Plan and Evaluation \(EPPE\)](#) form. If required, the local director may designate other employees as essential.

For guidance on employee designation, contact the [VDSS Local HR Support Team](#). For questions related to compensation during office closings, contact the [VDSS Classification & Compensation Team](#) (hr.class-comp@dss.virginia.gov).

Compensating Essential Employees

1. Part-time non-exempt (hourly) employees will receive the regular rate of pay for hours worked.
2. Exempt (salaried) employees receive their salary and may also receive Special Duty Leave for hours worked.
3. Non-exempt essential employees' hours' worked count as hours worked for purposes of overtime compensation.

Requirement to Report & Late Arrival

1. Essential employees must report to work during LDSS closures or face leave without pay or disciplinary action for unexcused absence.
2. Late arrivals due to transportation difficulties may be justified at the LDSS local director's discretion, avoiding deductions from leave balances.

NON-ESSENTIAL EXEMPT EMPLOYEES

Salary Eligibility During LDSS Closure:

1. Must have been on paid status immediately before and after the closure.
2. Partial-day closure requires reporting to receive salary; failure to report results in annual leave or leave without pay at the LDSS discretion.
3. Lack of good cause for non-reporting may lead to disciplinary action.

Reporting to Work During an LDSS Closing

When a non-essential employee reports to work during inclement weather or other emergency closing, the employee will only receive salary for that day and is not eligible to receive special duty leave.

LDSS CLOSING ON SCHEDULED REST DAY

1. Non-exempt employees on rest days during LDSS closure do not accrue compensatory or special duty leave.
2. Exempt employees on rest days do not accrue special duty leave and are ineligible for compensatory leave.

See **Chapter 2** of the [LDSS Administrative/HR Manual](#) for details on compensatory and special duty leave.

[SPACE INTENTIONALLY LEFT BLANK]

PART III: USE OF THE INTERNET, INFORMATION SYSTEMS, & SOCIAL MEDIA

POLICY STATEMENT

The Virginia State Board of Social Services establishes a policy for Local Departments of Social Services (LDSS) for effective and appropriate use of the Internet, LDSS information systems and equipment, and social media.

SCOPE

This policy applies to all current employees, contractors, sub-contractors, interns, and volunteers of Non-Deviating (ND) LDSS or Partially Deviating (PD) LDSS.

[SPACE INTENTIONALLY LEFT BLANK]

SECTION I: USE OF THE INTERNET, INFORMATION SYSTEMS, & SOCIAL MEDIA

GENERAL INFORMATION

LDSS-provided information systems, which include access to the Internet, other communication systems, and social media, are the property of the Commonwealth of Virginia. These systems are provided to facilitate the effective and efficient conduct of LDSS business.

AGENCY INFORMATION TECHNOLOGY (IT) SUPPORT

1. **Full Support Agencies:** Receive IT support from VDSS Information Technology Services (ITS), VDSS Information Security and Risk Management (ISRM), and Virginia IT Agency (VITA).
2. **Shared Support Agencies:** Split IT support between VDSS ITS, VDSS ISRM, and the local jurisdiction.

The [LDSS Profile Summary](#) is updated annually, listing the agency's level of IT support.

BUSINESS USE

Employees are granted access to LDSS tools, information systems, and media solely for LDSS job-related purposes. Each LDSS may adopt policies specifying the work-related purposes for which such equipment and access are provided.

PERSONAL USE

Personal use refers to non-job-related use. Incidental and infrequent personal use of LDSS Internet, communications systems, or social media may occur. However, personal use is prohibited if it:

1. Interferes with the user's productivity or work performance, or that of others.
2. Adversely affects the efficient operation of the information or communications system.
3. Violates this policy, VDSS ISRM policies, or any other applicable policy.
4. Violates federal, state, or local laws.
5. Incurs charges to the LDSS.

RIGHT TO MONITOR

LDSS employees have no expectation of privacy regarding messages, files, images, or data created, sent, received, or stored on LDSS information systems.

