

**COUNTY OF ORANGE, VIRGINIA
PERSONNEL POLICIES MANUAL**

TYPES OF EMPLOYMENT

POLICY NO.: 1.1

EFFECTIVE: 11/1/96

REVISED: 12/4/18

OVERVIEW: This policy identifies and defines the different types of employment for positions within Orange County. By defining the types of employment categories, the County intends to help employees understand their employment status and benefit eligibility. These categories do not guarantee employment for any specified period of time.

SCOPE: This policy applies to all employees working for and within Orange County.

DEFINITIONS:

1. Position: A group of duties and responsibilities assigned to be performed by an individual. Positions can be either full-time or part-time, and either regular, temporary, or emergency in nature.
2. FLSA Status: Each position is designated as either non-exempt or exempt under the Fair Labor Standards Act (FLSA). Employees in non-exempt positions are entitled to compensation for all hours worked over 40 in a work week, in accordance with established policies. Exempt employees are excluded from specific overtime provisions of the FLSA.
3. Regular, Full-Time Position: A position that is not designated as temporary or emergency and which involves a regularly-scheduled work week of an average 40 hours. These positions receive all legally-mandated benefits and are eligible for the County's benefits package.
4. Regular, Part-Time Position: A position that is not designated as temporary or emergency and which involves a regularly-scheduled work week of less than 40 hours. While part-time employees receive all legally-mandated benefits, they are generally ineligible for the County's benefits package. At the discretion of the County Administrator, benefits may be offered to part-time employees as dictated by the terms, conditions, and limitations of each program.
5. Temporary Position: A position created to exist or be funded for a designated period of time (e.g., grant-funded positions). Temporary positions have identified or projected ending dates. They are typically established to supplement the workforce for peak workloads or special

projects, or to accommodate interim replacements for regular employees who are on extended leave. Employment in a temporary position is for a limited duration. Temporary employees receive all legally-mandated benefits and are ineligible for the County's benefits package.

6. Emergency Position: A position that may be recruited without going through the competitive selection process. Emergency positions are requested with the understanding that the employment is time-limited to fill an immediate need (e.g., coverage between vacancies, extended leave). Emergency positions may be used no more than the full-time equivalent of 180 work days (consecutive or non-consecutive) in a twelve-month period. These positions receive all legally-mandated benefits and are ineligible for the County's benefits package.
7. Probationary Employment: The period of employment governed by the provisions of Policy 2.2 (Probationary Period). Probationary employees are those whose performance is being evaluated to determine whether the individual's employment will continue. Probationary employees are eligible for the County's benefits package, as described in regular full-time and regular part-time position definitions above.
8. Appointed Positions: A position appointed by the Orange County Board of Supervisors to which the County's grievance policies do not normally apply. The terms of employment are dictated by contract and by the Code of Virginia. The County Administrator and County Attorney are typically appointed positions.
9. Contractual Employment: A position created by contract. Personnel policies do not apply, as the individual is not considered a County employee.
10. Essential Employee: An employee holding a position designated to be essential or critical to the operations of the department due to public safety needs, the provision of essential services, or other operational issues. Essential designations are maintained on the Active Position Classification List. If not classified as essential, a position defaults to non-essential.

PROVISIONS:

- A. All positions shall be identified as either exempt or non-exempt, either essential or non-essential, and either regular full-time, regular part-time, temporary, or emergency. Employment status, benefits eligibility, and working conditions are determined by the type of position and the employee's completion of a probationary period, as defined above.
- B. The establishment and abolishment of positions is dictated by the workload demands and available resources. Authority to establish or abolish any position lies with the County Administrator, in consultation with the Board of Supervisors. The type of position established depends upon the needs of the organization.
- C. Except for positions fully-funded by the County, Constitutional Officers who opt to participate in the County's personnel policies have the authority to establish or abolish any

position in their respective offices according to the establishment or abolishment of any position by the Commonwealth of Virginia. Positions that are to be fully-funded by the County must be authorized by the Board of Supervisors.

- D. The County Administrator has no authority over Constitutional Officers.
- E. Employees of those Constitutional Officers who opt not to participate in the County's personnel policies are not subject to any of the provisions of the County's personnel policies. Their employment is defined solely by the responsible Constitutional Officer and according to whatever policies the Constitutional Officer adopts and by the constraints of the budget approved by the Board of Supervisors.