



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, May 11, 2017

6:00pm

3040 Williams Drive, Suite 200

Fairfax, VA 22031

AGENDA

- I. Call to Order** Chair Hynes
- II. Approval of Meeting Summary of the December 15, 2016 meeting.**

Action

- III. Policy 28 – Responses to Information Requests from Candidates for Political Office** Chair Hynes
Recommended Action: Recommend Authority Approval of Draft Policy
- IV. Policy 29 – Project Activation and Progress** Chair Hynes
Recommended Action: Recommend Authority Approval of Draft Policy
- V. Draft Revisions to Employee Handbook** Chair Hynes
Recommended Action: Recommend Authority Approval of Draft Revisions

Discussion/Information

- VI. Potential Legislative Topics (No Written Report)** Ms. Backmon, Executive Director

Next Meeting

The next meeting of the Governance and Personnel Committee will be determined during the meeting.

Adjournment

- VII. Adjournment**



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Thursday, December 15, 2016

6:00pm

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MEETING SUMMARY

I. Call to Order

Chair Hynes

- Chair Hynes called the meeting to order at 6:17pm.
- Attendees:
 - ✓ Members: Chair Hynes; Supervisor Nohe; Mayor Parrish; Council Member Snyder (arrived 6:42pm).
 - ✓ Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Carl Hampton (Investment & Debt Manager).
 - ✓ Other Attendees: Steve MacIsaac (Arlington County); Tracy Baynard (McGuireWoods, LLC).

II. Approval of Meeting Summary for the May 15, 2016 and November 2, 2016 meetings.

- Supervisor Nohe moved approval of the May 15, 2016 meeting summary; seconded by Mayor Parrish. Motion carried unanimously.
- Chair Hynes moved approval of the December 15, 2016 meeting summary; seconded by Supervisor Nohe. Motion carried unanimously.

Action

III. Policy 19 – Political Activity by Staff Members

Chair Hynes

- Ms. Backmon briefed the Committee on Policy 19 – Political Activity by Staff Members. She stated the purpose of this policy is to ensure that, while employees may express their opinions and join political organizations, these activities do not interfere with their job duties, requirements or NVTa policies. This establishes a distinct and fine line if an issue should arise.
- Mayor Parrish moved the Governance and Personnel Committee recommend Authority approval of draft Policy 19 – Political Activity

by Staff Members; seconded by Chairman Nohe. Motion carried unanimously.

IV. Policy 20 – Responses to Information Requests from Candidates for Political Office Chair Hynes

- Ms. Backmon briefed the Committee on Policy 20 – Responses to Information Requests from Candidates for Political Office. She stated that during the campaign season the Authority receives information and meetings requests from candidates regarding the Authority and transportation issues. This policy is intended to define how NVTAs staff will respond to these requests. Ms. Backmon noted that the key element of this policy states that if NVTAs staff meets or provides information to one candidate, the same opportunity or information will be provided to all. This is intended to ensure the Authority is not perceived as endorsing any single candidate. She emphasized that all information provided will be shared with all candidates running for the same office.
- A concern was raised that candidates may request information through a surrogate in order to avoid having information shared with all candidates. It was acknowledged that we cannot control this.
- A question was raised as to whether a response to a question raised by an Authority member, who is also running for office, would be shared with all candidates. It was agreed that these responses would be treated as appropriate responses to Authority members and not as responses to a candidate for political office.
- A minor editorial correction was requested and agreed to the draft policy.
- It was suggested that Ms. Backmon consider notifying the Authority if requests in aggregate became time consuming. Ms. Backmon agreed to consider this.
- It was suggested that these requests could be treated under the Authority’s Freedom of Information Act (FOIA) policy. Mr. MacIsaac clarified that the proposed draft policy is distinctly separate from the Authority’s FOIA policy.
- It was noted that requests under this policy are limited to information that already exists. NVTAs will not develop new information based on a candidate’s request.
- Ms. Hynes moved the Governance and Personnel Committee recommend Authority approval of draft Policy – 20 Responses to Information Requests from Candidates for Political Office; seconded by Supervisor Nohe. Motion carried unanimously.

Discussion/Information

- Chair Hynes moved Item V to the end of the agenda.

VI. 2017 General Assembly Session – Early Action

Ms. Backmon, Executive Director

- Ms. Backmon stated that she received and discussed a potential bill from Delegate LeMunyon. She noted to the draft prospectively would incorporate HB 599 into TransAction.
- Ms. Baynard stated that there have been very few bills pre-filed. She noted some anticipated legislation issues:
 - ✓ Administration will be focused on Metro safety legislation.
 - ✓ Transform I-66.
 - ✓ Consolidation of NVTA and NVTC, (repeated from prior years).
 - ✓ Gas tax floor.
 - ✓ Central Richmond and the Roanoke Region are going to initiate a conversation about whether they can meet the population requirements in HB 2313 to petition the General Assembly for inclusion.
- Ms. Baynard provided key General Assembly dates to the Committee.

(Council Member Snyder arrived.)

VII. Discussion of Electronic Meeting Participation for Committees Chair Hynes

- Chair Hynes stated that the NVTA has an electronic meeting participation policy that currently applies only to Authority meetings. She suggested that the policy could be applied to NVTA standing committee meetings as well. There was agreement among the Committee members to amend the existing policy to include electronic participation for NVTA standing committee meetings.
- Mr. MacIsaac clarified that the eligible reasons to participate electronically in meetings are:
 - ✓ Personal reasons or emergencies. In these instances, participants need to meet all the requirements and this is restricted.
 - ✓ Medical conditions or physical disabilities that prevent attendance, which are completely unrestricted.
 - ✓ Principal residence is more than 60 miles from the meeting location, and the governing body gets to vote on these instances. It was noted that the region is less than 60 miles in radius.
- It was noted that a physical quorum is still required at the meeting.
- The Committee requested staff proceed to draft amendments to Policy 18 to allow electronic meeting participation for NVTA standing committees, with the same requirements as Authority meetings. Staff was requested to proceed expeditiously with the amendment preparations for Authority action, since the 2017 General Assembly Session starts in January.
- This policy was assigned number 27 when adopted by the Authority.

VIII. NVTA Update

Ms. Backmon, Executive Director

- Ms. Backmon stated that the Authority will meet next on January 12, 2017. She added that the Finance Committee had met and recommended the three Authority budgets be included on the agenda for action.
- Mr. Longhi stated that there were two additional items recommended by the Finance Committee:
 - ✓ Section 125 Plan to allow employees to continue to pay for their health and life insurance on a pre-tax basis.
 - ✓ Safekeeping and Custody Agreement for Investment Services to maintain compliance with the NVTA's Investment Policy and State Code, as well as auditing compliance and accounting standards.
- Ms. Backmon added that the four remaining FY2017 Standard Project Agreements (SPAs) will also be on the Authority's agenda at the January meeting. She concluded that the 2016 Annual Report will be presented at the January meeting.
- Council Member Snyder expressed concerns about long term funding for WMATA and how NVTA funding is addressing the region's transportation problems. A broad discussion followed.

V. Executive Director Performance Evaluation

Chair Hynes

- Ms. Hynes moved that the Governance and Personnel Committee convene a closed meeting, as authorized by Virginia Code section 2.2-3711.A.1, for the purpose of discussing a personnel matter; seconded by Council Member Snyder. Motion carried unanimously.
- The Governance and Personnel Committee entered into closed session at 7:20pm.

Closed Session

IX. Potential Closed Session to Discuss a Personnel Issue

Chair Hynes

- The Governance and Personnel Committee returned to open session at 7:42pm.
- Ms. Hynes moved that the members of the Governance and Personnel Committee certify: (1) that only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Authority; seconded by Council Member Snyder. Motion carried unanimously.

Next Meeting

- The next meeting of the Governance and Personnel Committee is TBD.

Adjournment

X. Adjournment

- Meeting adjourned at 7:43pm.

DRAFT



NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Members of the NVTA Governance and Personnel Committee

FROM: Mary Hynes, Chairman, Governance and Personnel Committee

DATE: May 5, 2017

SUBJECT: Draft Policy 28 - Responses to Information Requests from Candidates for Political Office

- I. **Purpose.** To review a draft policy intended to provide guidance to NVTA staff in addressing requests for information from candidates for political office.
- II. **Suggested Motion.** *I move the Governance and Personnel Committee recommend Authority approval of draft Policy 28 – Responses to Information Requests from Candidates for Political Office.*
- III. **Background.**
 - a. During an election year, the Executive Director and NVTA staff may be asked to provide information to candidates for public office regarding NVTA policies, programs, funding, activities, actions and positions on various transportation issues.
 - b. This policy is intended to provide guidance in responding to political candidates' requests for information and/or meetings. The attached draft has been revised to respond to the comments expressed by members of the Authority during their January 2017 meeting.
 - c. The primary changes since the previous draft are:
 - i. Inclusion of a definition of a political candidate,
 - ii. Direction to use email and the Authority's website for dissemination of answers to candidates' questions.
- IV. **Next Steps.** With Committee approval, this draft policy will be presented to the Authority at the June 2017 meeting for consideration and approval.