Monitoring rights include:

1. **Full Support Agencies:** LDSS and VDSS ISRM may monitor all aspects of information systems.
2. **Shared Support Agencies:** The LDSS and the locality may monitor all aspects of the information systems, and VDSS ISRM may monitor some aspects of the information systems.

Monitoring may occur without notice or employee permission and covers Internet sites, instant messaging, chat or news groups, email, and voicemail.

FREEDOM OF INFORMATION ACT (FOIA)

Communicated messages stored on the LDSS information systems are subject to the Freedom of Information Act (FOIA) and may be disclosed to the public.

GENERAL USER REQUIREMENTS

LDSS employees who access the Internet, social media, or send email containing a VDSS or locality domain address are expected to do so in a responsible and professional manner. Employees must also exercise the appropriate care to protect the agency's electronic communications tools against the introduction of viruses, spyware, malware, or other harmful attacks.

When using the Commonwealth's electronic communications tools, social media, or Internet access, employees must:

1. Use the Internet, electronic communications tools, and social media only in accordance with this policy or the policies of [VDSS ISRM](#), or any other policy¹;
2. Maintain the conditions of Information Security (including safeguarding of passwords) under which they are granted access to such information systems, tools, and media.

USE OF ELECTRONIC COMMUNICATION TOOLS & SOCIAL MEDIA

Business Use

When using electronic communications tools and social media, employees shall:

1. Use their accurate identities and state their affiliation when using electronic communications or social media for business purposes.
2. Ensure the security of **sensitive** or **confidential** information when communicating electronically or posting the information on internal or external websites including social media.

¹ An LDSS with Shared IT Support shall also contact the locality regarding specific IT policies the agency is required to follow.

Chapter 5: Operations of the LDSS

3. Ensure information is accurate prior to posting on social media sites, LDSS websites, or other electronic media sites. If it is discovered that information is inaccurate after posting, users shall work to quickly correct the errors.

Personal Use

When using electronic communications and social media, employees shall be clear that their communication or posting is personal and not an official communication of the LDSS ***whether the employee posts anonymously or uses a pseudonym***. This includes personal use of social media outside of the work environment.

Employees shall use their personal email addresses and not their work email address when communicating or posting information. When appropriate, employees may use a disclaimer when posting personal views to clarify that the contents of the message are not an official communication of the LDSS.

For example:

"The views expressed on this (website, blog, social media site) are my own and do not reflect the views of my employer or [ENTER CITY/COUNTY]."

Personal use of electronic communications and social media that refers to any aspect of the work environment shall be done in a responsible and professional manner.

INFORMATION SECURITY

INFORMATION SECURITY SYSTEM

All employees are responsible for exercising appropriate care to protect the LDSS information system against the introduction of viruses, spyware, malware, or other harmful software. When using the LDSS internet access or communications systems an employee must:

1. Use the Internet or electronic communications systems only in accordance with this policy or the policies of [VDSS ISRM](#).
2. Maintain the conditions of Information Security (including safeguarding of passwords) under which they are granted access to such information systems.
3. Check with the appropriate LDSS contact or contact the VDSS ISRM Team (security@dss.virginia.gov) prior to downloading or accessing a file or document, or opening a suspicious email, if the source of the file, the sender, or other circumstances raises doubts about its safety.

INFORMATION SECURITY

The LDSS shall contact the VDSS ISRM Team (security@dss.virginia.gov) with questions specifically related to the protection of electronic information when using information systems owned by the VITA.

Employees are required to:

1. Protect **confidential**, privileged, or nonpublic information, or information that cannot be disclosed to third parties.
2. Protect the **confidentiality** and privacy of all information acquired from the client or others regarding the client and the client's family unless:
 - a. The client provides written authorization.
 - b. The information is released under the authority of a court.
 - c. Is otherwise authorized by the Code of Virginia.

