

WEST VIRGINIA LEGISLATURE

Joint Committee on Government and Finance

EMPLOYEE POLICIES AND PROCEDURES HANDBOOK

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INTRODUCTION

The Joint Committee on Government and Finance functions in support of the West Virginia Legislature, and you are, therefore, an *unclassified* employee of the legislative branch of state government. By *West Virginia Code* §4-3-3c, all Joint Committee personnel fall under the authority and direction of the Joint Committee on Government and Finance. The Joint Committee on Government and Finance has selected a Legislative Manager to be the chief administrative manager for all Joint Committee personnel.

Because of the nature of the work of the Joint Committee, the conduct of employees can greatly affect the image and reputation of state government, the Legislature and state employees in general. It is expected that all employees of the Joint Committee maintain a high standard of conduct, both in the performance of duties and in personal actions and conduct on the job.

This handbook is consistent with state law and rules and regulations and applies to following sections of the Joint Committee staff:

- (1) Automated Systems Division;
- (2) Budget Division;
- (3) Court of Claims;
- (4) Fiscal Division;
- (5) Duplicating Division;
- (6) Legislative Auditor/Legislative Manager;
- (7) Legislative Reference and Information Center;
- (8) Legislative Rule-Making Review Committee;
- (9) Legislative Services;
- (10) Performance Evaluation and Research Division;
- (11) Post Audit Division;
- (12) Commission on Special Investigations.

AT-WILL EMPLOYMENT

Your employment with the Joint Committee is a voluntary one and is subject to termination by you or the Joint Committee at will, with or without cause, and with or without notice, at any time. Nothing in these policies and procedures shall be interpreted to be in conflict with or to eliminate or modify this at-will relationship. Your at-will employment cannot be modified by any employee and shall not be modified in any publication or document. The only exception to this policy is a written employment agreement approved at the discretion of the Legislative Manager.

This handbook is intended to introduce you to the Joint Committee and to serve only as a guide to its personnel and administrative procedures. It addresses activities which may be useful to Joint Committee employees in the normal conduct of their work. This handbook and these policies are not a contract of employment. The provisions of this handbook and our personnel policies are subject to change at any time.

1.0 EMPLOYEE INFORMATION

1.1 STATUS OF EMPLOYMENT

As an employee of the Joint Committee on Government and Finance, your position's primary purpose is to support the West Virginia Legislature. Employment with the Legislature is conditional, and employees are unclassified.

New employees are required to complete a six months probationary period. This probationary period may be extended for reasonable cause by the Legislative Manager. After successfully completing the six-month probationary period, an employee with satisfactory work performance is eligible to be placed in permanent employee status.

Following the probationary period, employment may be terminated at any time by the Legislative Manager or the employee upon two weeks written notice. However, since employees serve at the pleasure of the Legislature, the Legislative Manager may terminate the employment of any employee immediately, if necessary.

1.2 HOURS OF WORK

1.2(1) Regular Office Hours

The Joint Committee offices are open from 8:00 a.m. to 5:00 p.m. and operate on a flex-time schedule with employees working one of three schedules:

- (1) 8:00 a.m. to 4:00 p.m.;
- (2) 8:30 a.m. to 4:30 p.m.; or
- (3) 9:00 a.m. to 5:00 p.m.

Any variation in the employee's work schedule must be approved by their section head. In approving employee work schedules, all sections of the Joint Committee should attempt to schedule employees so that the office is open from 8:00 a.m. to 5:00 p.m. and to ensure that during lunch hours and at all times there is at least one employee in the office to respond to visitors and to answer the phones.

The minimum full-time workweek is 35 hours. Employees are expected to observe daily work hours and maintain *accurate* records of their work hours. (Failure to do so may be cause for disciplinary action.)

An employee should always notify her/his section head if the employee's arrival in the morning or return from lunch will be delayed for any reason. Failure to report to work promptly or observe other office hour requirements may be cause for disciplinary action.

1.2(2) Lunch hours

Lunch periods are to be scheduled between the hours of 11:30 a.m. and 2:30 p.m.

1.3 HOLIDAYS

All employees of the Joint Committee, other than paid temporary hourly employees, will be allowed to observe with pay the following holidays:

New Year’s Day	January 1
Martin Luther King Day	Third Monday of January
Presidents’ Birthday	Third Monday of February
Memorial Day	Last Monday of May
West Virginia Day	June 20
Independence Day	July 4
Labor Day	First Monday of September
Columbus Day	Second Monday of October
Veterans’ Day	November 11
Thanksgiving	Fourth Thursday of November and Friday following Thanksgiving
Christmas	December 25

In addition, employees will also be allowed to observe any days which may be appointed or approved by the President of the Senate and Speaker of the House of Delegates.

When a holiday falls on a Sunday, the following Monday will be observed as the official holiday. When a holiday falls on a Saturday, the preceding Friday will be observed as the official holiday. If Christmas or New Year’s Day occurs on a Tuesday, Wednesday, Thursday or Friday, the last half of the scheduled workday immediately preceding the holiday will be given as paid time off.

If an employee is required to work on a holiday because the Legislature is in regular or extraordinary session or is convened for interim meetings, the employee will be credited with a full day of annual leave to compensate for the loss of such holiday.