Coordination: NVTA Council of Counsels

Attachment: Policy 28 - Responses to Information Requests from Candidates for Political Office

Attachment

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

Policy Number 28 - Responses to Information Requests from Candidates for Political Office

- I. **Purpose.** During the periods of time leading up to primary elections and to the general elections, the Executive Director and other NVTA staff may be asked to provide information to candidates running for public office regarding NVTA policies, programs, funding, activities, actions and positions on various transportation issues. This policy is intended to provide general guidance for use in responding to such questions and requests.
- II. **General.** Under direction of the Executive Director, the NVTA staff will respond to directives and other inquiries from Authority members including questions and inquiries requiring research on issues coming before the Authority. NVTA staff will continue to maintain a high level of customer service by attendance, as appropriate, at member jurisdictions' local town meetings and other meetings with Authority members.
- III. **Candidate Definition.** For this Policy, a political candidate is a person who has filed at their local Board of Elections as a candidate for a political office and is inclusive of candidates' representatives, associations, and political organizations.
- IV. **Special Provisions.** The following will guide responses to requests from candidates. The NVTA will respond to candidate requests for information by complying with the following provisions:
 - A. **Format of Request.** For clarity, requests must be in writing.
 - B. **No New Research.** Responses to requests for information must rely on existing, public documents. NVTA staff will not develop new information or undertake research for responses.
 - C. **Responses in Writing.** All NVTA responses will be provided in writing.
 - D. **All Responses Shared with Every Candidate.** All NVTA responses must be made available to every candidate. This access will be provided by placing copies of all questions and responses on the NVTA website.
 - E. **Use of E-Mail.** The above guidelines also apply to e-mail correspondence between candidates and NVTA staff.
 - F. **Meetings with Candidates for Office.** Because of the importance of clarity of communications and the need to share information among all candidates, meetings between individual candidates and staff are discouraged. However, should such meetings be necessary, staff is encouraged to get questions in writing in advance of the meeting. Such meetings should be opened, or made available, to all candidates. Staff shall produce a brief written summary of the meeting. Such meetings will be held at the NVTA office or at another suitable government location.

- G. NVTA Website.** Whenever possible, candidates should be directed to the NVTA's website (or that of member jurisdictions) for information. NVTA's website is an effective tool in making information equally accessible to all.
- H. Freedom of Information Act (FOIA).** FOIA requests shall be processed as required by NVTA Policy 5 – Freedom of Information Act Requests.
- I. Authority Member's Legal Questions.** Authority member's legal questions of the Council of Counsels are exempt from the policy in order to preserve the attorney client relationship.

Approved by the Governance and Personnel Committee:

Approved by Northern Virginia Transportation Authority:

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Members of the NVTA Governance and Personnel Committee

FROM: Mary Hynes, Chair – Governance and Personnel Committee

DATE: May 5, 2017

SUBJECT: Draft Policy 29 – Project Activation, Progress and Monitoring

- I. **Purpose.** To discuss a draft policy to outline for project sponsors and NVTA staff the rules and processes related to project activation, progress and monitoring. The draft policy also addresses potential fund appropriation action.
- II. **Suggested Motion.** *I move the Governance and Personnel Committee recommend Authority approval of draft Policy 29 – Project Activation/Progress and Monitoring.*
- III. **Timing.** This policy applies to all projects which receive Regional Revenue Fund support in FY2018 or later.
- IV. **Responsibilities.**
 - a. The policy details the responsibilities of both the project sponsors and the NVTA for monitoring project activation and progress.
 - b. The policy describes and defines required project progress milestones. It discusses the options which are available to project sponsors and to the NVTA for projects which are not progressing and potential appropriation changes.
- V. **Discussion.** This draft is based on two adopted policies which address project activation, progress and monitoring but are not effective for projects approved after FY2017.
 - a. The draft policy uses the same benchmarks for Standard Project Agreement (SPA) activation as Policy 24 – Standard Project Agreement Activation.
 - b. Policy 24 only applies to projects approved with FY2014 through 2017 funds.
 - c. The draft policy uses a similar framework as Policy 25 – FY2017 Program Drawdown/Project Activation.
 - d. Policy 25 only applies to projects approved with FY2017 Regional Revenue Funds.
- VI. **Fiscal Impact.**
 - a. As of March 31, 2017, the amount of scheduled Appendix B's (project sponsor cash flows projections) but unreimbursed expenses is \$118.4 million.
 - b. The cash (\$118.4 million) to support these reimbursements is currently invested in near term/daily liquid investments with resulting low interest rates.
 - c. The out of date SPA Appendix B's noted above result in lost potential interest earnings of approximately \$150,000 per quarter or \$600,000 per year, when compared with

the earnings these funds would generate if placed into investments with an additional 90 days of maturity.

- d. All Regional Revenue Fund interest earnings increase the amount of revenue available to the Authority for PayGo projects. Therefore, out of date Appendix B's not only impeded the ability of the NVTA to manage cash flow and liquidity, but reduce the potential to increase future regional PayGo funding.

VII. Next Steps. With GPC approval and after Finance Committee review, the draft policy is anticipated to be ready for presentation to the Authority at the June 2017 meeting for consideration.

Coordination: NVTA Finance Committee (Scheduled for May 18, 2017)

Attachments: Policy 29 – Project Activation/Progress and Monitoring

Attachment

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

Policy Number 29 – Project Activation, Progress and Monitoring

- I. **Purpose.** The purpose of this policy is to provide a mechanism for the Authority to monitor project activation, progress and appropriation in accordance with project descriptions and Standard Project Agreements (SPA).
- II. **Key Definitions.**
- A. **Appropriation.** The formal approval for the expenditure of public funds by the governing body of a governmental jurisdiction. Appropriations are made fiscal year by fiscal year. Unexpended appropriations may be extended or re-appropriated into the following fiscal year by the governing body.
- B. **NVTA Six Year Program.** The Six Year Program (SYP) is a project plan which has been formally adopted for the development, or acquisition, of a series of regionally significant transportation improvement projects. The development of each series of projects is scheduled to occur over a period of six years, and has subsets of specific annual projects each of which is identified for specific amounts of funding in specific fiscal years during the program period. A project may have programmed funding scheduled in multiple years of the SYP, with each program year's funding being appropriated as part of the concurrent (matching) fiscal year budget.
- III. **General.**
- A. This policy will be in effect for all projects approved by the Authority beginning in FY2018, which are funded through the Regional Revenue Fund.
- B. There are three milestones which the Authority will use to assess project progress:
1. Standard Project Agreement (SPA) approval by the Authority for a project within six months of the initial appropriation (project approval) of Regional Revenue Funds.¹
 2. Project activation/progression documented through monthly updates submitted to NVTA and reported in the Executive Director's monthly report to the Authority.
 3. Project sponsor's submission of a valid approved initial expenditure reimbursement request within 24 months of the initial appropriation of Regional Revenue Funds.
- C. For any project at risk of missing one of these three milestones, the project's sponsor may request an extension of time from the Executive Director.
- D. The Executive Director may request additional information from the project sponsor in making a decision on an extension recommendation.

¹ For example, a project approved in year three of the Six Year Program, must have its SPA approved within six months of the Authority's appropriation action for year three as opposed to within six months of the adoption of the Six Year Plan.

- E. Agreement on project status will be sought with the implementing jurisdiction or agency.
- F. If agreement is not reached, the Executive Director may take a project cancellation recommendation to the Finance Committee prior to referral to the Authority for action.
- G. Authority approved SPA's reserve and restrict the cash and debt capacity of the NVTA. Expenditure reimbursement requests presented later than scheduled (as documented in the SPA) results in disruption of the Authority's cash management, liquidity and investment programs and may present Internal Revenue Service arbitrage regulation compliance issues. Therefore, expenditure reimbursements presented later than they were scheduled in the project's SPA-Appendix B (as updated by the project sponsor) may require an additional 45 days for the Authority to transact the reimbursement.
- H. Project sponsors must keep their SPA-Appendix Bs up to date. Appendix Bs can be updated in accordance with Policy 20. III B. 2.
- I. All NVTA funds de-appropriated from actions taken under this policy will remain in the Regional Revenue Fund for future allocation by the Authority.

IV. Responsibilities.

A. Project sponsoring jurisdiction or agency primary responsibilities:

1. Completion of SPAs within six months of the initial appropriation of Regional Revenue Funds to the project by the Authority.
2. Document project activation/progression through monthly updates submitted to NVTA for inclusion in the Executive Director's monthly report to the Authority.
3. Submittal of first drawdown request within two years of the project's initial appropriation of Regional Revenue Funds to the project by the Authority.
4. Proactively advise the Executive Director of project scheduling issues.
5. Provide project information upon request.
6. Continued updates as necessary to the project SPA - Appendix B reimbursement timing/schedule.

B. NVTA Executive Director.

1. Monitor project progress through requests for reimbursements, submission of project activation/progress reports by project sponsors.
2. Include a report of project status in the Executive Director's monthly report to the Authority. Status reports will be consistent with project progress documented by project sponsors, unless otherwise noted.
3. Receive notice from project sponsors of possible delays in submitting first drawdown request or activating/progressing the project by the deadline.
4. Request information, when required, to evaluate project sponsor notice of delay or to request information on delay.
5. Accept requests for project cancellation and forward with recommendation to the Finance Committee prior to the Finance Committee's referral to the Authority with recommendation to accept or reject the request.

