

Office of the Commissioner  
Division of Human Resources



U. S. Virgin Islands  
Department of Education

# EMPLOYEE HANDBOOK

Update: December 2012

*Ensuring a quality  
Workforce  
through synergy  
and service!*

## NOTICE

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This handbook summarizes rules, regulations, laws, policies and procedures regarding your employment. From time to time, there will be revisions and notifications of these changes.

It is necessary for us to make clear that this handbook is not part of a contract, even though some of the items noted in this book make reference to language set forth in Collective Bargaining Agreements in effect within the Virgin Islands Department of Education.

The information contained herein does not reflect or represent every conceived situation, but those often encountered. Misconduct or situations not described will be handled as warranted by the circumstances. Penalties or disciplinary action may be modified by extenuating circumstances.

## FOREWORD

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This handbook has been prepared to welcome you, a new employee of the Virgin Islands Department of Education, and to provide key information about the Virgin Islands Department of Education in a convenient, readable and accessible format. It outlines much of the office procedures found within the Department's Division of Human Resources. In addition, it provides a synopsis of a variety of laws, rules, contractual agreements, regulations, policies and procedures found in a number of publications with the Department of Education and in Government service. Becoming familiar with them is the first step to understanding what it takes to be a productive employee.

This handbook is not the definitive source of answers to all questions that may arise on the job. It is to be used as a reference and working guide and is designed to ensure that all policies of the Virgin Islands Department of Education are carried out with uniformity and impartiality and that there is a common understanding of critical office procedures within the Division of Human Resources. Unless language here refers specifically to language outlined in a collective bargaining agreement, no provision of this handbook should be interpreted as requiring a course of action specifically addressed in a collective bargaining agreement.

It is important that you understand that this is not a binding contract but, rather, a set of guidelines for the implementation of personnel policies. The Division of Human Resources may modify some of the provisions of this handbook at any time.

After consulting this handbook, you may still have questions about a particular policy or procedure. If so, please contact the Division of Human Resources or speak with your supervisor or school administrator. Finally, it is important to note here that this is an evolving document. We hope to make it stronger and better with each annual revision. Feel free to make recommendations for any addition that may be useful to fellow employees.

Nicole Jacobs  
Assistant Director of Human Resources

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## Vision Statement of the Division of Human Resources

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To use all available means and resources to develop creative and innovative human resources solutions to the issues challenging the St. Thomas/St. John and St. Croix Districts.

## Mission of the Division of Human Resources

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The Division of Human Resources establishes, develops, recognizes and maintains a quality education work force by providing quality and timely service to all our customers with integrity, fairness, sensitivity, reliability and confidentiality.

## Division of Human Resources Operational Principles

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- Adds value to the schools and activity centers we serve and contributes to their ethical success;
- Commits to strengthening our competencies on a continuous basis;
- Promotes and fosters fairness and justice for all employees and their school or activity centers;
- Maintains a high level of integrity and does not engage in activities that create actual, apparent or potential conflicts of interest;
- Protects the rights of individuals, especially in the acquisition and dissemination of information while ensuring truthful communications and facilitating informed decision-making;

## Responsibilities of the Division of Human Resources

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- Administers all human resource related function of the department including contract administration, employee assistance, recruitment, selection and placement of personnel;
- Maintains all personnel files and evaluates credentials for employment of professional, instructional and support staff;
- Prepares all documents necessary for appointments, transfers, leaves of absence, salary changes, and verification of employment/income forms
- Conducts research for reports on employee related matters and other personnel actions;
- Administers each union contract and provides labor relations and grievance handling support to management
- Promulgates personnel policies and procedures;
- Develops strategic human resources initiatives to support recruitment, retention, succession planning and professional development activities.

## Activity Centers

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### TESTING, PLANNING, RESEARCH AND EVALUATIONS

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- Department's warehouse and clearing-house for educational information.
- Department's research and development support arm for state, local, federal and intradepartmental agencies;
- Works at improving the quality, comparability, and utility of educational data;
- Helps stakeholders utilize information based on accurate data to make informed decisions, which positively impact student achievement.

### SCHOOL DISTRICT ADMINISTRATION

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- Reviews and monitors district activities, develops and introduces changes for improved services and efficiency;
- Provides the leadership necessary for managing, implementing and coordinating all instructional and support services provided by district level personnel;
- Provides the professional development for all educators and parents to raise the standards for teaching and learning;

This activity center is responsible for the operation of the district's schools. Responsible for the long range and immediate needs of all public school students, in grades K-12, within the district.

### LEGAL COUNSEL

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- Responsible for advising the commissioner on policy decisions.
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### PUBLIC INFORMATION OFFICE

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- Responsible for managing the execution of public relations activities and public information functions for the agency and specifically the territory's public schools;

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- These activities include but are not limited to the research, preparation and dissemination of press releases and pertinent information concerning issues, events and other items of public interest relating to schools and education; correspondence, fielding media inquiries, messages and speech writing.

## CURRICULUM, INSTRUCTION AND TECHNOLOGY

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This area is headed by a Deputy Commissioner who formulates policies and provides leadership and technical assistance on varied instructional initiatives.