1.4 LEAVE TIME

1.4(1) Annual Leave

Full-time employees on a permanent status will be entitled to annual leave computed as follows:

<u>Years of Service</u>	<u>Full-Time Employee</u>	<u>Carry Forward Days</u>
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Less than 5 years	1.25 days each month	30 days
5 years but less than 10 years	1.50 days each month	30 days
10 years but less than 15 years	1.75 days each month	35 days
15 years or more	2.00 days each month	40 days

Annual leave earned will be prorated when an employee works less than a full month. In addition, in some years when extraordinary circumstances warrant an extension, the President of the Senate and the Speaker of the House of Delegates may grant an exemption to allow for employees to carry forward more than the normally allowed number of annual leave days.

To the degree possible, employees' requests to take specific periods of earned annual leave will be honored. However, considerations of workloads, work distribution and similar factors may necessitate changes.

Annual leave requests should be submitted to your supervisor as far in advance of the requested leave dates as possible. Verification of available leave will be recorded by the Fiscal Section of the Joint Committee. No leave is to be taken until it has been approved.

The Years of Service credit must be employment with the State of West Virginia. Breaks in service may not be counted toward the total service requirements. No credit will be given for the period between termination and reemployment.

In case of retirement, resignation, death or dismissal, except an employee convicted of a felony and dismissed as a result thereof, each employee will be entitled to pay for his/her accumulated annual leave and may be paid in a lump sum.

In the event of the death of an employee who has not used all of his/her earned annual leave, payment for the unused portion thereof will be made in a manner that will cause it to accrue to his/her heirs or estate.

1.4(2) Sick Leave

Full-time employees earn sick leave at the rate of 1.50 working days per full month of service or 18 days per year. Sick leave earned will be prorated when an employee works less than a full month.

Sick leave will be granted if an employee is unable to perform his/her duties because of sickness or injury, including pregnancy or scheduled medical or dental examination or treatment. In addition, employees can use up to 80 hours of sick leave a year to care for ill members of their immediate family.

Immediate family is defined as father, mother, son, daughter, sister, brother, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandson, granddaughter, stepmother, stepfather, stepchild, stepbrother, stepsister, and individuals in a legal guardianship relationship. Employees may also take up to three days of sick leave for a death in the immediate family.

Sick leave notification should be submitted to an employee's supervisor immediately upon the employee's return to the office. In the case of scheduled medical or dental examination, sick leave should be submitted and approved, if possible, a week prior to the scheduled examination. An employee may be required to furnish a certificate from the attending physician for sick leave granted.

1.4(3) Transfer of Sick Leave

When a state employee transfers to the Joint Committee, accrued sick leave may be transferable to the Joint Committee upon approval of the Legislative Manager. The previous employer must provide written documentation of the sick leave balance to the Joint Committee within thirty (30) calendar days after the employee commences work.

1.4(4) Use of Unused Sick and Annual Leave at Retirement

Employees hired before July 1, 2001, may apply accrued sick leave and/or annual leave toward one of two options upon retirement. The retiree must choose between the two options - either increased retirement benefit or Public Employees Insurance Agency premium payment. Employees contemplating retirement should discuss the options available with the Consolidated Public Retirement Board.

Employees hired on and after July 1, 2001, are not eligible to use accrued sick and/or annual leave to extend employer-paid insurance upon retirement.

1.4(5) Family and Medical Leave

The Joint Committee complies with the Family and Medical Leave Act. The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

1.4(5A) General Provisions

Under this policy, the Joint Committee will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave.

1.4(5B) Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- 1) The employee must have worked for the employer for 12 months or 52 weeks, and
- 2) The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence.

1.4(5C) Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- 1) The birth of a child and in order to care for that child.
- 2) The placement of a child for adoption or foster care and to care for the newly placed child.
- 3) To care for a spouse, child or parent with a serious health condition.
- 4) The serious health condition of the employee.
- 5) Because of a "qualifying exigency" relating to the active-duty status or call to active-duty in the armed forces of a spouse/same-sex domestic partner, son, daughter, or parent of the employee, including those contingencies set forth in the applicable regulations, summarized as follows:
 - a. short-notice deployment;
 - b. military events and related activities;
 - c. to arrange for childcare, or provide childcare on an urgent basis, or for school activities;
 - d. to make financial or legal arrangements;
 - e. to attend counseling;
 - f. to spend time with the service member while on short-term leave;
 - g. for post-deployment activities; and
 - h. for other activities in accordance with the regulations.
- 6) Because care is required for a family member or next of kin who is a member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, or is otherwise in outpatient status on the temporary disability retired list, for a serious injury or illness.

1.4(5D) Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during a 12-month period. The Joint Committee will measure the 12-month period on a calendar year basis. Each time an employee takes leave, the Joint Committee will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the Joint Committee will measure the 12-month period as a calendar year. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

1.4(5E) Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Fiscal Office. Within five business days after the employee has provided this notice, the Fiscal Office will complete and provide the employee with the DOL Notice of Eligibility and Rights.