6. Evaluate requests for extension of time or other accommodation requested by project sponsor.
7. Make recommendation to the Finance Committee on project cancellation to be referred to the Authority.

Approval by the Finance Committee:

Approved by the Governance and Personnel Committee:

Approved by Northern Virginia Transportation Authority:

DRAFT



NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Members of the NVTA Governance and Personnel Committee

FROM: Mary Hynes, Chair - Governance and Personnel Committee

DATE: May 5, 2017

SUBJECT: Draft Revisions to Employee Handbook

- I. **Purpose.** To review the draft revisions to the Northern Virginia Transportation Authority (NVTA) Employee Handbook (attached).
- II. **Suggested Motion.** *I move the Governance and Personnel Committee recommend Authority approval of the draft revisions to the NVTA Employee Handbook.*
- III. **Background.**
 - a. The NVTA Employee Handbook was approved by the Authority on December 11, 2014.
 - b. The attached draft revisions are the first proposed updates/changes to the Handbook since its December 2014 approval.
 - c. The purpose of the handbook is to provide information about the employment practices, procedures and policies of the NVTA. The Handbook describes how the NVTA is managed and provides a reference for NVTA staff on how to conduct business in support of the operation of the Authority.
 - d. Draft changes include (listed by volume):
 - i. Employee benefits (eligibility and benefit) established after December 2014, such as:
 1. Pre-Tax Benefit Plan
 2. Healthcare (Dental, Vision, Behavioral Health and Wellness Services)
 3. Retirement (referencing all available Virginia Retirement System Plans)
 4. Health Insurance Credit
 5. 457 Deferred Compensation
 6. Short and Long Term Disability
 7. Flexible Spending for Medical and Dependent Care
 - ii. Employee Performance Review with further development of the processes, responsibilities, action plans and appeals.
 - iii. Employee Leave and Holidays with clarifications and provision for permanent part time employees.
 - iv. Establishment of an administrative hierarchy under the general direction and guidance of the Executive Director, placing the day to day administration on the Chief Financial Officer.
 - v. Editorial corrections, updates and clarifications.

IV. Next Steps. With Committee approval, the draft policy will be presented to the Authority at the June 2017 meeting for consideration and approval.

Attachment: NVTA Employee Handbook (with draft black line revisions)

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SECTION 1. GENERAL

1.1 Purpose

This Employee Handbook contains information about the employment practices, procedures and policies of the Northern Virginia Transportation Authority (NVTA ~~or the Authority~~). It describes how the NVTA is managed and provides a reference for NVTA's employees on how to conduct business in support of the smooth operation of the Authority.

1.2 Role of the NVTA

The Authority was created by the General Assembly on July 1, 2002 (SB 576), to offer a common voice for Northern Virginia on transportation and other issues that confront the region. The Authority embraces nine jurisdictions including: the counties of Arlington, Fairfax, Loudoun and Prince William; as well as the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park. The Authority membership is made up of seventeen (17) members as follows:

- a. The chief elected officer of the governing body of each of the counties and cities embraced by the Authority, or his or her designee.
- b. Two members of the House of Delegates who reside in different counties or cities embraced by the Authority.
- c. One member of the state Senate who resides in a county or city embraced by the Authority.
- d. Two citizens appointed by the Governor, one of whom shall be a member of the Commonwealth Transportation Board, who reside in a county or city embraced by the Authority.
- e. The Director of the Virginia Department of Rail and Public Transportation, or his or her designee (non-voting).
- f. The Commonwealth Transportation Commissioner, or his or her designee (non-voting).
- g. The chief elected officer of one town in a county which the Authority embraces (non-voting).

1.3 Updates

The NVTA reached an important milestone in 2013 when the General Assembly passed a transportation funding bill (HB 2313) that provided a dedicated funding stream for transportation in Northern Virginia. This legislation coupled with the successful bond validation suit (BVS) determination enabled the NVTA to become fully staffed in May 2014. In the years ahead, many of the NVTA's functions will become more routine. Until then, the Authority is in a 'start-up' mode of operations, where many actions are being undertaken for the first time. Consequently, it is anticipated that this Employee Handbook will be updated from time to time as necessary. Updates will be communicated with all employees via written amendments or a revised handbook.

SECTION 2. EMPLOYMENT PROCEDURES

2.1 General

The NVTA Executive Director is authorized to administer these employment policies as established by the Authority. The Executive Director provides oversight and guidance to the Chief Financial Officer (CFO) in the implementation and administration of delegated responsibilities. The CFO will establish and require the utilization of forms, processes and procedures necessary to the administration and management of these personnel policies and procedures. Only the Executive Director has the authority and responsibility to hire or terminate employees. Aspects of the employee recruitment and selection recommendation process may be delegated to other employees.

Consistent with Title VII of the Civil Rights Act of 1964, as amended, the NVTA does not discriminate against employees in any aspect of employment or applicants for employment based upon race, color, religion, sex, national origin, age, disability or genetic information. The NVTA does not discriminate against employees or applicants for employment based on political affiliation, sexual orientation or gender identity.

In compliance with Title I and Title V of the Americans with Disabilities Act of 1990, as amended, the NVTA is committed to protecting qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training and other aspects of employment. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship on the Authority.

The NVTA will make reasonable accommodations upon request for qualified individuals with disabilities who can perform the essential functions of the job as outlined in the job description as long as such accommodations do not require an undue hardship on the Authority.

2.2 Job Descriptions

Job descriptions will be developed for each NVTA position. Job descriptions will be approved by the Executive Director and serve as the basis for advertising positions, employment interviews and selection for employment.

2.3 Application for Position

Applicants are expected to submit a resume that responds to the advertised job description. A cover letter expressing an applicant's perspectives, interest and qualifications for the position should also be provided.

2.4 Selection Process

It is intended that the system of personnel selection and employment is based on objective procedures, these policies will be in compliance with applicable Federal, State and local regulations, and the policies will be administered on an equitable and non-discriminatory basis. Recruitment for NVTA positions will be conducted in a manner that assures open competition in that vacancies will be advertised publicly and filled through competition.

Employment applications or resumes will be ~~are~~-screened to assess whether candidates meet minimum position requirements as outlined in the job description. In the screening process, equivalent education and experience may substitute for one another on a year for year basis.

Expenses associated with any stage of the selection procedure (i.e. exams, tests, background, credit or license checks, etc.) will be the responsibility of the NVTA. Candidates are typically responsible for travel expenses associated with the selection process, although reimbursement may be provided at the discretion of the Executive Director ~~CFO~~.

Employees are selected for positions based on relative ability, knowledge, skills and suitability for the position. The selection procedure will be relevant to the position, job-related and necessary to appropriately assess candidates. Selection procedures must be consistent with equal employment opportunity standards and should maximize validity, reliability and objectivity. Selection procedures are to be applied uniformly among candidates at each stage of the selection process. The selection process objective is to hire the most suitable person for the job. Applicants may be required to permit credit checks, background checks, driver's license records and/or verifications.

In accordance with The Americans with Disabilities Act, the NVTA provides reasonable accommodation to enable a qualified disabled person to perform the job, unless the accommodation would pose an undue burden on the Authority.

2.5 Probationary Period

The probationary period is the final stage of the selection process during which job performance and suitability is evaluated. Supervisors are responsible for evaluating performance during probation.

The usual probationary period will be twelve (12) months beginning with the first day of employment. The Executive Director may impose, as a condition of employment, a longer or shorter period. The probationary period may be extended by the Executive Director, upon the recommendation of the CFO following discussions with the supervisor and employee.

The Executive Director can terminate employees without cause, at any time and without prior notice before the end of the probationary period when it is deemed to be in the best interest of the NVTA.

2.6 New Hire Documentation

Prior to, but no later than, an employee's first day, standard new hire employment documentation must be completed. Employees are paid by direct deposit only.

Documentation includes:

- Employment Eligibility Verification Form I-9 (Immigration Reform and Control Act)
- Federal Form W4 and Commonwealth of Virginia Form VA-4 (payroll exemptions)
- Authorization to pay employee by direct deposit
- Banking information for direct deposit
- Healthcare, dental & vision enrollment
- [VRS Retirement plan\(s\) enrollment form vrs-2](#)
- [Life insurance designation of beneficiary UNUM Group Disability enrollment](#)
- Optional life insurance enrollment
- [FLEX Flexible Spending & DCA dependent Care](#) -Enrollment
- Emergency contact information

2.7 New Employee Orientation

Orientation will occur during the first week of employment, typically on the first day, and will consist of three components:

- Work responsibilities – conducted by the employee's supervisor
- [All new employees will acknowledge receipt of this handbook and NVTA policies.](#)
- The NVTA office procedures and policies – conducted by the Administrative Assistant/Clerk
- Office introductions and work station walk-through – conducted by the employee's supervisor ~~and/or the Administrative Assistant/Clerk.~~

Any outstanding [employment](#) documentation will be collected as part of orientation.