INFORMATION SECURITY & PRIVACY AWARENESS TRAINING

All new employees are required to complete the *VDSS-ISM1000: New Employees* curriculum within the [Commonwealth of Virginia Learning Center \(COVLC\)](#) within 30 days of employment. Transferring employees in "good standing" are not required to re-take the *VDSS-ISM1000: New Employees* curriculum. An employee in "good standing" has no account suspensions or locks and has his/her latest training certificate. All employees are required to complete the *role-based VDSS Information Security and Privacy Awareness Training* annually within established agency deadlines. The training courses are available in COVLC.

PROHIBITED ACTIVITIES

Certain activities are prohibited when using the Internet or electronic, digital, or wire communications systems, or social media. These include, but are not limited to:

1. Accessing, downloading, printing, or storing information with sexually explicit content, except as otherwise required for the work of the LDSS or approved by the LDSS local director. The Commonwealth of Virginia is the owner of all LDSS-provided electronic communications tools. "Sexually explicit content" refers to all content listed in Code of Virginia [§ 2.2-2827](#).
2. Downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images.
3. Sending email using another's identity, an assumed name, or anonymously.
4. Any of following are contrary to this policy and the policies of [VDSS ISRM](#). However, these actions may also violate other policies² or federal, state, or local code:
 - a. Installing or downloading computer software, programs, or executable files.
 - b. Uploading or downloading copyrighted materials or proprietary information.
 - c. Uploading or downloading access restricted LDSS information.

² An LDSS with Shared IT Support shall also contact the locality regarding specific IT policies the agency is required to follow.

NON-AUTHORIZED USE

The LDSS communications systems are not to be used by any person not affiliated with the LDSS. Passwords and user codes are not to be shared with anyone without permission of the LDSS local director.

USER CONTENT

The communications systems are provided by the Commonwealth of Virginia to LDSS employees for use. In order to use such equipment and information systems, an employee is required to sign the Acceptable Use Policy Acknowledgement including Non-Disclosure requirements confirming compliance with the policies and standards of [VDSS ISRM](#).

VIOLATIONS

Any LDSS employee who violates this policy is subject to disciplinary action, up to and including termination of employment.

RESOURCES & SUPPORT

Subject	Contact Information
Policy Contents	♦ VDSS HR Policy Team (hr.employeerelations@dss.virginia.gov)
Policy Violations	♦ VDSS HR Employee Relations Team (hr.employeerelations@dss.virginia.gov)
Equipment, Information Systems, or IT Support	♦ Full Support: VITA Service Portal (vccc@vita.virginia.gov) ♦ Shared Support: VDSS Service Desk (servicedesk@dss.virginia.gov) ○ <i>VDSS Service Desk was formerly known as the Network Operations Service Center or NOSC.</i> ♦ Security: security@dss.virginia.gov

PART IV: WORKPLACE SAFETY

POLICY STATEMENT

The Virginia State Board of Social Services establishes a policy for Local Departments of Social Services (LDSS) for a safe and healthy workplace.

SCOPE

This policy applies to all current employees, interns, and volunteers of Non-Deviating (ND) LDSS or Partially Deviating (PD) LDSS.

DRAFT

[SPACE INTENTIONALLY LEFT BLANK]

SECTION I: SAFETY IN THE WORKPLACE

EMPLOYER RESPONSIBILITIES

The Federal Occupation Safety and Health Act (OSHA), which is enforced by the Virginia Department of Labor & Industry (VDOLI) and its Virginia Occupational Safety and Health (VOSH) Division, imposes on employers five primary obligations:

1. To comply with the substantive health and safety regulations adopted by VOSH which include general regulations and construction industry standards.
2. To provide in general, a workplace that is “free from recognized hazards that are causing or are likely to cause death or serious physical harm.”
3. To keep records of all work-related illnesses and injuries (unless exempted by federal or state law).
4. To allow inspections by VOSH (Code of Virginia 40.1-49.8).
5. To post the VOSH notice that informs employees of their rights and responsibilities under the VOSH Act.