(<http://www.dol.gov/esa/whd/fmla/finalrule/WH381.pdf>)

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the Joint Committee's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

1.4(5F) Certification for FMLA Leave

The Joint Committee will require certification for a leave request due to an employee's serious health condition, a family member's serious health condition, a qualifying exigency for military family leave, or a serious injury or illness of a covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay.

1.4(5G) Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Fiscal Office will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.
(<http://www.dol.gov/esa/whd/forms/WH-382.pdf>)

1.4(5H) Employee Status and Benefits During Leave

While an employee is on leave, the Joint Committee will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Joint Committee will require the employee to reimburse the company the amount it paid for the employee's health insurance premium during the leave period.

Under current Joint Committee policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

1.4(5I) Intent to Return to Work From FMLA Leave

The Joint Committee may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

1.4(5J) Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

1.4(5K) Leave for the Addition of a Child to a Family

An employee, who is eligible for leave under the FMLA for the birth of a child or the placement of a child with the employee's immediate family for adoption and/or foster care, is not required to use annual or sick leave for that absence.

1.4(5L) Leave for Critically Ill Family Member

An employee who is eligible for leave under the FMLA due to a serious illness or accident to care for a spouse, child or parent, must expend all of his/her annual and sick leave prior to going on leave without pay status.

1.4(6) Military Leave

In addition to annual leave, members of the National Guard or a Reserve component of the United States Armed Forces are authorized paid leave for up to 30 state working days in any calendar year for the purpose of required training or active service with such units and 30 additional working days upon deployment. An employee may be required to submit an order or statement in writing from the appropriate military officer in support of a request for military leave. A request for military leave should be submitted to an employee's supervisor one month prior to the commencement of such leave, if possible.

1.4(7) Annual Leave Time for Work on Saturdays and Sundays

Annual leave cannot be accrued for hours worked in excess of the normal workday or workday, except that employees will be credited with annual leave to compensate for the loss of the weekend day if the employee is required by their immediate supervisor to work on a Saturday or Sunday because the Legislature is in regular or extraordinary session or is convened for interim meetings. In other instances where an employee is required to work on a Saturday or a Sunday, such as to prepare for a legislative meeting, annual leave time will not be given unless the work is approved in writing, in advance, by the Legislative Manager.

1.4(8) Administrative Leave With Pay

1.4(8A) Jury Duty - An employee who is summoned as a member of a jury panel will be granted administrative leave with pay, and any jury fees and travel reimbursement will be retained by the employee. A signed and dated documentation from the court must be filed with employee's immediate supervisor upon completion of jury duty.

1.4(8B) Court Testimony - An employee subpoenaed as a witness in any court proceeding will be granted administrative leave with pay, unless the employee has been subpoenaed as a witness in a matter involving the employee's own personal litigation. A signed and dated "witness subpoena" document from the court must be filed with employee's immediate supervisor upon completion of proceeding.

1.4(9) Leave Without Pay

In addition to the requirements for leave without pay authorized by the Family and Medical Leave Act, at the discretion of the Legislative Manager, a full-time employee in good standing may be granted a leave of absence without pay for a period not to exceed one year. Such leave will not be granted until after all accumulated annual leave or, if applicable, sick leave has been exhausted. A written request should be made one month in advance prior to commencement of the leave of absence.

An employee on leave-without-pay status will not accrue annual leave or sick leave, while on leave status. An employee on leave without pay is not covered by workers' compensation.

Upon returning to work, an employee who has been in leave-without-pay status will receive any cost-of-living increase granted to all employees during the period of leave.

1.4(10) Leave Donation Program

All employees of the Joint Committee are eligible to participate in the voluntary annual leave donation program for state employees in accordance with WV Code §29-6-27 and the Division of Personnel's Leave Donation Program (143CSR2). For procedures, eligibility requirements, Application to Donate Annual Leave forms and Application to Receive Donated Leave forms, see your payroll or benefits coordinator.

1.5 HAZARDOUS WEATHER POLICY

The Joint Committee recognizes the fact that inclement weather and other emergencies can affect its ability to open for business and the employee's ability to get to

work. The safety of our employees is paramount in any emergency situation. Please do not attempt to travel to the office if you believe conditions are not safe for you to travel.

If you are unsure as to whether the office will open, it is your responsibility to contact your supervisor or section head to determine that information. Section heads and supervisors will make their best efforts to contact employees when the office will be closed.

In the sole discretion of the Speaker of the House and the President of the Senate, a determination will be made as to whether Joint Committee Offices are closed for inclement weather and other emergencies. When this occurs, employees will not be charged annual leave for that day.

If hazardous weather conditions make it difficult or impossible for an employee to report to work, but the President of the Senate and Speaker of the House of Delegates have not given employees the day off, or if the employee arrives late or leaves early, the employee will be allowed, *at the discretion of the Legislative Manager*, to:

- (1) Make up the time lost from work at a time scheduled by the employee's Supervisor;
- (2) Use accrued annual leave; or
- (3) Take leave without pay.

When unable to report to work due to weather conditions, employees should notify their supervisor prior to 9:00 a.m.

2.0 EMPLOYEE COMPENSATION

2.1 PAYROLL PERIODS

Joint Committee employees are currently paid on a bi-monthly basis. During 2015, it is anticipated that all employees will begin to be paid on a bi-weekly basis. Effective September 1, 2001, all new employees are paid on a delayed payroll.