2.8 Personnel Files

Official Personnel Files (including records of pay) are centrally maintained as prescribed by the Chief Financial Officer. The retention and destruction of these files are in accordance with applicable Federal and State laws. Official Personnel Files contain information and documents sufficient to fulfill administrative and legal requirements and enforcement of personnel policies. It is intended that Official Personnel Files provide a complete employment history of service with the NVTA.

The information may include, but is not limited to: employment applications, offer letters, Personnel Action Forms, performance related documents, formal disciplinary actions and documents related to any type of separation from the NVTA.

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The NVTA complies with the Virginia Freedom of Information Act which requires all public records (with certain exceptions set forth in the Act) be open to the people of the Commonwealth of Virginia. This may include information about employees, except that which is protected by law.

—Employees may have access to their personnel file with advanced notice during normal —business hours.

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SECTION 3. EMPLOYEE PAY PLAN

3.1 General

The pay plan is intended to be competitive with the labor market and other public and private sector employers, especially those of member jurisdictions. The pay plan will be equitable in that classification and levels of allocated compensation reflect relative levels of work, duties, knowledge, skills, abilities, education and experience, difficulty and responsibility; and functional basis, in conjunction with the position job description. It is also intended that pay will be established on an equitable basis without discrimination; procedures and work records will be utilized as necessary to ensure equitable and uniform administration and accountability of pay. All policies and personnel actions will be in compliance with the Fair Labor Standards Act (FLSA) and all other applicable federal and state regulations. NVTA employees are paid on a bi-weekly basis by direct deposit.

The Executive Director may restructure the organization by eliminating existing positions or creating new ones, subject to constraints of NVTA's approved budget. The Executive Director may reclassify an employee based on changed job responsibilities or performance. The Executive Director may also alter the paid hours of work or schedules for part-time employees. Employees whose jobs are eliminated, who are demoted or are assigned reduced paid work hours based on performance or changing needs of the organization shall be notified of such changes by the CFO and have the opportunity to discuss the change(s) with the Executive Director.

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3.2 Full-time Employees

All NVTA employees are subject to FLSA regulations, although some positions may be exempt from FLSA wage and hour provisions (including overtime). Exemptions are typically executive, administrative or professional in nature. (Please refer to the FLSA regulations for a complete listing.)

Employees meeting one of the FLSA exemptions are categorized as 'Exempt Employees'. Exempt employees work a standard five (5) day forty (40) hour work week. Absences for Exempt employees shall normally be charged in increments of full days. Exempt employees working less than four (4) hours during a work day, shall submit the appropriate sick or vacation leave slip for the remaining non-worked hours.

Employees not specifically characterized as exempt under FLSA are categorized as 'Non-exempt'. Non-exempt employees work a schedule specified by their supervisor based on their position and are paid for all hours worked. Leave for Non-exempt employees shall be reported in fifteen (15) minute increments.

3.3 Part-time, Temporary or Contract Employees

A permanent part-time employee is defined as an employee with a routine work schedule that does not exceed twenty-nine (29) hours in a forty (40) hour work week, averaged within a payroll cycle. Acting within approved NVTA budgets, the Executive Director may employ person(s) on a part-time, temporary or contract basis. Temporary and contract employees are not eligible for all benefits.

3.4 Salary Increases

Annual salary increases are approved by the Executive Director based on performance evaluations, merit and the NVTA operating budget.

3.5 Overtime and Compensatory Time

General

The NVTA's overtime policies comply with those established under the Fair Labor Standards Act (FLSA) and the Code of Virginia. All hours worked beyond the authorized workday, workweek or regularly scheduled hours must be pre-approved by the supervisor. It is the supervisor's responsibility to ensure any hours worked in excess of the authorized scheduled hours are necessary in order to provide or maintain services, the work could not be delayed until the next authorized workday or work schedules could not be flexed to accomplish the work. The supervisor exercises control and management of work activity so that only authorized and directed work is performed.

Non-Exempt Employees

All hours that a Non-Exempt employee is permitted to work are subject to compensation, pursuant to FLSA. Overtime or compensatory compensation is due for time worked over forty (40) hours during the established seven (7) day work week for employees. Overtime is compensated at one and one-half times employee's regular rate of pay. Compensatory time is awarded at the rate of one and one-half times the number of hours that the employee works (excluding vacation and sick leave) in excess of forty (40) hours in any one established work week. It is preferred that compensatory time be taken in the same work week overtime is incurred, however, it can be taken up to one month later, with Executive Director's CFO approval. The Executive Director/CFO can choose to pay the employee in overtime or compensatory time as the needs of the Authority require.

Exempt Employees

Employees exempt from FLSA are not entitled to overtime or compensatory compensation for hours worked over the forty (40) hour work week. However, an Exempt employee, with the pre-approval of the Executive Director/CFO, may be awarded compensatory time at the equivalent of hours worked. No overtime payments will be made to exempt employees.

3.6 Separations

To resign in good standing, at least ten (10) working days' notice to the NVTA from the employee is required. The Executive Director may withhold pay for one (1) day of vacation leave for each day of notice less than ten (10).

Employees who fail to report to work for three (3) consecutive days without authorized leave may be terminated. As many as ten (10) days of accrued vacation leave may be forfeited in such a case. Dismissal of an employee for poor performance, violation of administrative regulations or other causes requires a written notice to the employee which sets forth the reason(s). Appeals shall follow the procedure set forth in Section 11.3.

SECTION 4. EMPLOYEE LEAVE AND HOLIDAYS

4.1 General

The NVTA's provision for leave is intended to be competitive with the labor market, member jurisdictions and other public and private sector employers. All leave must be requested in advance and approved by the employee's supervisor, unless it is impractical to do so due to illness or sudden personal emergency. Approved forms shall be forwarded to the ~~Administrative Assistant/Clerk~~ Assistant Finance Officer and ~~saved in the employee's personnel file~~ attached to the finalized payroll reports. If the leave request is denied, the employee shall be notified.

With the limited staff available to the NVTA, employees are requested to be understanding in their scheduling of leave so that mission essential functions are maintained. Supervisors shall evaluate requests for leave based on the need to properly staff the office and complete work assignments.

4.2 Holidays

The following days are regular NVTA paid holidays (12.5 days):

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (Third Monday in January)
- Presidents' Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Columbus Day (Second Monday in October)
- Veterans Day (November 11)
- Thanksgiving Day (Fourth Thursday in November)
- Day after Thanksgiving (Fourth Friday in November)
- Holiday (December 24 – half day)
- Holiday (December 25)
- Floating Holiday/Inauguration Day

Dates of above may vary when holiday falls on a weekend. Generally, if a holiday falls on a Saturday, the holiday will be observed on the preceding Friday. If a holiday falls on a Sunday, the holiday will be observed the following Monday. The Executive Director may grant additional hours of holiday leave in concurrence with Federal and Commonwealth changes. The Executive Director can flex holiday leave on an individual basis. Employees on leave without pay preceding and following a holiday may are not be ineligible from to receive ing-holiday pay.

The floating holiday is on an annual basis and must be used by the end of each calendar year. If an employee fails to take their floating holiday each calendar year, it is

automatically forfeited. The Executive Director can extend this deadline. Any unused floating holiday is not paid out at the time of separation.

An employee may not earn paid holidays while on unauthorized leave, leave without pay, or if working less than their scheduled hours.

4.3 Vacation Leave

Full-time permanent employees earn vacation at the rate of:

- 13 days annually with fewer than three (3) years of service;
- 19 ½ days annually with 3 – 15 years of service;
- 26 days annually with 15 or more years of service.

Vacation time for full-time employees may be accrued and carried over to next year at these rates:

- Zero (0) to ten (10) years of service, a maximum accumulation of 30 days or 240 hours.
- More than ten (10) years of service, the maximum accumulation is up to 40 days or 320 hours.
- The cut-off date is the end of the first pay period after January 1. At the end of the leave year, annual leave in excess of the above limits will be converted to sick leave.

Upon initial employment or at separation, no leave shall be earned for less than a full week of work.

No leave shall be earned for a week in which an employee is on leave without pay for more than one (1) day.

If a minimum resignation notice of two (2) weeks is given, upon separation an employee shall be paid for unpaid vacation leave in a lump sum. If the employee has not given proper notice or is terminated for cause, accrued leave is subject to forfeit.

4.4 Sick Leave

Sick leave will be earned by full-time, permanent employees at the rate of four (4) hours for each bi-monthly pay period or 13 days per year. There is no limit on sick leave accrual.

Upon termination of employment, employees will not receive payment for accrued sick leave.

No sick or vacation leave will be earned for less than a full week of work.

No sick leave will be earned during a week in which the employee is on leave without pay for more than one day.

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Sick leave may be used in the following cases:

- Actual sickness or disability of the employee that prevents effective performance of his or her duties;
- Necessary appointment with physicians, dentists or licensed practitioners and social workers;
- Illness in the immediate family, defined as spouse, son, daughter, adult dependent and elderly parents and any of these relations as a step.

A supervisor may require an employee to submit a certificate from a registered physician.

If the ~~Executive Director~~CFO determines that the sick leave request is not justified in accordance with these administrative regulations, he or she shall deduct the value of the absent time from the employees' accrued vacation leave or pay. For the employee to receive compensation while absent on sick leave, notice shall be given no later than four (4) hours after the scheduled start of the work day on which the absence occurs, unless the employee provides evidence that it was impractical to do so.

