COUNTY OF ALBEMARLE
PERSONNEL POLICY

§P-87 PROFESSIONAL LEARNING TIME AND LEAVE

A. Purpose

The County encourages County employees to pursue professional development and continued learning relevant to the employee's position and goals. The objective of the professional development program is to improve job skills to provide better service to the public. To this end, the County has established procedures to ensure the appropriateness of the course of study to the particular assignment, the amount of release time and payment involved, and the consistent application of this policy. ~~The ultimate goal of the professional development program is to provide better service to citizens. This can be accomplished through the improved awareness and effectiveness of the staff. Utilizing total staff involvement, the professional development process consists of identifying the areas in which improvement is needed; establishing programs that are designed to achieve the desired results and implementing these programs with evaluation and revision as needed.~~

B. Eligibility

To assist employees in accomplishing County and personal objectives, the County offers non-exempt employees paid professional training time (Tier 1), professional learning supplemental pay (Tier 2), and unpaid professional learning schedule flexibility (Tier 3) based on the guidelines established in this policy.

Exempt employees are encouraged to pursue professional learning opportunities but are not eligible for additional straight time pay, overtime pay, or accrual of compensatory time leave. Exempt employees may have training costs paid as described in the tiers below. Exempt employees may be required by their departments to keep records of professional learning time.

C. Requests

Department heads/designees may establish procedures for employees requesting time away from their regular duties for professional learning. The employee may be requested to provide information regarding the relevance of the program to the employee's current position, the benefit to the organization in meeting current or future staffing needs, the likelihood of interruption in service to employees or the public during the employee's absence, and the likelihood of any other hardship.

D. Approvals

Department heads/designees shall decide to approve or deny all training requests, including training that is directly related to the employee's current position, after considering the factors in section C and any additional relevant departmental concerns. They are also responsible for developing and applying fair and consistent

standards for approving and/or denying requests. Department heads/designees should consult with the Department of Human Resources for guidance and compliance with the Fair Labor Standards Act.

E. Key Terms

1. **Directly related to the employee's current position.** For this policy, "directly related to the employee's current position" refers to training that will directly enhance the employee's ability to successfully perform his/her current position. This training does not have to be required by a supervisor but must support the essential functions of the current position. The essential functions are the reason the position exists, such as a code enforcement officer learning the relevant codes to enforce.

2. **Not directly related to the position.** For this policy, this training may incidentally enhance the employee's knowledge, skills, and abilities (KSAs) to prepare the employee for expanded duties or promotional consideration in the future, such as an office associate not required to perform bookkeeping responsibilities taking a bookkeeping class.

3. **Not related to the position.** For the purpose of this policy, "not related to the position" refers to training that may enhance an employee's knowledge, skills, and abilities (KSAs) but in a capacity that does not pertain to the essential functions of the employee's current position. This type of training would not be expected of an employee in the employee's current position. These KSAs might prepare the employee for a different position and/or field, such as a custodian taking vehicle maintenance classes.

4. **Ordinary and necessary business expenses.** For the purpose of this policy, department heads/designees are responsible for determining whether training related costs are considered ordinary and necessary business expenses. They should consult with Department of Finance's Payroll Division for guidance and consistency, as this is regulated by the Internal Revenue Service.

5. **Training or professional learning.** For the purpose of this policy, the terms "training" or "learning" are used generally to include courses, lectures, meetings, classes, workshops, seminars, conferences, or any other types of relevant professional learning or development. The employee may be the trainer or a participant.

F. Tier 1

1. Guidelines. Professional learning is classified as Tier 1 when the training is:

    a. Directly related to the job duties and essential functions of the employee's current position; or
    b. Required by the supervisor, even if it isn't directly related to the job duties of the employee's current position.

2. Professional Training Time. Employees who are approved to attend Tier 1 training will be paid professional training time. This time is compensable as time worked. This time includes studying or homework outside of training sessions, regardless of whether the studying/training takes place during or outside of the ordinary work

schedule. This time does not include social hours or hours spent sleeping or eating when training/work is not occurring.

If an employee on his/her own initiative, without department head/designee approval, attends an independent school, college, or independent trade school after work hours, the time is not hours worked, even if the courses are directly related to the employee's current job.

3. Study Time. Department heads/designees may set reasonable limits on the number of hours that may be spent studying outside of the work schedule. If an employee needs additional time beyond the set amount, he/she must discuss this with the department head/designee and obtain the department head/designee's express approval before exceeding the set limit. If an employee does not obtain the department head/designee's express approval before exceeding the set limit, the employee may be disciplined for working unapproved time. However, the County will compensate the employee for all such time spent studying.