2.2 COST-OF-LIVING INCREASES

In some years, legislative employees may be awarded a fixed percentage or dollar amount cost-of-living increase. These increases are usually effective as of the beginning of the next pay period after the increase is awarded. All permanent employees who are on the Joint Committee payroll at the time the cost-of-living increase is awarded are eligible for this increase, regardless of how long they have worked.

2.3 ANNUAL INCREMENTAL SALARY INCREASE

Every permanent employee with three or more years of service will receive an annual salary increase of \$60 times the employee's years of service. This salary increase is paid in a lump sum with the second payroll in July.

2.4 OVERTIME AND COMPENSATORY TIME

The Joint Committee does not pay overtime or grant compensatory time for hours beyond the normal workday. As a legislative entity, the Joint Committee staff (with the exception of the Legislative Librarian and the Crime Victims Compensation Fund) are exempted from the Federal Fair Labor Standards Act. Yet, as legislative staff, employees are often expected to work beyond the normal workday, especially during the legislative session. Extraordinary hours should be tracked by employees and submitted to their supervisor or section head. Supervisors and section heads will take into consideration any extraordinary work hours an employee has been required to perform, prior to requiring an employee to take annual leave or leave without pay for the late arrival in the morning.

2.5 WORKERS' COMPENSATION INSURANCE

All state employees are covered under the Workers' Compensation laws of West Virginia. In case of injury while carrying out his/her duties, an employee may be entitled to allowance for medical and other expenses connected with such injury. Any such injury should be reported to an employee's supervisor immediately and to the Legislative Manager within 24 hours. Proper claims forms then will be filed with the workers' compensation provider.

2.6 EMPLOYEES RETIREMENT SYSTEM

All employees of the Joint Committee are members of the West Virginia Consolidated Public Retirement Board. A deduction of 4.5 percent of an employee's gross salary will be contributed to the system each payroll period.

2.7 HEALTH INSURANCE

All permanent employees of the Joint Committee who work at least an average of 20 hours per week or 1,040 hours per year are eligible to participate in the state health plan. The effective date of insurance shall be in accordance with applicable state law and the rules and regulations of the state Public Employees Insurance Agency.

3.0 PERSONNEL POLICY

3.1 PROCEDURAL PRACTICES

3.1(1) Disciplinary Action

As legislative employees, Joint Committee staff members are deemed appointees of the Legislature and serve at the pleasure of the Legislature. At the discretion of the Legislative Manager, in consultation with an employee's immediate supervisor, disciplinary action may include and written reprimand, suspension, transfer, demotion, dismissal, or other action deemed appropriate.

3.1(1A) Written Reprimand - A written reprimand is defined as a formal written censure of an employee for behavior violating the policies and procedures of the Joint Committee. A written reprimand will include a warning of what type of further disciplinary action will be taken unless the behavior is immediately ceased. A written reprimand becomes a part of an employee's official personnel file. Thirty-six months after receiving a written reprimand, an employee can formally request to the Legislative Manager that the written reprimand be removed from the employee's personnel file.

3.1(1B) Suspensions - A suspension is defined as an action taken by the Legislative Manager against an employee to relieve the employee temporarily of his/her duties and place the employee on leave without pay as a disciplinary measure.

3.1(1C) Dismissal - Employees serve at the will and pleasure of the Legislature. The Joint Committee or the Legislative Manager has authority to terminate the employment of any employee at any time.

3.1(1D) Complaints - As legislative employees, Joint Committee staff members are not entitled to formal grievance process. However, all permanent employees may present and seek answers to complaints without fear of restraint, interference, coercion, discrimination or reprisal. Such matters should first be attempted to be resolved by discussion with the employee's immediate supervisor.

3.1(2) Disciplinary Offenses

A supervisor may impose disciplinary action for numerous reasons. The type of disciplinary action taken by the supervisor usually depends upon the severity of the offense and the circumstances surrounding the offense. It must be noted that some offenses are quite severe on their face, while others would not be considered so severe unless they involved repetition or maliciousness by the employee. The following examples are not intended to limit actionable offenses to

those listed nor are they intended to delineate the type of disciplinary action that must be taken in any individual situation.

Examples of offenses that could lead to serious discipline, including termination, on the first instance:

- 1) Intoxication or use of illegal drugs on the job
- 2) Fighting or violent behavior on the job or towards a co-worker
- 3) Theft
- 4) Willful destruction of property
- 5) Gross insubordination
- 6) Falsifying Records
- 7) Use of undue influence to gain or attempt to gain promotion, leave, favorable assignment or other individual benefit or advantage
- 8) Falsification, fraud or omission of information in applying for a position
- 9) Failure to report to work without notification or authorization.
- 10) Releasing confidential or sensitive information
- 11) Discrimination or harassment

Examples of offenses that could lead to discipline.