When an employee has exhausted accrued sick leave, the ~~Executive Director~~CFO may advance sick leave up to an amount equal to the employee's accumulated vacation leave. The encumbered vacation leave may not be used until the sick leave account is in balance.

4.5 Donation of Vacation Leave for Use by Others as Sick Leave

NVTA employees may donate a portion of their accrued vacation leave to other employees who have exhausted their sick leave. Such donations are strictly voluntary and will be allocated to the receiving employee on a dollar value basis.

4.6 Civil Leave

Employees shall receive time off for jury duty or emergency civilian duty in connection with national defense, up to fifteen (15) days annually. Employees who are requesting Civil Leave will be required to furnish a copy of the official summons for jury duty or witness service when seeking approval. Employees are not required to reimburse the NVTA for any court-provided expense reimbursement while on Civil Leave. Employees appearing in court either as defendant or plaintiff in a non-work related case are not eligible for Civil Leave.

4.7 Military Leave

Any permanent employee who is a member of the Armed Forces of the United States will be allowed leave with pay to the extent the NVTA pay exceeds military pay up to a maximum of fifteen (15) days annually for official training or active service. If the employee is involuntarily called to active duty, the Executive Director shall endeavor to provide the employee his or her same position or a comparable position upon return to work.

4.8 Bereavement Leave

Up to three (3) days of bereavement leave are provided for a death in the employee's extended family (defined as employee's spouse and either the employee's or employee's spouse's son, daughter, grandchild, brother, sister, parent, grandparent, or guardian) or others that, in the judgment of the ~~Executive Director~~CFO, comprise "extended family."

An additional two (2) days of bereavement leave are provided for a death of an immediate family member who resides outside the local area (outside local area is defined as more than 50 miles outside the Washington DC Metropolitan area).

4.9 Adverse Weather/Emergency Leave

The NVTA Executive Director will consider the actions of member jurisdictions in declaring snow (or other) emergencies. For example, at the discretion of the Executive Director, employees may be granted "liberal leave," in which they can take a vacation day after notifying their supervisor by telephone or email.

The Executive Director may declare an office closure, or send employees home early in the event of a major weather or other local emergency event. Such events may include loss of utility or HVAC services to the offices.

The Executive Director may direct staff to work from home or other appropriate convenient location in the event of a major weather or other local emergency which makes travel to the NVTA offices dangerous or impractical.

Whenever emergency conditions are forecast, employees should plan for the possibility of working remotely for the anticipated duration of the event. If employees work remotely, they shall notify the NVTA staff accordingly together with any others who may be affected by the employees' absences from the office.

4.10 Absence without Leave

An employee absent for three (3) days or more without notice to their supervisor may be subject to termination.

4.11 Accrual of Leave by Part-Time Employees

Employees are categorized as part-time if they routinely work less than thirty (30) hours in a forty (40) hour work week. Permanent part-time employees for any given length of service are eligible for paid leave. Temporary or Contract employees are not eligible for paid leave.

Permanent Ppart-time employees earn annual and sick leave on a prorated basis for any given length of service earn leave only in proportion to hours worked. Temporary or Contract employees are not eligible for paid leave.

Length of service is measured from the date of appointment to a permanent NVTA position (i.e. internships or other temporary positions do not contribute to the determination length of service).

Permanent employees working a part-time schedule will receive pay for all holidays, whether or not they fall on one of the employee's scheduled workdays, in proportion to the number of actual work hours during an average pay period. For example, forty (40) hours worked in an average two-week pay period would comprise 50 percent of a full 80-hour pay period, or four (4) hours of an eight (8) hour holiday.

4.12 Family and Medical Leave Act (FMLA)

The FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. NVTA elects to observe FMLA guidance to align benefits with Member Jurisdictions. Eligible employees are entitled to:

Twelve (12) workweeks of leave in a 12-month period for:

- the birth of a child and to care for the newborn child within one (1) year of birth;
- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the employee's spouse, child, or parent who has a serious health condition;
- a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" **or**

Twenty-six (26) workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Questions concerning an employee's eligibility under FMLA are to be directed to the Chief Financial Officer. Additional information concerning FMLA is available at the United States Department of Labor website.

SECTION 5. EMPLOYEE BENEFITS

5.1 General

The NVTA's benefit plan is intended to be provided on an equitable, uniform and non-discriminatory basis and to be competitive with the labor market, member jurisdictions and other public and private sector employers. The NVTA offers health care, dental, vision, wellness, retirement, life insurance and other benefits. All full-time regular employees are eligible to participate in NVTA's benefit plan.

5.2 Pre-Tax Benefit Plans

Sections 125 and 129 of the Internal Revenue Code enable the pre-tax treatment of some benefit contributions, within a qualified plan. Therefore, employee contributions to health and dental insurance and the flexible spending accounts including dependent care plans are exempt from FICA withholding, as well as federal and state income taxes (in most states). This pre-tax treatment increases take-home pay. The resulting reduction in taxable income has no effect upon your retirement benefits but may slightly reduce your monthly Social Security benefits upon retirement.

Section 125 of the Internal Revenue Code stipulates that benefit election changes are permitted only during the designated open enrollment period unless you experience a qualifying change in status event or special enrollment event occurs. Examples of qualifying status events are marriage, divorce, death of a spouse or child, birth or adoption of a child, employment or termination of employment of a spouse, or change in employment status. You have 60 days from the date of the qualifying event to make election changes. Election changes must be made within 60 days of the date of the qualifying event.

5.23 Healthcare (including dental, vision, behavioral health and wellness services)

All full-time regular employees may enroll in NVTA sponsored health, prescriptions, dental and vision plans during their initial month of employment with coverage beginning on the first day of the following month or during the May open enrollment period with coverage effective July 1. A spouse and/or eligible dependent children (until the dependent child turns 26) may also be enrolled. New dependents must be enrolled within 30 days of marriage, birth or adoption, or enrollment is delayed until the next open enrollment period. Healthcare coverage is provided through the Commonwealth of Virginia's *The Local Choice (TLC) Key Advantage with Expanded Benefits* program, administered by Anthem Blue Cross and Blue Shield. Employees have a choice between Comprehensive Dental or Preventive Dental Only coverage.

Full plan details can be found online at <http://www.thelocalchoice.virginia.gov/>.

In addition to medical care, healthcare coverage includes behavioral health, routine vision, eye glasses, contact lenses, well child, adult wellness & preventative care programs, dental

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and prescription benefits. The NVTA funds 80 percent of the monthly cost of healthcare coverage. The employees' contribution is automatically deducted from pre-tax earnings.

Healthcare benefits are administered on a plan year basis from July 1 through June 30. Open enrollment for health benefits occurs annually in the month of May. [The healthcare plan is subject to change.](#)

5.34 Retirement

~~All full time employees are required to participate in The NVTA's retirement plan is provided through~~ the Commonwealth of Virginia's Virginia Retirement System (VRS). Employees with a VRS membership date before July 1, 2010 and vested as of January 1, 2013 are eligible for enrollment in Plan 1. Employees with a VRS membership date before July 1, 2010 and not vested as of January 1, 2013 or a membership date after July 1, 2010 are eligible for enrollment in Plan 2. — Full plan details are available at <http://www.varetire.org/members/benefits/defined-benefit/index.asp>.

Full time employees with no previous VRS service credit whose membership date is on or after January 1, 2014 are eligible to participate in the Hybrid Retirement Plan. The Hybrid Plan combines a defined benefit plan with a defined contribution plan. Full plan details can be found at <http://www.varetirement.org/hybrid/publications.html>.

Participation in the Virginia Retirement Plan requires mandatory employee and employer contributions. Employee's mandatory 5% retirement contribution is automatically deducted from pre-tax earnings.

5.5 Health Insurance Credit

~~As participants in the VRS retirement plan, VRS provides a health insurance credit to assist the retiree with the cost of health insurance premiums. The credit is a dollar amount set by the General Assembly for each year of service that is added to the monthly retirement benefit. It ends upon the death of the retiree and cannot exceed the amount of the individual health insurance premium. For additional information on VRS's Health Insurance Credit please go to <http://www.varetire.org/retirees/insurance/healthinscredit/index.asp>~~

Eligibility Requirements:

Retiring with 15 or more years of creditable service from an eligible employer; or
Retiring on disability; or
Receiving a long-term disability benefit through the Virginia Disability Program (VLDP).

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5.46 Life Insurance

As participants in the Virginia Retirement System, regular full time employees are automatically enrolled in the VRS Group Life Insurance Program with coverage of two times salary at no cost to the employee from the first day of employment. Minnesota Life Insurance Company is the current provider of all life insurance benefits administered by VRS.

The VRS Optional Group Life insurance program provides an employee the opportunity to purchase additional life insurance protection through VRS. Employees can select coverage on themselves for an additional one, two, three or four times your salary (rounded to the next highest \$1,000), up to a maximum of \$750,000. Employees are eligible to participate in an optional life insurance plan at the employee's expense. In addition, employees who participate in optional life may also apply for optional group life insurance for a spouse, and/or eligible dependent children. Employee's optional life insurance premiums are automatically deducted from after tax earnings. Additional information is available at <http://www.varetire.org/members/benefits/life-insurance/optional-group-life-insurance.asp>.