EMPLOYEE RESPONSIBILITIES

Maintaining a safe work environment requires the continuous cooperation of every employee. Federal and state code make it a duty of employees to comply with all occupational safety and health rules and regulations that the LDSS implements. Therefore, it is expected that employees will:

1. Ask a supervisor or manager when in doubt about how to safely perform a job.
2. Immediately report any suspected or potential unsafe conditions or suspected safety hazards that are on the job.
3. Immediately report all accidents and injuries.
4. Bring safety suggestions and health and safety related issues to the attention of the supervisor or manager.
5. Comply with the safety rules and regulations that are imposed by the LDSS.

REPORTING & RECORDKEEPING REQUIREMENTS

WORKPLACE INJURY & ILLNESS RECORDKEEPING (OSHA 300 FORMS)

LDSS should follow the recordkeeping protocol of **the locality** regarding OSHA 300, 300-A, and 301 forms, or equivalent forms, to keep track of workplace illnesses and injuries throughout the year⁵.

OSHA defines recordable illnesses and injuries as:

⁵ [29 CFR § 1904.29](#)

1. Any work-related fatality.
2. Any work-related injury or illness that results in loss of consciousness, days away from work, restricted work, or transfer to another job.
3. Any work-related injury or illness requiring medical treatment beyond first aid.
4. Any work-related diagnosed case of cancer, chronic irreversible diseases, fractured or cracked bones or teeth, and punctured eardrums.

There are also special recording criteria for work-related cases involving:

- ◆ [Needlesticks and sharps injuries.](#)
- ◆ [Medical removal.](#)
- ◆ [Hearing loss.](#)
- ◆ [Tuberculosis.](#)

REPORTING REQUIREMENTS

LDSS are required to report to the following to the VDOLI⁶:

1. Any work-related incident resulting in a *fatality or a catastrophe* within **eight (8) hours**; and
2. Any work-related incident resulting in an *injury* within **twenty-four (24) hours**.

RIGHT TO KNOW ABOUT SAFETY HAZARDS

Employees have a right to know about any health hazards which might be present on the job.⁷ Employees may contact their supervisor or the LDSS local director for more information.

INSPECTIONS

1. The VOSH Safety Compliance Officer may interview employees during an inspection; if an employee does not request a manager's presence, management cannot insist on participating in the interview.
2. The LDSS local director and legal counsel may attend the interview if a management employee is being interviewed.
3. VOSH may seek to obtain, or otherwise preserve, evidence during an investigation. This may range from documentary evidence such as drawings or pictures taken by the employer, digital data and other e-documents, to physical evidence such as extension cords or compressors. The LDSS may request the return of any items seized as well as requesting information any samples collected for testing. However, VOSH is not required to comply with these requests.

⁶ [§ 40.1-51.1](#)

⁷ Ibid.

PROTECTION FROM DISCRIMINATION & RETALIATION

Employees who report safety violations or who otherwise bring to the attention of the LDSS safety and health hazards are protected from discrimination and retaliation⁸.

[SPACE INTENTIONALLY LEFT BLANK]

⁸ [§ 40.1-27.3](#)

