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ORD-3646

AN ORDINANCE TO AMEND SECTION 2-109
OF THE CITY CODE PERTAINING TO
CHANGES IN PAY GENERALLY

SECTION AMENDED: § 2-109

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA BEACH,
VIRGINIA:

That Section 2-109 of the Code of the City of Virginia Beach, Virginia, is hereby amended and reordained to read as follows:

Sec. 2-109. - Changes in pay generally.

(a) *Administrative increase.* An administrative increase shall be defined as an increase within a class that is awarded to an employee based on criteria established by administrative directive. Employees may be recommended for an administrative increase upon submission of a letter of justification by the respective department head to the director of human resources, subject to the approval of the city manager. An administrative increase does not affect the employee's merit date. A temporary administrative increase may be granted to a City employee by the City Manager, at his/her sole discretion, when the City Manager has assigned the employee a temporary new role; temporary oversight responsibilities for a program, department or office; or due to a temporary reorganization. The temporary bi-weekly pay adjustment cannot exceed ten percent of the incumbents current bi-weekly salary or exceed eighty percent of the City Manager's direct salary and not exceed six months unless the City Council is notified in writing and by email fourteen calendar days in advance with no funds coming from the General Fund Reserves for Contingencies. Furthermore, no performance awards may paid for accomplishments during Under no circumstances without City Council approval shall more than ten employees at one-time and no more than twenty in total in a fiscal year be compensated under this provision. Within 30 days of the end of the fiscal year the City Manager shall submit to City Council a written report accounting for on an itemized basis each temporary position established pursuant to this provision to include its duration, additional compensation paid, and the accomplishments produced by the position.

(b) *Merit increase.* A merit increase shall be defined as a salary increase within the pay range of the class to which the employee is assigned that is awarded based on job performance in accordance with the city's performance appraisal program. A formal performance appraisal shall be conducted for each employee on the employee's respective merit date and each succeeding merit date thereafter. Merit increases shall become effective on the employee's merit date as provided in section 2-116 and shall only be awarded to full-time permanent employees. Merit increases shall be prorated if a promotion, career progression, or a change in job duties occurs prior to the merit

47 date. The amount of the merit increase shall be prorated based on the length of time
48 assigned to the classification during the appraisal period.

49 (c) *Administrative decrease.* An administrative decrease shall be defined as a salary
50 reduction within a class as disciplinary action resulting from unsatisfactory job
51 performance or misconduct as defined by the applicable administrative directive. An
52 administrative decrease may be recommended at any time and requires a letter of
53 justification submitted by the appropriate department head. This action is subject to
54 approval by the director of human resources and the city manager. Merit dates are
55 not affected by an administrative decrease. The effective date of all administrative
56 decreases will be the first day of the pay period.

57 (d) *Market adjustment.* A market adjustment shall be defined as a percentage increase
58 to pay ranges on the city's compensation plans that may be provided to employees
59 whose job classification is assigned to an affected pay range. A market adjustment
60 shall be recommended by the city manager and approved by the city council. Market
61 adjustments are not dependent on an employee's individual performance within a job
62 class.

63 (e) *Shift differential.* A shift differential shall be authorized whenever an employee
64 compensated in a classification which is not designated by the director of human
65 resources to require shift work is permanently assigned to work a shift which
66 commences on or between the hours of 3:00 p.m. to 3:00 a.m. Such employee shall
67 receive the equivalent of a five (5) percent increase in his or her normal salary rate
68 for all hours worked during such time period only. Employees assigned to regularly
69 scheduled rotating shift as designated by the director of human resources and the
70 city manager, and employees designated by the director of human resources as
71 "exempt" under the Fair Labor Standards Act, work shall be ineligible under the
72 provisions of this subsection.

73 (f) *[Bonuses.]* The city manager is authorized to establish bonus programs to address a
74 variety of needs, including recruitment, retention, and performance. Bonuses may be
75 provided to employees in accordance with applicable administrative directives and
76 guidelines. A "bonus" shall be defined as a lump-sum payment to an employee that
77 is not part of the base salary.

Adopted by the City Council of the City of Virginia Beach, Virginia, on this 8th day
of December, 2020.