5.7 457 Deferred Compensation Plan

Regular full-time employees have the option of enrolling in the Commonwealth of Virginia's 457 plan offered through VRS. Deferred compensation is a pre-tax, optional, employee retirement savings plan. Taxes are deferred until funds are withdrawn. Employees contribute their own funds and select their own investment options that may be increased, decreased, stopped or restarted each month. Funds may be withdrawn only upon termination of employment. Additional information is available at www.varetire.org/457.

5.58 Short Term and Long Term Disability

Virginia Local Disability Program (VLDP)
Employees enrolled in the VRS Hybrid Retirement Plan are automatically enrolled in the Virginia Local Disability Program (VLDP). VLDP provides income protection if an employee can't work because of a non-work-related or work-related illness or injury. VRS administers VLDP in conjunction with Reed Group, the third-party administrator for the program. Claims for short-term disability have a seven-calendar day waiting period. There is also a one-year waiting period for non-work related short-term disability coverage. Claims are paid at 60 percent of the employee pre-disability income. VLDP includes long-term disability coverage. The VLDP long-term benefit begins after 125 workdays of short-term disability. Additional information about VLDP can be found on the VRS website at: <http://www.varetire.org/Pdf/Publications/vldp-handbook.pdf>

UNUM

Employees enrolled in VRS Plan 1 and 2 are enrolled in group short-term and long-term disability coverage through UNUM. Coverage is effective 90 days after hire date. Short-

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term coverage provides a weekly benefit of 60% of weekly earnings to a maximum benefit of \$1,000 per week. The elimination period is zero days if the disability is due to an injury, or 7 days if due to a sickness. Long-term disability coverage provides 60% of monthly earnings to a maximum benefit of \$6,000 per month. Benefits begin after a waiting period of 90 days of disability. This benefit is provided at no cost to the employee.

Supplemental Individual Disability Insurance Plan (IDI)

NVTA provides all full-time regular employees with supplemental disability coverage that provides additional coverage to the group disability plans from VLDP and UNUM. The IDI plan offered through UNUM, coordinates with the group plans to provide additional disability coverage up to a maximum of 75% of monthly earnings. Coverage is effective 90 days after hire date. New employees will receive a customized enrollment kit from UNUM. The enrollment kit provides everything a new employee needs to understand the coverage available through the Group LTD plan and what coverage the new employee is eligible for under the supplemental IDI (individual disability insurance) offer. This benefit is provided at no cost to the employee.

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5.69 Flexible Spending for Medical Costs & Dependent Care

An optional Flexible Medical Spending plan (FSA) and a Dependent Care (DCA) plan are administered through Choice Strategies at no additional cost to employees. NVTA offers an FSA plan for all full-time regular employees that allow employees to elect to contribute up to the annual FSA Contribution Limit, currently at \$2,600, on a pre-tax payroll deduction basis into an FSA plan. Up to \$500 may be carried over to the next plan year. ~~An optional Flexible Medical Spending plan and a Dependent Care plan are administered through Choice Strategies at no additional cost to employees.~~ NVTA also offers a DCA plan that permits employees to contribute up to \$5,000, on a pre-tax payroll deduction basis into a DCA plan for dependent care expenses. Employee contributions to these plans are automatically deducted from pre-tax earnings. ~~Full p~~ Plan details are available at <https://www.mywealthcareonline.com/choice-strategies/Home.aspx>.

All FSA and DCA spending limits contribution limits will be kept in compliance with IRS regulations.

5.710 Professional Development

The NVTA provides financial support for licenses, certifications and professional development that are relevant to employees' work responsibilities. The NVTA also provides financial support for, and encourages employee participation in, the activities of professional and industry associations that are relevant to the NVTA's mission. The level of support (reimbursement) is determined by the Executive Director based on the benefit to the Authority.

5.811 Other

Other benefits include free membership to the fitness center located at 3040 Williams Drive. A membership agreement, available from the Administrative Assistant/Clerk, must be completed and signed before using the facility, which is unsupervised and shared with other tenants.

SECTION 6. EMPLOYEE PERFORMANCE REVIEWS

6.1 General

The NVTA is committed to fostering employee excellence and a high-performance workplace. To that end, employees shall be regularly assessed on the achievement of assigned goals, the performance of job duties and the demonstration of skill in core competencies. Performance reviews offer a mutually beneficial opportunity to provide feedback to, and receive suggestions from, an employee. The objective of performance reviews is to encourage high levels of performance and achievement, while identifying and mitigating any areas of under-performance. Performance reviews shall be in a written format approved by the Executive Director and shall become part of the employee's official personnel file.

6.2 Supervisor Responsibilities

Supervisors shall establish and communicate clear performance expectations and objectives for their employees and shall provide regular feedback to employees on their performance at least annually at the anniversary of an employee's hire date. Moreover, supervisors are responsible for ensuring that incidents of non-performance or substandard performance are timely addressed.

6.23 Annual Performance Review

Each employee will participate in a written annual performance review based on hire date. Additionally, a six-month performance evaluation may be conducted for new employees.

Performance reviews will be comprised of the following components:

- Employees must complete a written self-assessment and ratings using the NVTA Performance Review Template.
- Employees must address their major goals and accomplishments during the review period by providing a written update on the goals approved during the previous completed by each employee review. The employee should add a brief summary of any additional goals and accomplishments achieved during the review period.
- Employees must include goals for the next review period. These goals will be reviewed by the supervisor and discussed with the employee as part of the review process.
- The supervisor will provide a written assessment and comments on the employee's performance.
- The review process will include a written review conducted by the employee's supervisor; and
- Face-to-face meeting between each employee and their supervisor, resulting in an agreed written action plan for the upcoming year.

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- The action plan will identify any employment-related goals and training requirements, and will serve as the basis for the employee's next annual performance review.

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6.4 Employee Response to the Performance Review

Employees may submit a written response to their performance review, which shall be included in the employee's official personnel file.

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6.35 Ad hoc Performance Review

An interim performance review is an optional written evaluation of the employee's job performance covering a portion of the performance review cycle. The supervisor may conduct an interim review at any time during the review cycle for any reason. The employee performance review is a continuous process and may occur on an as-needed basis as determined by their supervisor at any time to supplement the written annual review. Interim assessments shall be considered by the supervisor in completing the annual performance review. Interim assessments shall become part of the employee's Official Personnel File.

6.5 Unsatisfactory Performance

Specific incidents of unsatisfactory performance or non-performance of job duties shall be addressed by the supervisor throughout the performance assessment period, up to and including disciplinary action. Repeated incidents or serious incidents of unsatisfactory performance or non-performance of job duties shall also be addressed in the employee's annual performance assessment.

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~~Employee performance review is a continuous process and may occur on an as-needed basis as determined by their supervisor at any time to supplement the written annual review.~~

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SECTION 7. EMPLOYEE CODE OF CONDUCT

7.1 General

As a basic condition of employment, all employees have an obligation to conduct their official duties in a manner that serves the public interest, upholds the public trust and protects the NVTA's resources and reputation.

The NVTA employees routinely interact with state and local elected officials, chief executives and staff of member jurisdictions, other transportation agencies, representatives from the financial sector, and the business community. Interaction may occur in formal committee meetings, large jurisdiction events and/or direct appointment settings to list a few.

Perceptions of the Authority may be influenced by the conduct of the NVTA's employees. Employees are expected to conduct themselves in a manner that demonstrates professionalism and integrity at all times.

7.2 No Smoking Policy

Smoking in the NVTA offices, to include any hallways, elevators, reception or conference spaces, is prohibited. Any employee who smokes is encouraged to use the Authority provided health insurance wellness program to quit.

7.3 Alcohol and Drug-Free Work Place

In an effort to provide a drug-free workplace and to comply with Federal and State regulations, the NVTA prohibits employee consumption of alcohol and the use, distribution, manufacture or possession of illegal or controlled substances in any NVTA worksite or work location, or while on duty or representing the Authority. Violation of this policy may result in immediate dismissal.

Employees at any time may request their Supervisor's assistance in accessing the counseling and/or treatment services available through the employee health insurance wellness plan. The NVTA is not responsible for the costs of such counseling or treatment, beyond the medical insurance plan.

7.4 Sexual Harassment

The NVTA is committed to providing a work environment free of any form of sexual harassment or related intimidation. Sexual harassment is prohibited within the workplace, viewed as serious misconduct and subject to disciplinary action, up to and including termination. Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a manager, supervisor, co-worker or non-employee (third party).

7.5 Other Unlawful Harassment

Harassment on other grounds, including race, color, religion, national origin, age, disability, sexual orientation or gender identity is also prohibited. Harassment includes jokes, verbal abuse and epithets, degrading comments, the display of offensive objects, pictures, and other conduct that an individual might reasonably find to be offensive.