- 1) Unauthorized or improper use of any type of leave
- 2) Tardiness
- 3) Chronic absenteeism
- 4) Sleeping on the job
- 5) Violation of, or failure to comply with, the Joint Committees' policies and procedures.
- 6) Failure to maintain satisfactory and harmonious working relationships with other employees
- 7) Foul and abusive language
- 8) Inefficiency, incompetence or negligence in the performance of duties.
- 9) Insubordination

3.1(3) Resignation

An employee who resigns should submit his/her resignation in writing to his/her section head or the Legislative Manager and should state the employee's reasons for resigning. Resignations should be submitted so as to provide a minimum of two weeks' notice. An employee who resigns may not rescind a resignation unless the Legislative Manager agrees to the rescission.

3.1(4) Reduction-In-Force

Reduction-in-force may require the separation of all employees or may require the separation of some and the reassignment of others. In cases where reduction-in-force may be required, first the following steps will be considered:

- 1) Keeping existing vacancies unfilled;
- 2) The extent to which temporary or part-time staffs may be reduced; and
- 3) The termination or short-term suspension of probationary employees.

It will be the judgment of the Legislative Manager (based upon such factors as the essential nature of work being performed, the priority of the project to which individual employees have been assigned and the quality of individual employee's performance) which will determine any reduction-in-force as it may be applied to permanent employees. Only in instances when all other factors and considerations are essentially equal will seniority in service on staff be considered in reduction-in-force decisions, and in those instances the employee or employees with the longest time in service will be retained.

3.1(5) Employee Performance Appraisal

The Joint Committee, in its discretion, may utilize performance appraisals to assist each employee in his/her work. The employee's immediate supervisor is responsible for evaluating work performance and for consulting with the employee on a continuing basis.

3.1(5A) Procedure

Generally, the following appraisal procedures may apply:

- 1) All "performance appraisals" shall be made by the employee's supervisor who has knowledge of the work being performed and shall then be reviewed and approved by the appropriate section head or the Legislative Manager prior to the appraisal being discussed with the employee.
- 2) All written performance appraisals become a permanent part of the employee's official personnel file.

3.2 POLICY ASSURANCES

3.2(1) Equal Employment Opportunity

It is the policy of the Joint Committee that no employee, applicant for employment, vendor, independent contractor or other individual will be discriminated against based upon age, race, color, creed, religion, sex, sexual

orientation, national origin, disability, veteran status, or other protected class or characteristic established under applicable federal, state or local statute or ordinance.

The Joint Committee will not condone, permit or tolerate discrimination as described above. Persons who engage in such discrimination will be subject to appropriate discipline up to and including termination of his/her employment.

If you feel you have been subjected to discrimination, or have witnessed any discrimination, please report it immediately to your supervisor(s) or the Legislative Services Manager. Any complaint of alleged discrimination will be carefully investigated. Should there be any violation of this policy, appropriate actions will be taken to correct the matter. The Joint Committee will not tolerate retaliation against anyone who in good faith lodges a complaint under this policy.

3.2(2) Reasonable Accommodation

The Joint Committee is committed to ensuring equal access to services, programs, and activities for persons with disabilities. It is the policy of the Joint Committee to provide reasonable accommodation to a qualified person with a disability to enable such person to perform the essential functions of the position to which he or she is applying or in which he or she is employed.

When an employee believes he or she needs some accommodation to perform his/her position, the employee should inform his/her supervisor of that need. In order to assist management in determining if it can provide accommodation, the employee should participate in discussions with management to determine possible accommodations that the Joint Committee may consider making to assist the employee in performing the essential functions of their position. Once a request for an accommodation is received by the office, a determination will be made if the accommodation can be made.

3.2(3) Substance Abuse

The Joint Committee recognizes alcohol and drug abuse as potential health, safety and security problems. The Legislature expects all employees to assist in maintaining a work environment free from the effects of alcohol, controlled narcotics or other intoxicating substances. Compliance with this substance abuse policy is made a condition of employment.

3.2(4) Use of Tobacco

The Joint Committee requires that employees who smoke or use smokeless tobacco do so either outdoors.

3.2(5) Unlawful Harassment and Discrimination

The Joint Committee strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The Joint Committee will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the company will seek to prevent, correct and discipline behavior that violates this policy.

The Joint Committee policy prohibits sexual harassment and harassment based on sex, race, religion, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful.

The Joint Committee's anti-harassment policy applies to all employees and prohibits unlawful harassment by any employee, including supervisors, as well as vendors and any other persons. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

The Joint Committee, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

3.2(5A) Discrimination

It is a violation of the Joint Committee's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

3.2(5B) Harassment

The Joint Committee prohibits harassment, including sexual harassment, of any kind, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker or any person working for or on behalf of the Joint Committee. Verbal taunting (including racial and ethnic slurs) is included in the definition of harassment.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or other protected status.

3.2(5C) Sexual Harassment

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under the Joint Committee's anti-harassment policy. Sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment."

There are two types of sexual harassment:

- "Quid pro quo" harassment, where submission to harassment is used as the basis for employment decisions. Employee benefits such as raises, promotions and better working hours are directly linked to compliance with sexual advances. Therefore, only

someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Examples: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.

- “Hostile work environment,” where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or customers. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials or even unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee’s work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.

- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

3.2(5D) Retaliation

No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to sanctions up to and including termination of employment.

