I. POLICY

Eastern Virginia Medical School (EVMS) has established a system of compensation to pay wages and salaries that are competitive in the job market based on job responsibilities and individual performance.

II. INITIAL COMPENSATION

All starting wages and salaries for classified and unclassified employees will be determined by Human Resources. Exempt employees that are in a classified pay grade and non-exempt employees who receive an hourly wage (together “Classified Employees”) shall be compensated in accordance with the assigned grade for their job. Compensation for faculty shall be determined by Human Resources in collaboration with the appropriate budget office, department leadership and the Office of Faculty Affairs and Institutional Effectiveness based on an institutionally approved compensation model that include factors such as external market date, internal equity, experience, and job responsibilities of the position.

III. PERIODIC COMPENSATION ADJUSTMENTS

A. Generally. EVMS provides for periodic hourly wage or base salary increases to its employees to maintain wages and salaries that are competitive with the labor market and within the budgetary authority of EVMS. EVMS does not recognize the use of incentives, supplements, bonuses, or gifts as legitimate methods for base salary increases but does utilize many these compensation components as part of “total compensation”. All part-time and full-time employees are eligible for a periodic wage or salary increase in accordance with this section except that transient employees are not eligible for increases unless the wage or salary range is adjusted and their pay falls below the new grade minimum rate.

B. Merit Increases

1. Amount. Merit increases are a percentage of hourly wages or overall salary that may be awarded to employees based on performance. Merit increases are not guaranteed and the availability and amount of the merit increase shall be determined by action of the EVMS Board of Visitors. The Board of Visitors may, in its discretion, approve lump sum one-time payments to all employees in lieu of a merit increase. Employees who are hired between March 1st and June 30th, and who will not have their annual reviews performed based on anniversary date, are not eligible for a merit increase for the upcoming fiscal year.

2. Post New Employee Trial Period. A supervisor may request a wage or salary increase based on an employee’s exceptional performance at the end of the employee’s trial period. In order to request the increase, a performance appraisal completed in accordance with the Human Resources Performance Appraisal Policy must be on file or, if the employee is not required to use the electronic performance appraisal system, justification that supports exceptional performance
must be provided to the Associate Vice President of Human Resources, or designee. If approved by Human Resources, employees may receive up to one and a half (1.5) times the merit increase amount that was approved by the Board of Visitors for the fiscal year, not to exceed six percent. The increase will be effective beginning the next regular pay period after the date of approval.

3. **Annual.**
   
   a. Employees may receive hourly wage or base salary increases in the form an annual merit increase up to the amount approved by the EVMS Board of Visitors for the corresponding fiscal year.
   
   b. If a Classified Employee is at the maximum pay grade is performing satisfactorily, the employee will be eligible for a one-time payment based on the amount authorized by EVMS Board of Visitors. The one-time payment is calculated by taking the amount of the increase percent times the maximum salary of the employee’s grade. For eligible employees whose base rate is almost at the grade maximum and whose salary increase would take that salary above the maximum, the employee will be granted that portion of the increase up to the grade maximum. The remainder of the increase will be in the form of a one-time payment calculated as described above.
   
   c. Merit increases for classified employees will be effective at the beginning of the next pay period nearest to the employee’s completed performance appraisal. If a performance appraisal is returned more than one month after the review date, the Associate Vice President of HR will determine the effective date of the increase/lump sum payment based on circumstances surrounding the late performance appraisal. Merit increases for unclassified employees and senior management employees who are not required to use the electronic performance appraisal system shall be effective July 1st.

4. **Exceptional Performance.** In addition to the annual merit increase outlined in Section 3, employees who demonstrate exceptional performance may, receive an additional merit increase of up to two (2) times the amount approved by the EVMS Board of Visitors for the fiscal year, not to exceed nine percent (9%). Exceptional performance increases recognize employees whose extraordinary efforts or contributions (beyond performing regular job duties at an outstanding level) have significantly advanced the objectives of the department, division, and/or EVMS. Examples may include:
   
   a. Extraordinary efforts during a time of critical department need such as achieving critical deliverables that could have negatively impacted operations.
b. Innovative work ideas, well beyond standard job expectations that significantly improve operational efficiencies, workflow, or customer service, such as, introduction or modification of business practices.

Supervisors may request an exceptional performance increase by contacting the Associate Vice President of Human Resources or their designee upon completion of the employee’s performance appraisal. If the employee is not required to use the electronic performance appraisal system, supervisors must provide justification that supports exceptional performance. An additional pay increase based on exceptional performance also requires budget approval from the appropriate business office based on funding source. Exceptional performance increases must not be requested on a recurring basis and Human Resources will not approve more than two consecutive years’ requests for exceptional performance increases. If approved by Human Resources, the exceptional performance increase will be effective at the beginning of the next pay period after the increase is approved by Human Resources.