7.6 Reporting Complaint

If an employee has a harassment complaint, the employee should tell the offender to stop the inappropriate behavior and report the complaint without delay or fear of reprisal to their supervisor. The NVTA will not tolerate any form of retaliation directed against an employee or third party who either files a complaint about discrimination, harassment or retaliation or who participates in any investigation concerning misconduct.

7.7 Conflict of Interest

As a basic condition of employment, all employees have an obligation to conduct their official duties in a manner that serves the public interest, upholds the public trust and protects the NVTA's resources. Employees shall not engage in any behavior that provides a conflict of interest or the appearance of a conflict of interest. All NVTA employees will refer to the Authority's Conflict of Interest Policy. Request for interpretation of a possible conflict should be referred to the Chief Financial Officer.

7.8 Political Activity

Employees have a right to vote as they choose, to express their opinion and to join political organizations. NVTA employees have the right to not be forced to take a political position as a condition of employment. Political activities can not take place during work hours or adversely affect the employee's ability to do his/her job or adversely affect the employee's department or co workers. NVTA resources will not be used for any political activities.

(See NVTA Policy 27 – Political Activity by Staff Members for further guidance.)

7.9 Gifts and Gratuities

NVTA employees are subject to the provisions of the State and Local Governments Conflict of Interest Act which prohibits an NVTA employee from accepting money, gifts, gratuities, favor, service, business or professional opportunities that reasonably could influence performance of the employee's job duties, or loans from organizations, businesses, or individuals with whom he or she has official relationships regarding NVTA matters. These limitations are not intended to prohibit the acceptance of articles of negligible value that are distributed generally (e.g., a coffee mug), nor to prohibit employees from accepting conventional social courtesies that promote good public relations.

7.10 Electronic Communications

The NVTA's electronic systems (e.g., e-mail, Internet, computers, cell phones and voice mail) are the property of the NVTA. Employees have no right or expectation to privacy with regard to anything sent or received on these systems, services or devices. These systems, services or devices shall not be used for personal use (e.g., computer games). Employees shall not install any personal software on the NVTA computers or cell phones. All NVTA electronic equipment is subject to monitoring. Employees receiving any messages they believe to be inappropriate on any NVTA systems should notify their supervisor. Please refer to NVTA Policy 44-22- Computer and Electronic Systems Use for a copy of the Employee/User Agreement.

7.11 General Department

The NVTA is a governmental organization with significant inter-action with elected and appointed officials, member agency staff, the general public and various advocacy and consulting groups. To provide the appropriate professional environment for the NVTA's operations and to enhance the working environment for the NVTA staff, the following guidelines apply:

- Maintain offices and common areas in a clean and orderly manner;
- Minimize noise levels from conversations, radios and speaker phones so that other staff and conferees are not disturbed; and
- Dress in business or professional business casual attire appropriate for the context in which business is being conducted.

SECTION 8. External Contacts and Communication

8.1 General

As an employee, you represent the NVTA to the public and other government entities. When dealing with the public or other public entities, either in person, by telephone or in writing, you are expected to be professional, patient and courteous.

Contact/Communication between the NVTA staff and external entities/individuals will occur on a regular basis. It is important that any such contacts do not result in inconsistent or inaccurate communication, or are otherwise to the detriment of the NVTA or its ability to fulfill its mission.

Media contacts should be referred to the Executive Director or staff member designated to address specific areas. Requests for information or data which are non-routine or from outside the member jurisdictions should be referred to the Chief Financial Officer.

NVTA staff are not to make policy or other statements on behalf of the Authority unless specifically directed and approved by the Executive Director.

8.2 Communication with the NVTA Members

The Executive Director is the primary point of contact with the Authority members unless selected staff (e.g., Chief Financial Officer) are specifically designated to work with a member or members on specific projects/activities. It is not unusual for a specific staff member to be requested to assist an Authority member in response to an inquiry. - The NVTA staff will refrain from initiating contact with Authority members, political or advocacy communities or the media unless directed by the Executive Director. Staff having contact(s) with the Authority members should always inform the Executive Director.

8.3 Contacts with Elected Officials (non-NVTA Members)

In general, contacts with non-NVTA elected officials will be conducted in the same manner as described for members of the Authority.

8.4 Contacts with Participating Organizations and Committees

The nature of the Authority's mission requires that the NVTA staff work with a myriad of organizations and committees. In doing so, it is essential that staff represent the NVTA's mission, policies and stated positions accurately.

Staff should not hesitate to defer questions to supervisors if they are unsure of the policy or procedural aspects in question. Issues that arise that may result in adverse perception of the NVTA or situations that are not supportive of the NVTA's role and policies should be reported with supporting documentation to the Executive Director as soon as possible.

8.5 Contacts with the Public

The NVTA is a taxpayer-supported public agency. The public is our ultimate “client”. Politeness, professionalism and respect are appropriate at all times. All requests for information whether in writing, in person, or by telephone are equally important, and must be treated as such. For requests that are complex in nature and may possibly require additional research and/or discussion, ask the requestor to put his or her request in writing.

Under the Virginia Freedom of Information Act (FOIA), all official records (with certain exceptions set forth in the Act) are open for inspection by Virginia residents or media. The NVTA honors all Freedom of Information Act requests within the time specified by law. Such requests must be coordinated through the NVTA's Chief Financial Officer and Executive Director.

8.6 Contacts with the Media

The NVTA's Executive Director is the primary lead for communications with the media. All media inquiries will be referred to the Executive Director. In the Executive Director's prolonged absence, inquiries should be forwarded to the Chief Financial Officer.

On a case by case basis, the Executive Director may direct staff to handle public and media inquiries.

8.7 Contacts with Contractors

Private sector firms provide the NVTA with specialized capabilities and other support. The NVTA will benefit from competitively priced proposals from well-qualified firms. The NVTA's approach to procurements is designed to encourage such activity. Employees must however be guarded in any contacts with contractors or potential contractors to avoid providing an unfair advantage.

8.8 Contacts with Candidates for Political Office

For contacts with candidates for political office staff will follow NVTA Policy 28 – Responses to Information Requests from Candidates for Political Office. (Currently in draft form pending review by GPC and adoption by Authority possibly in June 2017.)

SECTION 9. OFFICE HOURS AND LOCATION OF WORK

9.1 General

Common understanding of “work rules” is essential to fair and equitable management. The purpose of this section is to provide a framework for this understanding.

The normal place of work is the NVTA office. While NVRC offices are open to the public between 8:30 am and 5:00 pm, Monday through Friday except holidays, the NVTA employees have unrestricted access to the office at all times.

9.2 Hours of Work

The usual full-time paid workday of eight (8) hours is from 8:00 am to 5:00 pm, Monday through Friday, with one hour for lunch.

A supervisor may permit a work schedule other than the usual, if in his or her judgment it is in the best interest of the Authority and employee.

9.3 Telework

In order to support regional telework goals, the NVTA employees are encouraged to work from home one (1) day per month with the advance approval of their supervisor. The NVTA will make its best efforts to provide effective network connections but cannot guarantee success and cannot provide NVTA-owned second computers. The ~~Executive Director~~ CFO shall consider the overall effectiveness of the NVTA’s workforce in determining whether work at home will be permitted on a more frequent basis.

SECTION 10. EMPLOYEE EXPENSES

10.1 Local Travel Expense Report

Employees should request reimbursement monthly. Requests for reimbursement not made within 45 days of expense may not be fulfilled. Local travel reimbursement requests must include the travel date, destination, reason for travel, method of travel, mileage for personal automobile and cost. Mileage will be reimbursed at the published IRS rate.

10.2 Non-Local Travel Expense Report

Non-local travel must be approved in advance by the ~~Executive Director~~CFO. Costs associated with non-routine travel outside the Washington metropolitan region should be reported on the appropriate form to include the reason for travel, location, description of costs and appropriate receipts. Receipts are required for airline, train, shuttles, hotels, restaurants, parking, tolls and miscellaneous items. Rental cars requested for non-local travel must be preapproved by the Chief Financial Officer. Reimbursement is not available for luxury cars. Airline travel shall be at the coach/business rates. Personal expenses should be designated on receipts.

Expense report should be submitted promptly after travel has been completed, but no later than a month thereafter. Approval is required by the employee supervisor and the Chief Financial Officer. Approved reports will be processed and forwarded to accounts payable.

10.3 Permitted Travel Expenses

Mileage to attend meetings outside of the NVT A office is permitted. Mileage is not allowed for travel between an employee's home and the NVT A office. Mileage from home to an appointment or from an appointment to home is not reimbursable unless the distance is substantially greater than the employee's normal commute.

Actual, reasonable, costs for food and lodging are allowed. The test of "reasonable" is general consistency with accepted Federal/State rates.

Travel shall be at coach rates. Any exception must be approved by the ~~Executive Director~~CFO in advance. Whenever it is available and advantageous to do so, employees should request the appropriate government rate for overnight lodging expenses.

The cost of meals should be consistent with Federal per diem rates. Customary gratuities are reimbursable at customary rates.

Personal care items and personal use items are not reimbursable.
Entertainment such as in-flight movies or hotel movies ~~is~~ are not reimbursable.

Alcohol is not reimbursable.

Snacks and comfort items (unless a substitute for a meal or other expense) are not reimbursable.