3.2(5E) Complaint Process

When an employee feels that he/she has been a victim of unlawful harassment, he/she should discuss the matter with the employee's immediate supervisor, their section head, or the Legislative Manager. The Joint Committee will thoroughly investigate all unlawful harassment complaints in a confidential manner. The investigation, which may be referred to the Commission on Special Investigations, will include questioning of any witnesses. It will also include the questioning of the individual(s) accused of wrongdoing to afford them the opportunity to respond to the allegations of the complaint. The investigation shall be concluded in an expeditious fashion. The investigating authority shall collect, record and safeguard all information and/or evidence relative to the incident(s) and report findings to the Legislative Manager.

Lodging a complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. Because of the damaging nature of harassment to the victims and to the entire workforce, aggrieved employees are strongly urged to use this procedure. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

Appropriate disciplinary action will be taken by the Joint Committee for complaints that are determined to be unlawful harassment, and will be taken based on the facts, on a case by case basis, up to and including termination of employment.

3.3 WORKPLACE VIOLENCE

All employees of the Joint Committee have the right to a safe, secure and violence free work environment. The Joint Committee recognizes this right and acknowledges that nothing is more important than the safety and security of its employees and visitors. As such, the Joint Committee intends to protect, as fully as possible, against violent, threatening or intimidating behavior that may occur in the work environment. Any employee who makes threats of violence, exhibits threatening behavior, or engages in violent acts within the Joint Committee offices or Capitol Grounds may be removed from the premises as quickly as safety permits and will be prohibited from returning to the premises pending the outcome of an investigation. If an employee is found to have violated this policy, they may be subject to disciplinary action, up to an including termination of employment and arrest and prosecution.

3.4 APPEARANCE

Employees contribute to the workplace culture and reputation in the way they present themselves. A professional appearance is essential to projecting a favorable impression of the Joint Committee to others. Good grooming and appropriate dress reflect employee pride and inspire confidence on the part of such persons.

Section heads may exercise reasonable discretion to determine appropriateness in employee dress and appearance, and may develop specific written guidance for their employees. Employees who do not meet a professional standard may be sent home to change.

Basic elements for appropriate and professional business attire include clothing that is in neat and clean condition. Basic guidelines for appropriate workplace dress do not include tight or short pants, tank tops, halter tops, low-cut blouses or sweaters, or any extreme style or fashion in dress, footwear, accessories, fragrances or hair.

Although it is impossible and undesirable to establish an absolute dress and appearance code, Joint Committee will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather. An employee unsure of what is appropriate should check with his or her Section head.

4.0 OFFICE PROCEDURES

4.1 TRAVEL

The Joint Committee generally follows the travel guidelines issued by the state's Purchasing Division and Auditor's office, with certain exceptions. Payment for travel

expenses must have the approval of the Legislative Manager and/or the Speaker of the House of Delegates and the President of the Senate.

4.1(1) Out-of-State Travel

All requests for out-of-state travel by Joint Committee employees must follow the following process: (1) first, the employee's supervisor must approve the request for travel; (2) the travel request will then be sent to the Legislative Manager for his approval; and (3) the Legislative Manager will present the out-of-state travel request to the Speaker and the President for their approval.

4.1(2) In-State Travel

All in-state travel requests must be approved by an employee's section head or the Legislative Manager.

4.2 TELEPHONE USAGE

The telephones of the Joint Committee have been installed for the purpose of conducting official business. It is important, therefore, that the use of the telephone for personal local calls be restricted to an absolute minimum. Personal long-distance calls are prohibited.

4.3 EQUIPMENT AND SUPPLIES

Office supplies, equipment, postage, duplicating facilities, etc., are to be used only for office business. Employees should not use these supplies and facilities for personal purposes.

Any equipment removed from the offices of the Joint Committee will be done so for office purposes only and must be approved in advance by the employee's section head or the Legislative Manager. Full justification shall accompany such request on the Equipment Sign In/Out forms provided.

4.4 PURCHASING

As a legislative entity, the Joint Committee is exempt from the provisions of state procurement laws. However, it is normally the policy of the Joint Committee to comply with the procurement procedures outlined by state law for executive branch agencies.

5.0 USE OF INFORMATION TECHNOLOGY RESOURCES

5.1 OVERVIEW

All IT resources provided by Joint Committee are related to, or for the benefit of, Joint Committee and West Virginia state government. The resources are to be used for

business purposes in serving the interests of the Joint Committee and of our constituents in the course of normal operations. Disruptions to West Virginia state government activities resulting from inappropriate use of such resources are to be avoided.

Effective security is a team effort involving the participation and support of every Joint Committee employee and affiliate who deals with information or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

5.2 PURPOSE

This policy, issued by the Joint Committee, outlines the acceptable use of computer equipment at Joint Committee and is provided to inform employees of the Joint Committee's expectations for the use and protection of Information Technology (IT) resources that are provided by Joint Committee. These rules are in place to protect the employee and Joint Committee. Inappropriate use exposes Joint Committee to risks including virus attacks, compromise of network systems and services, and legal issues.