C. Market Adjustments. Market adjustments for employees may be made when an employee’s compensation is below the market minimum for their job duties based on a compensation analysis by Human Resources. These pay adjustments will be based on the guidelines established by Human Resources, which may include, but are not limited to, changes in the market, AAMC benchmarking data, MGMA benchmarking data, CompAnalyst benchmarking data, other relevant market data, the salary grade plan for Classified Employees, or pay for performance metrics. For Classified Employees, the periodic wage or salary increase cannot take the employee’s base rate beyond the maximum of the grade.

D. Employees on Leave.

1. Employees on military leave will receive wage or base salary increases in accordance with law and EVMS Policy on Military Leave.

2. Employees on family and medical leave will receive wage or base salary increases in accordance with the Family and Medical Leave Act (FMLA).

IV. OTHER COMPENSATION

A. Overtime. It is the policy of EVMS to provide overtime pay in accordance with the Fair Labor Standards Act (FLSA). The basic workweek is Saturday through Friday with forty hours per week for full-time employees. Human Resources must approve any exception to the workweek. Overtime is time worked by an hourly employee in excess of forty (40) hours in a basic workweek. Hours paid for, but not worked (holiday, vacation, sick leave) are not counted in this total. Overtime is compensated at one and one half times the regular hourly rate. The employee is responsible for requesting supervisor approval to work overtime. Employees who work overtime without prior approval may be subject to disciplinary action. The supervisor is responsible for approving overtime.
in advance and verifying the amount of overtime claimed on the employee time card. The supervisor is encouraged to minimize the use of overtime and to distribute overtime work whenever possible. The Payroll Department is responsible for calculating overtime pay. **Note:** Salaried employees are not eligible for overtime.

B. **On Call Pay.** Non-exempt employees who are required to carry a beeper while on call after their normal shift will receive $2.00 per day. If called in to work or required to work remotely, they will receive a minimum of three hours pay. Compensation will be at their normal rate unless they have already worked more than 40 hours that week. Overtime will only be paid for hours worked in excess of 40 hours per week. **Note:** Salaried employees are not eligible for on call pay.

C. **Shift Differential.** EVMS provides shift differential pay to non-exempt employees in departments with multi-shift operations (i.e. Security, Library, Data Processing, Parking) as follows:

1. **First shift** is regularly scheduled work commencing at or any time after 4 a.m. and before 1 p.m.

2. **Second shift** is regularly scheduled work commencing at or any time after 1 p.m. and before 8 p.m. Employees working second shift are paid 5 percent (5%) above the first shift rate.

3. **Third shift** is regularly scheduled work commencing at or any time after 8 p.m. and before 4 a.m. Employees working third shift are paid at 10.25 percent (10.25%) over first shift rate.

4. **Weekend shift** is regularly scheduled work commencing on Saturday or Sunday. Employees working a weekend shift are paid at one shift higher than actually worked. Employees working the third shift on weekends are paid 15.76 percent (15.76%) above the first shift rate.

5. Any hours worked over eight in the employee's normally scheduled shift will be paid at the shift rate plus overtime, if applicable. When vacation or sick leave are used as part of a scheduled workday, hours worked will be paid at the shift rate worked with vacation or sick leave paid at first shift rate.

D. **Interim Compensation.**

1. EVMS may provide interim wage or salary adjustments for non-exempt and exempt employees who are temporarily assigned to a higher pay grade or position, that take on additional duties of a position that fall outside the scope of their position’s job description, work at specified location, or perform responsibilities that are unique to their position and require special knowledge/skills for more than thirty (30) days. In addition, an interim increase or a one-time payment equal to the interim increase amount may be provided to address recruitment and/or retention issues created by labor shortage for a position.

2. Upon request by the employee’s supervisor, Human Resources will review the functions
of the job being performed and, if they meet the required criteria referenced above, the employee will be granted up to a twenty percent (20%) salary increase retroactive to the first day, but in no event to exceed 60 days retroactive, of assuming the additional duties of the higher pay grade or position or performing responsibilities that are unique to their position and require special knowledge/skills. Such salary increase shall continue until the employee returns to his/her normal job duties. Interim increases related to recruitment and/or retention are limited to one year.

3. Supervisors should review interim compensation at regular intervals, but must certify they have been reviewed once annually at minimum. During a period of interim compensation, the employee will be entitled to his/her regular merit or other general increase on his/her normal job duty wages or salary. No increase will be given on the interim compensation amount.

E. Compensation for Inclement Weather or Other Emergency Closures.

1. Work time lost for regularly scheduled employees as a result of EVMS’ closure due to inclement weather or other emergency is considered regular work time for compensation purposes. Inclement weather or other emergency closure hours are not counted in overtime calculations for hourly employees. Further, such time will not need to be charged to an employee’s vacation or other paid leave benefit, nor will there be a requirement that the time be made up. Note: however that employees on paid or unpaid leave status (i.e. FMLA), or who were scheduled for paid leave (i.e. vacation, planned sick leave, bereavement) during the closure will not receive regular compensation for the closure and must still use their vacation or other corresponding leave.