The ~~Executive Director~~CFO may reduce the submitted reimbursement request to the Federal per diem rate.

10.4 Meal Expenses

Meals provided as part of a conference or travel package should be utilized.

Local meal costs shall not be reimbursed unless:

- Expenses are for a business meeting with one or more person(s) other than the NVTA staff, or
- Meal is a part of travel to or from a meeting outside of normal business hours, or
- Meal is part of a NVTA staff or Authority meeting that results in an inability to have normal meal and for which a meal has not been provided excluding routine scheduled meetings.

10.5 Mileage Reimbursement Rate

Mileage reimbursements shall be consistent with the current IRS rate.

10.6 Expenses for Guests of the Authority

Approval of the Executive Director or the Chief Financial Officer is required before a commitment is made to reimburse expenses of an NVTA guest. (Employees shall exercise good judgment in seeking reimbursement for expenses incurred on behalf of guests.) In no event shall the NVTA offer to pay/reimburse NVTA guest expenses when to do so may create a conflict of interest or the appearance of a conflict of interest.

10.7 Travel Advance

Travel Advances will be limited to the use of the office purchasing card for conference and ticket purchases. Employees who submit prompt expense reimbursement requests will typically have their reimbursement prior to their credit card invoice cycles.

Upon request by an employee, the ~~Executive Director~~CFO may authorize a travel advance on an infrequent basis for unique situations that are received in sufficient time to permit normal processing through accounts payable.

Upon completion of the trip, any excess funds must be returned, together with a completed non-local travel expense form and receipts within 14 Days.

SECTION 11. PERFORMANCE AND DISCIPLINARY ACTIONS

11.1 Disciplinary Actions

Clear and prompt communication is critical for effective resolution of any employee performance or disciplinary issues. Supervisors are encouraged to discuss any performance or disciplinary concerns immediately with staff. This communication may take the form of a one on one conversation, a performance review being presented earlier than the routine cycle or other written notice of performance.

The communication will not only inform the staff member of the actions requiring modification but will also solicit ideas on how the staff member can improve the situation. Part of the discussion must be how the NVTA can reasonably support needed change on the part of the employee.

Supervisors will advise the CFO of any employee performance concerns. The CFO will be kept informed by the supervisor of performance progress and will monitor the performance coaching and outcomes reporting as necessary to the Executive Director.

11.2 Performance/Disciplinary Actions

It is the intention that all instances of the need for performance modifications be professionally communicated to the staff member by their supervisor with prompt and professional changes in behavior/conduct by the employee the expected result with a minimal amount of formality.

In situations where the desired change in behavior/conduct does not materialize, formal written notice will be provided to the employee. Such notice(s) will include a timeline for the correction to occur. Employee input will be requested as to any contributory factors preventing the required change in behavior/conduct.

If adequate progress towards resolution of the behavior/conduct is not observed within the timeline previously documented, management may issue a final notice of the need for a performance change. If after this notice the performance has not reached the level required, the Executive Director will consider whether employment separation is in the best interests of the Authority.

11.3 Grievances

Employees may bring a complaint or dispute in writing to the ~~Executive Director~~CFO regarding: disciplinary actions; the application of personnel policies, procedures, rules and regulations; acts of reprisal; or discrimination. Certain complaints or disputes are not eligible to be submitted under the grievance process, including, but not limited to: annual evaluations, work activities accepted by the employee as a condition of employment or work which is a reasonable part of the job description; methods, means and personnel by which such work activities are carried on; contents of established NVTA policies,

procedures, rules and regulations; failure to promote; and provisions applied in an emergency. Grievances must be presented to the ~~Executive Director~~CFO in writing within ten (10) days of the event. The ~~Executive Director~~CFO shall respond to such a written grievance within twenty (20) days unless the grievance is a termination or other involuntary separation of employment in which case the ~~Executive Director~~CFO will respond as soon as practical or within twenty (20) days.

SECTION 12. EMPLOYEE SAFETY AND SECURITY

12.1 General

The Occupational Safety and Health Act of 1970 requires employers to provide a safe work place: a place free from hazards that might cause injury, disability or even death.

Since the NVTA leases office space from the NVRC, employees must be aware of and abide by the NVRC's approach to safety and security while in the office.

12.2 The NVTA Safety Policy

It is the policy of the NVTA that every employee is entitled to work under the safest conditions possible. To this end, every reasonable effort will be made to promote accident prevention for protection and health preservation. Preventable accidents which injure people, damage equipment or property or destroy materials cause personal suffering, inconvenience and expense.

The NVTA will endeavor to maintain a safe and healthful work place. The Authority will take reasonable steps to provide safe working equipment, necessary personal protection and, in the case of injury, access to the first aid and medical services provided to citizens in the jurisdiction in which the NVTA office is located.

Safety and loss control is a responsibility that must be shared by all. NVTA employees should all act safely and encourage safety at all times, so that healthy attitudes towards accident prevention, loss control and improved safety on the job can be achieved.

12.3 Safety Rules

- 1) Immediately report unsafe equipment or conditions to the NVTA Administrative Assistant/Clerk.
- 2) Place boxes/paper/objects out of the way and off the floor to avoid tripping.
- 3) Use extreme care in driving personal automobiles on NVTA business. Always wear seat belts and obey all traffic laws.
- 4) Keep offices and common areas clear of clutter and debris that may pose a fire hazard.
- 5) Always close file drawers.
- 6) Report all incidents to the NVTA Administrative Assistant/Clerk.

12.4 If an Injury Occurs at Work

1) First Aid Kit is located in the small hallway leading into the main kitchen, middle/small set of cabinets on the left. A second first aid kit is located in the bottom cabinet in the small kitchen.

2) Emergency Numbers: (DIAL 1 FIRST)

AMBULANCE	911
FIRE	911
POLICE	911

3) Closest hospital is located at:

Inova Fairfax Hospital
703-776-4001
3300 Gallows Road
Falls Church, VA 22042

4) To be covered by the NVTA's Workers Compensation Insurance through the Virginia Municipal League, NVTA employees must:

- A. Report the accident immediately to your supervisor.
- B. A physician chosen from the PANEL OF PHYSICIANS must be used if medical treatment is needed. The NVTA Administrative Assistant/Clerk maintains a list.
- C. If a Panel Physician is unavailable at the time of an emergency, an emergency facility may treat you one time only. The physician chosen by you from the Panel of Physicians must conduct any and all follow-up which is necessary due to your injury.
- D. Your Panel Physician can refer you to a specialist if needed. You may not choose a specialist yourself.
- E. If you do not receive treatment from a Panel Physician, your Workers' Compensation benefits may be terminated and your medical bills will not be paid. If you sustain a compensable work injury, your Workers' Compensation benefits may be terminated and your medical bills will not be paid. If you sustain a compensable work injury, your Worker's Compensation Administrator will only be responsible for bills from the following:
 - 1. Panel Physicians
 - 2. Authorized treating specialist
 - 3. In a true emergency an emergency facility

12.5 Security

- 1) Security depends on the cooperation and interest of each individual.
- 2) Never leave purses, wallets or other valuable items on or under desks. Keep them out of sight.
- 3) Cash, stamps, parking stickers, etc., should be kept out of sight.
- 4) Immediately report all suspicious persons, peddlers, or solicitors, to management personnel or by calling the Police Department (non-emergency is 703-558-2222).
- 5) If upon entering the office suite an employee is surprised by an unauthorized person, the employee should quietly leave; then call the police.
- 6) If someone an employee does not know is attempting to follow the employee into the building during security hours (7pm – 7am), the employee should ask the person to use his or her own fob on the reader or instruct the person to use the Datawatch phone for assistance.
- 7) Report missing Datawatch fobs immediately to the NVT A Administrative Assistant/Clerk. The Administrative Assistant/Clerk will immediately notify the NVRC, Datawatch and building management so these fobs cannot be used by unauthorized persons trying to gain entry.
- 8) ~~The last employee leaving the office each evening must ensure that the front door is securely locked.~~

SECTION 13. EMPLOYEE EXIT PROCESS

13.1 General

In order to ensure a smooth transition for the employee and the NVTA, the following steps will be taken. Except for the return of NVTA property, the ~~Executive Director~~CFO may modify these steps on a case by case basis to protect the interests of the Authority.

13.2 All Employees

On an employee's last day, all NVTA property must be returned and accounted for. This includes laptops with accessories, cell phones with accessories, building, suite, and office keys/access devices and any other data medium or devices as well as any business records or files in any medium. Final pay will not be released until all NVTA property is returned.

Departing employees will be informed of any outstanding pay and vacation due to them. Departing employees will be invited to participate in a voluntary exit interview. The purpose of the interview is for the employee to provide feedback on topics that may help the NVTA to enhance its performance as an employer.

~~Employees are advised that since the NVTA has less than twenty (20) employees, COBRA benefits for health care are not provided.~~

NVTA offers COBRA benefits through our health care provider, The Local Choice. All COBRA benefits are paid as directed by The Local Choice.

Approved by the Finance Committee: December 5, 2014

1st Revision – Recommended by Governance and Personnel Committee: May XXXXX

Approved by Northern Virginia Transportation Authority: December 11, 2014

1st Revision - Approved by Authority: June XXXXX

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