5.3 SCOPE

This policy applies to any and all IT resources provided by Joint Committee regardless of how (e.g., via loan, purchase, lease, time-share, etc.) the resources were acquired. These resources include applications, desktop personal computers, tablets, iPads, laptops, printers, data networks, servers, E-mail, connectivity to the Internet, electronic voice and video communications, document management/imaging copiers or scanners, microform, facsimile, and any future technologies that Joint Committee may use to accomplish its mission and goals.

Compliance with the provisions of this policy applies to any individual performing work using Joint Committee provided IT resources. This also includes all Joint Committee per-diem employees.

This policy is meant to supplement, not supersede, Joint Committee or state policies on confidentiality and the use of Joint Committee owned or state owned property or resources. Questions about specific security-related uses which are not detailed in this policy should be directed to a supervisor or manager.

5.4 POLICY NOTIFICATION

Any individual requiring the use of a Joint Committee related IT resources shall be made aware of this policy prior to being granted access to such resources. The individual must indicate, in writing, that he or she has read this policy by signing the Acceptable Use Acknowledgement Form. Directors will forward all signed forms to the Joint Committee's Fiscal Office for placement in the employee's official personnel file.

5.5 RESPONSIBILITIES / REQUIREMENTS

Each employee is required to complete the Information Security training. In addition, each employee is accountable for securing his or her computer, and for any actions that can be identified to have originated from it. Employees are expected to guard against access to data, electronic or printed, and take precautions to protect data and electronic devices when away from their workstation by doing the following:

- (A) Logging off computer;
- (B) Locking computer; or
- (C) Locking file cabinets and drawers.

Passwords are confidential and must not be shared under any circumstances.

- (A) Employees are required to change passwords every 3 months;
- (B) Passwords must be at least 8 characters long; and
- (C) Must contain at least one upper case letter, one lower Case letter, one number, and one special character.

5.5(4)

Employees are prohibited from monopolizing systems, overloading networks with excessive data, or wasting computer time, connect time, bandwidth, disk space, printer paper, or other IT resources.

5.5(5)

Personal data (i.e. pictures, music, documents not work-related) is not to be stored on network devices.

5.5(6)

Section Heads must immediately notify the IT Division (LASD) upon termination or transfer of an employee, as well as, the Fiscal Office.

5.5(6A) - When an employee is terminated, all access will be disabled immediately, unless otherwise approved in writing by appropriate management.

5.5(6B) -When an employee transfers, all access will be modified to accommodate new roles and responsibilities.

5.5(7)

Confidential, private, personally identifiable information (PII) or sensitive data (i.e. credit card numbers, calling card numbers, logon passwords, SSN, health information, or other protected information), must be encrypted or disassociated

from any individual prior to transmission through any public data communications infrastructure, such as a network or the Internet.

5.5(8)

Employees are expected to report to their supervisor or director, in accordance with Incident Response Procedures document, if they:

(A) Become aware of possible breaches of security or confidentiality; or

(B) Know of any inappropriate use of Joint Committee provided IT resources; and

(C) Employees will contact an immediate supervisor if there is doubt concerning authorization to access any Joint Committee IT resource, or if questions arise regarding acceptable or unacceptable uses. If criminal activity is suspected or detected, reporting should occur up the supervisory or **management** chain without delay.

5.5(9)

Public use of Joint Committee resources (employee computers, telephones, copiers, etc.) is prohibited. Individuals not employed by the West Virginia Legislature may not use employee computers, or download information from the internet or from mobile media of any kind (CDs, DVDs, flash drives, portable hard drives, etc.) to employee computers.

5.6 ACCEPTABLE USES OF JOINT COMMITTEE PROVIDED IT RESOURCES

Access to Joint Committee systems is a privilege, not a right. Access to any Joint Committee provided IT resource may be denied or revoked without notice at any time, for any reason.

5.6(1)

Information resources are designated for authorized purposes. Minimal personal use of State-provided IT resources is allowed and should not interfere with the legitimate business of the State.

5.6(2)

As a benefit, employees are permitted to use their Joint Committee provided IT resources for college studies already approved and being reimbursed by Joint Committee. However, the employee must obtain the section head's written acknowledgement and approval in advance. Further, such personal usage must take place on the employee's own time and cannot conflict with Joint Committee interests.

5.6(3)

Employees may use Internet facilities for non-business research or browsing during meal-time or other breaks, or outside of normal work hours yet within their usual building access times, provided that all other usage policies are adhered to.

5.6(4)

The Joint Committee reserves the right to filter Internet site availability, and monitor and review employee use as required for legal, audit, or legitimate authorized State operational or management purposes.

5.6(5)

Joint Committee reserves the right to inspect any and all files stored in private areas of the network, or on employee assigned devices (computer, tablet, external storage devices, etc.) to assure compliance with this policy.

5.6(6)

Joint Committee neither guarantees against, nor shall it be responsible for, the destruction, corruption or disclosure of personal material on or by its IT resources. Specifically, Joint Committee reserves the right to remove, replace or reconfigure its IT resources without formal notice to employees (despite the fact that advance notice will normally be given).