2. Hourly (non-exempt) employees who have been deemed essential personnel by their departments and who are required to report to the EVMS campus to work when EVMS is closed due to inclement weather or other emergency, will receive their pay for the regularly scheduled hours that the employee would have worked, plus pay for the hours actually worked. For example, if the school is closed for a full business day and an employee was scheduled to work 10 hours that day, but only works 5, the employee would be paid for 15 hours (the regularly scheduled 10 hours, plus the 5 actually worked).

3. Salaried (exempt) employees who have been deemed essential personnel by their departments and who are required to report to campus to work when EVMS is closed due to inclement weather or other emergency will receive their regular pay for hours that the school is closed plus additional paid time off for hours worked.

F. Productivity/Performance Based One-Time Payments

1. EVMS may provide one-time payments (no more than once per quarter) based on defined productivity and/or performance metrics.
2. In order for employees to receive these one-time payments, the department must create a written plan documenting the following:

   a. Eligibility/exclusion criteria, including that any employee receiving a payment may not have any disciplinary action taken within the fiscal year to which the payment applies
   b. Metric(s) that will be tracked (plan must have at least one objective metric)

3. All productivity/performance based payment programs must be approved in advance by the Department Chair/Head, the appropriate business office, and Human Resources. EVMS reserves the right to discontinue any payment program at any time (although every effort will be made to give the employees affected as much notice as possible that the program is being discontinued).

V. EXEMPT EMPLOYEE DEDUCTIONS

1. Improper Deductions. It is the practice of EVMS to accurately compensate all employees in compliance with all applicable state and federal laws. Apart from deductions required by law (i.e. taxes, social security), voluntary benefits (i.e. insurance, retirement, or other voluntary deductions), and deductions permitted by law as set forth in Section B below, no other deductions from pay are permitted and salaried (exempt) employees must receive a full salary for any workweek in which work is performed. Specifically, salary may not be reduced for:

   a. Partial day absences for personal reasons, sickness or disability. (Note: each employee is required to use accrued leave for partial day absences in accordance with the Human Resources Paid Leave Policy, which provides for wage-replacement benefits for absences due to personal reasons, sickness, or disability. Salary will not, however, be reduced for partial day absences if the employee does not have accrued paid time off).
   b. You are absent because EVMS is closed on a scheduled workday.
   c. Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
   d. Any other deductions prohibited by state or federal law.

   B. Permitted Deductions. Under federal law, your salary may be reduced for the following:

   a. Full day absences for personal reasons, sickness or disability when any wage-replacement benefits provided under the Human Resources Paid Leave Policy have been exhausted.
   b. Family and Medical Leave absences (either full or partial day absences) when
wage-replacement benefits under the Human Resources, Paid Leave Policy have been exhausted.

c. To offset amounts received as payment for jury duty, court attendance as a witness or military leave.

d. To adjust your weekly pay to reflect pay for actual time worked during your first or last week of employment in the event you work less than a full week.

e. To pay state, federal or local tax, social security, the employee portion health, dental, or life insurance premiums or other benefits or payments elected by the employee; and voluntary contributions to an EVMS retirement or pension plan.

f. For penalties imposed as a result of major safety violations.

g. One or more full day absences for unpaid disciplinary suspensions that are imposed for violating EVMS Policies that relate to workplace conduct.

VI. REPORTING COMPENSATION ISSUES

1. All employees should review their pay stubs when issued to ensure that they are being compensated correctly. Any errors identified should be brought to the attention of Human Resources at 446-6043 immediately so that the mistake can be promptly corrected.

2. Any employee who believes that his/her pay has been subject to any improper deductions as outlined in Section V, should immediately report his/her concerns to the Office of Human Resources at 446-6043. Reports of improper salary deductions may also be made by using the EVMS Ethics and Compliance Hotline online or by calling 1-800-461-9330. Please note that, in order to investigate an allegation of improper salary deductions, the reporting should not be made anonymously.

3. All reports of compensation errors, including improper deductions, will be investigated within 2 business days. If substantiated, corrective action will be taken immediately, including reimbursing the employee if an improper deduction has been made.

4. In accordance with the EVMS Compliance Reporting/Anti-Retaliation Policy, any individual who makes a report as outlined above is protected from retaliation. Any allegation of retaliation (or questions/concerns about what constitutes retaliation) should be reported to the EVMS Institutional Compliance office at 446-6008 immediately.

VII. PAY TRANSPARENCY NONDISCRIMINATION

EVMS is a federal contractor and, in accordance with Executive Order 11246, EVMS shall post a Pay Transparency Nondiscrimination Provision, which states as follows:
The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor’s legal duty to furnish information.

Any questions about this statement or pay transparency should be directed to Human Resources at 446-6043.