4. Travel Time. Travel time to attend Tier 1 training is compensable as time worked.

5. Expenses. Training fees and related expenses such as mileage may be paid based on the following guidelines and in accordance with established processes and procedures:

   When approved, department heads/designees may authorize the department's payment of, or reimbursement to employees for, the following:

   a. Related expenses for training, conferences, and/or classes, except any tools or supplies that the employee is allowed to keep at the end of the course (this does not include required textbooks);
   b. Professional licenses and certifications;
   c. Professional memberships; and/or,
   d. Dues to clubs/leagues/professional organizations when the employee is performing duties for the County that are related to the professional organization's focus or mission.

G. Tier 2

1. Guidelines. Professional learning is classified as Tier 2 when the training is:

   a. Voluntary;
   b. Not directly related to the job duties or essential functions of the employee's current position; and
   c. Employee arranges and attends at his/her own initiative.

2. Professional Learning Supplemental Pay. Professional learning supplemental pay is a benefit to be used sparingly. Employees interested in pursuing Tier 2 learning will need to be approved to work an alternative schedule (flex time) to accommodate the training. Department heads/designees may approve employees for professional learning supplemental pay up to the employee's base weekly hours for work time that cannot be made up in the same work period due to a lack of available work or other workload constraints. This will allow employees to attend training without having their salary reduced. Professional learning supplemental pay may also be applied to time spent studying or completing

homework outside of training sessions. It does not include social hours or hours spent sleeping or eating when training is not occurring.

Tier 2 training and training-related actives are to occur outside of the employee's work schedule, are not hours worked, and do not count towards the maximum allowable hours for overtime as defined in Policy § P-61, Staff Schedules, Time Tracking and Compensation Policy.

Training that is denied as Tier 2 may be approved for annual leave, or other leave available to the employee under Tier 3.

3. Professional Learning Limits. The department head/designee may limit the number of hours, for which the department will supplement pay.

4. Travel Time. For time spent traveling to training, department heads/designees may also approve professional learning supplemental pay up to the employee's base weekly hours for work time that cannot be made up in the same work period due to a lack of available work or other workload constraints.

5. Expenses. Department heads/designees should not pay training fees, mileage, or related expenses for Tier 2 training, unless it is an ordinary and necessary business expense. Employees may apply for tuition reimbursement in accordance with established policies and procedures if training was not otherwise paid for by the County.

H. Tier 3 Guidelines

1. Guidelines. Professional learning is classified as Tier 3 when the training is:

   a. Voluntary;
   b. Not related to the job duties and essential functions of the employee's current position; and
   c. Employee arranges and attends at his/her own initiative

2. Flex Time/Leave. In order to support and retain employees, department heads/designees are encouraged to allow employees to flex time or use other available leave to support individual self-directed learning goals as long as it does not cause an undue hardship to the operation of the department. Department heads/designees should give serious consideration to leave requests for employees seeking training that would prepare them for other opportunities within the County or Albemarle County Public Schools.

   If training occurs during the employee's scheduled work hours, the employee will have to work an alternative schedule (flex time) or use other available leave. Tier 3 training is not eligible for professional learning supplemental pay. The use of other types of leave for this purpose is not compensable as time worked and does not count towards the maximum allowable hours for overtime as defined in Policy § P-61, Staff Schedules, Time Tracking and Compensation Policy.

3. Travel Time. Travel time for Tier 3 travel is not eligible for professional learning supplemental pay and is not compensable as time worked.

4. Expenses. Department heads/designees should not pay training fees, mileage, or related expenses for Tier 3 training, because they are not an ordinary and necessary business expense. Employees may apply for tuition reimbursement in accordance with established policies and procedures.

I. Advanced Study

Some employees may wish to pursue advanced study by taking undergraduate or graduate-level classes at accredited institutions. Generally, education beyond what an employee currently has will not be required for the employee's current position. Therefore, most advanced study will fall under Tier 3 training. If there is a question about the appropriate tier, department heads/designees should consult with the Department of Human Resources to determine under which tier such classes may fall.

J. Other Provisions

Department heads/designees may require employees to present what was learned during their professional learning to the department as a report, presentation, or other training opportunity.

~~The Board authorizes the County Executive to grant professional leave without loss of compensation to individual employees for the purpose of participation in conferences and seminars for the improvement of job skills when, in the judgment of the individual's immediate management supervisor, no interruption in the public service will occur and the employee's performance will be enhanced.~~

~~The purpose of the professional leave is directly linked to the duties and responsibilities comprising the job description of the employee.~~

~~Professional leave from service under this policy will not be granted on a regular and recurring basis.~~

~~All requests for professional leave will be made in writing, bear the endorsement of the employee's immediate supervisor, be approved or denied by the County Executive or his designee, and copies will be kept on file for one year after the date of request. Requests for professional leave will be made as far in advance as possible prior to the event.~~

~~Compensation received by the employee while on paid release time, up to and including the employee's daily rate of compensation will be refunded to the division as reimbursement for value of services lost.~~

Amended: August 4, 1993; March 1, 2019