5.7 UNACCEPTABLE USES OF JOINT COMMITTEE PROVIDED IT RESOURCES

Joint Committee provided IT resources shall NOT be used:

5.7(1)

For illegal purposes, or in support of such activities; illegal activities shall be defined as any violation of local, state, or federal laws;

5.7(2)

For commercial purposes, product advertisement, or “for-profit” personal activity;

5.7(3)

For viewing, transmitting, receiving, saving, or printing sexually explicit material;

5.7(4)

For promotion of political or religious positions or causes;

5.7(5)

To distribute incendiary statements which might incite violence or describe or promote the use of weapons or devices associated with terrorist activities;

5.7(6)

To promote harassment or illegal discrimination on the basis of race, gender, national origin, age, marital status, religion, or disability;

5.7(7)

To propagate any virus, worm, Phishing, Trojan horse, or trap-door program code;

5.7(8)

To access or attempt to access records within or outside Joint Committee's local area network for which the employee is not authorized;

5.7(9)

To bypass Joint Committee security and access control systems;

5.7(10)

To conduct any form of network monitoring, such as port scanning or packet filtering unless expressly authorized by the Joint Committee

5.7(11)

To violate the privacy of individual users by reading e-mail or private communications without legal authority, or authorization based upon documented just cause;

5.7(12)

To send or share unencrypted confidential information for authorized or unauthorized purposes including, without limitation: credit card numbers, telephone calling card numbers, logon passwords or other parameters that can be used to access data;

5.7(13)

For unauthorized peer-to-peer networking or peer-to-peer file sharing;

5.7(14)

To commit security violations related to electronic communications including:

- (A) Participation in chain letters or unauthorized chat programs, or forwarding or responding to SPAM;
- (B) Sending unsolicited commercial e-mail messages, including the distribution of “junk mail” or other advertising material to individuals who did not specifically request such material;
- (C) Unauthorized use for forging of e-mail header information;
- (D) Solicitation of e-mail for any other e-mail address, other than that of the poster’s account, with the intent to harass or to collect replies;
- (E) Posting messages to large numbers of users (over 50) without authorization; or
- (F) Posting from an agency e-mail address to newsgroups, blogs, or other locations without a disclaimer stating that the opinions expressed are strictly their own and not those of the State or the Joint Committee or the Legislature, unless posting is in the fulfillment of business duties.

5.7(15)

For pyramid selling schemes, multi-marketing schemes, or fundraising for any purpose unless sanctioned by Joint Committee;

5.7(16)

To store any unauthorized data, information, or software on IT resources that are provided by Joint Committee. Because of the wide variety of materials that may be considered offensive by colleagues, clients or partners, it is a violation of policy to store, view, print or distribute any document or graphic file that is not directly related to one’s job or the activities of Joint Committee;

5.7(17)

To download software without having a direct business use. Employees may download software for business use only, and must arrange to have such software properly licensed and registered. Downloaded software must be used only under the terms of the license;

5.7(18)

To download entertainment software, games, music, or streaming content. Employees may not watch television programs and movies, play games, or participate in gaming or gambling over the Internet;

5.7(19)

To misrepresent oneself or the State of West Virginia;

5.7(20)

By anyone other than Joint Committee employees or authorized contractors.

5.8 ENFORCEMENT

Any employee found to have violated this policy may be subject to disciplinary action ranging from being issued a warning, suspension of privileges, or dismissal from Joint Committee and prosecution under state or federal statutes depending on the circumstances of the incident.

5.9 SUPPLEMENTS AND EXCEPTIONS

Supplements to this policy may be issued by each Joint Committee section to address specific concerns or operational needs. However, any exceptions to this policy shall require prior written approval of the Joint Committee IT Security Officer.

5.10 DEFINITIONS

Personally Identifiable Information (PII) – Information that identifies, or can be used to uniquely identify, locate, contact or impersonate a particular individual. Examples include: full name; telephone number; street address; social security number; E-mail address; vehicle registration plate number; driver’s license number; or credit card numbers.

Phishing - The process of attempting to acquire sensitive information such as usernames, passwords or credit card details by pretending to be a trustworthy entity in an electronic communication.

Trojan horse – A program that hides its true intent and then reveals itself when activated.

Virus – A self-replicating computer program that can infect a computer without the permission or knowledge of the user by secretly attaching itself to another document or program and executing when that document or program is opened.

Worm – A self-replicating computer program that uses a network to send copies of itself to other computers without any user intervention and without attaching itself to an existing program.

5.11 SOCIAL MEDIA POLICY

The Joint Committee understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all Joint Committee employees.

5.11(1) GUIDELINES

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Joint Committee, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider the risks involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects those who work on behalf of the Joint Committee or Legislature may result in disciplinary action up to and including termination.

5.11(1A) Adhere to Joint Committee Policy

You are responsible for ensuring your postings are consistent with the Joint Committee's policies, including, but not limited to, confidentiality, unlawful harassment, and workplace violence. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

5.11(1B) Be respectful

Always be fair and courteous to fellow employees, suppliers/vendors or people who work on behalf of the Joint Committee. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, disparaging, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law.

5.11(1C) Be honest and accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Never post any information or rumors that you know to be false about the Joint Committee, fellow employees, suppliers/vendors, or persons working on behalf of the Joint Committee.

5.11(2) RETALIATION IS PROHIBITED

The Joint Committee prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination of employment.