GLOSSARY

PART I: DAILY OPERATIONS OF THE LDSS

1. Alternative Employee Schedule: Individual employee schedules that differ from the core operating hours of the agency. These include flexible and compressed schedules, rotational schedules, and job sharing.
2. Alternate Agency Workweek Schedule: A schedule for the core operating hours of the LDSS that is **not** a five (5) day, forty (40) hour-per-week schedule. LDSS local directors have the option to choose between **two (2)** different alternate workweek schedules:
 - a. Five (5) days, 37.5 hours-per-week; or
 - b. Five (5) days, thirty-five (35) hours-per-week.It is not recommended that agencies adopt an alternate workweek schedule outside of the two schedules listed above.
3. Break Period: Relief from duty for a period not to exceed fifteen (15) minutes. Break periods are considered hours worked and are included on timesheets. The LDSS local director may grant employees who work an eight (8) hour day or longer a maximum of one (1) 15-minute rest break before and one (1) 15-minute rest break after the required meal period.
4. Compressed Schedule: A type of alternative employee schedule where an employee works a traditional workweek in less than five (5) workdays. For example, an employee may work for ten (10) hours a day, Monday-Thursday, with a one (1) hour, unpaid lunch.
5. Core Hours of Operation: The establishment of office hours; the hours that the LDSS is open to serve the public is a responsibility of the LDSS local board.
6. Employee Schedule: The days per week and hours per day that an employee is assigned to work. Employee schedules are based primarily on the needs of the LDSS clients and the general public. Individual schedules may change as operational needs change. It is the responsibility of all employees, both exempt and non-exempt to adhere to their assigned work schedule.
7. Flexible Schedule: A type of alternative employee schedule where the employee's start and stop times are different from the core operating hours of the agency. For example, an LDSS may operate Monday-Friday, from 8am – 5pm. However, an employee may work Monday-Friday, from 7am – 4pm, with a one (1) hour, unpaid lunch.
8. Hours Worked: Includes all time an employee must be on duty, or on the employer's premises, or at any other prescribed place of work. Also included is any additional time the employee is allowed (i.e., suffered or permitted) to work."
9. Job Sharing: Allows one full-time position to be filled by two part-time employees who are responsible for completing the duties of the position. Responsibilities are shared in a manner that allows for the needs of both the employer and employees to be met.
10. Meal Period: Relief from duty for a period of time that is at least thirty (30) minutes in length but does not exceed sixty (60) minutes. Meal periods are **not** considered hours worked and are not

included on timesheets. Employees who work at least six (6) consecutive hours shall be afforded a meal period.

11. Non-Exempt Employees: An employee who is **not** exempt from the overtime provisions of the Federal Labor Standards Act (FLSA) and who is entitled to minimum wage and overtime pay when they work more than forty (40) hours per week.
12. Rotational Shifts: Set periods of time throughout the day when employees perform their work; the set periods of time change or alternate in a cycle. For example, an agency establishes either a morning and evening shift, or a morning, evening, and night shift, where employees alternate what shift they work either weekly, bi-weekly, monthly, quarterly, bi-annually, etc.
13. Standard Workweek: An agency workweek schedule consisting of five (5) days, forty (40) hours-per-week.

PART II: INCLEMENT WEATHER & OTHER EMERGENCIES

1. Compensatory Leave: A leave option for non-exempt employees who work more than forty (40) hours in a week in lieu of cash overtime payments.
2. Essential Employees: Employees who occupy positions that are critical to the operation of the agency during a state of emergency.
3. Inclement Weather: Conditions that make safe travel to the workplace difficult, impractical, or impossible.
4. Non-Essential Employees: Employees who occupy positions that are not considered critical to the operation of the agency during a state of emergency.
5. Special Duty Leave: A leave option for either exempt or non-exempt employees that may be awarded when an employee is required to work on an official office closing day, a holiday, a scheduled day off, or when a holiday falls on an employee's scheduled day off.

PART III: USE OF THE INTERNET, INFORMATION SYSTEMS, & SOCIAL MEDIA

1. Business Use: Use of information systems that allow access to the Internet, other communications systems, and social media to assist in the performance of agency work. Such information systems are the property of the Commonwealth of Virginia and are provided to the LDSS for the purpose of facilitating the effective and efficient conduct of LDSS business.
2. Personal Use: Use of Commonwealth-owned information systems and equipment that is not job-related. Personal use of information systems should be incidental and infrequent.

PART IV: WORKPLACE SAFETY

1. Occupational Safety & Health Administration (OSHA) 300 Forms: Employer forms to record all reportable injuries and illnesses that occur in the workplace, where and when they occur, the nature of the case, the name and job title of the employee injured or made sick, and the number of days

away from work or on restricted or light duty, if any. The LDSS should contact the locality HR representative regarding any requirements related to these forms.

[SPACE INTENTIONALLY LEFT BLANK]

[PAGE INTENTIONALLY LEFT BLANK]