Responsible for the monitoring and evaluation of programs such as:

- Bilingual/English as a Second Language, Instructional Technology, and Advanced Placement/Gifted & Talented Programs;
- Oversees the District Offices of Curriculum, Assessment and Technology;

## FISCAL AND ADMINISTRATIVE SERVICES

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- Executes departmental fiscal policies developed by the Commissioner of Education;
- Provides supportive services to other activity centers;
- Oversees audits of various programs throughout the department;
- Oversees the development of the department's federal and local budgets;
- Oversees the expenditure of the department's allotments;
- Oversees certain federal programs and capital/construction projects;
- Monitors the procurement and warehouse operations;

## FEDERAL GRANTS & AUDIT

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Federal Grants and Audit Office is responsible for:

- Overseeing grant management activities for the Department;
- Preparing grant applications, grant monitoring, federal financial reporting and allocating federal funds;
- Coordinates audits of federal funds, audit responses and other related activities involving audits;

## BUDGET CONTROL OFFICE

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- Responsible for plans, directs and coordinates the preparation of the local, federal, capital and special fund budgets;



- Executes control over appropriations and allotments which constitute the authority to expend the department's funds;
- Advises administrators of budgetary legality when filling any positions.

## PAYROLL OPERATIONS

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- Responsible for processing all payroll; auditing all time and attendance reports for St. Thomas/St. John employees;
- Reviewing, evaluating and monitoring payroll process activities;
- Preparing official expenditure reports;
- Providing technical assistance to district programs and administrators, and devising short and long range plans;
- Establishes procedures to conduct, on at least a semiannual basis, a review of employee's payroll records to ensure that the correct funding sources are indicated in each employee's record.

## BUSINESS OFFICE

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The Business Office provides the following services:

- Processing of accounts payable for the department;
- Pre-auditing of all purchases of goods and services and other miscellaneous payments; Post-auditing of all postings on the ledgers;
- Liquidation of all outstanding encumbrances; research of all accounts payable; and certification of all fiscal documents;
- Maintenance of a running account balance of accounts and monthly reports issuance showing specific expenditures for schools, activity centers and programs.
- Management of cash draw downs; production of cash management reports; reconciliations with the Department of Finance and preparation of financial reports.

## AUXILLARY SERVICES

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### Property

- Responsible for managing tangible resources

### Procurement

- Responsible for the procurement of equipment and supplies for the Department of Education.
- Processes requisitions for goods and services with adherence to applicable procurement regulations under local and federal guidelines.
- Equipment and supplies are received and revised for compliance to the applicable requisition.
- Equipment and supplies are tagged and inventoried before their distribution to the schools and offices.
- Receiving reports for the equipment and supplies are forwarded to our Business Affairs division for processing of payment.

## ADULT EDUCATION/VOCATIONAL and TECHNICAL EDUCATION

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- Responsible for establishing, maintaining and expanding academic training programs and projects for persons 16 years of age and older, who are not currently enrolled in school and who lack a high school diploma or basic skills to function effectively in the workplace and in their daily lives.
  - The Adult Education and Literacy Program provide programs and services such as the following:
    1. General Educational Development (GED) Examination;
    2. Adult basic education, adult continuing education;
    3. Literacy/volunteer tutoring and programs for institutionalized adults in the Golden Grove Correctional Facility;
  - Vocational and Technical Education Program offers a sequence of courses directly related to preparing individuals for employment in occupations that require a high school diploma.
  - Students are exposed to academic knowledge, higher order reasoning skills, problem solving skills, technical skills in various disciplines and a general knowledge of the workforce in preparation for jobs.
  - Tech Preparation Program is offered to students enrolled in senior high schools and is based on career pathways developed under several career clusters.
  - Vocational Education is available for in-school students and out of school youths and adults.
  - The Vocational Education Program is based on the authority vested in the Carl D. Perkins Vocational and Technical Education Act, as amended in 1998.

## DAY ADULT EDUCATION

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Provides a number of educational services for persons 16 years of age and older; services include but are not limited to the following:

- Adult basic education;
- Preparation for the General Education Diploma (GED);
- Evening high school diploma program;
- Classes in English as a second language;
- Various self-improvement courses such as computer training, typing, job preparation, and carpentry.

## STUDENT SERVICES

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- Provides the leadership necessary for planning, managing, supervising and directing educational programs and health services programs;
- Conducts the registration/transfer process of students entering the Virgin Islands public school system.



## SPECIAL NUTRITION PROGRAM

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The Special Nutrition Program is responsible for administering the following nine (9) nutrition programs within the territory:

- National School Lunch Program;
- School Breakfast Program;
- Special Milk Program;
- At Risk After-School Snacks Program;
- Child and Adult Care Food Program;
- Summer Feeding Program;
- The Emergency Food Assistance Program (TEFAP);
- Charitable Institutions;
- Soup Kitchens;
- Provides training and technical assistance to School Food Authorities (SFAs), Sponsoring Organizations and Institutions in interpreting federal regulations and guidelines;
- Monitors program compliance and integrity; conducts administrative and on-site and follow-up reviews of all participating sponsors and institutions;
- Distributes food to the needy in the Virgin Islands;
- Provides disaster meal service and distribution during hurricanes or other disasters.

## CHILD NUTRITION PROGRAM

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Responsible for making available to all students, public or non-public, and child-care institutions, the following School Nutrition Programs:

- Special Milk Program;
- National School Lunch Program;
- National School Breakfast Program;
- After School at-Risk Snack Component;
- Summer Food Service Program;
- Conducts training for administrative and food service staff as well as non-profit entities that sponsor or coordinate after-school enrichment programs for Virgin

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Islands students. This is done with emphasis on federal and local government procedures for implementation of the United States Department of Agriculture (USDA) Child Nutrition Programs.

#### PLANT OPERATION/MAINTENANCE

This activity center provides the following services:

- Plans and administers a preventative maintenance program for all educational buildings, utilities and grounds;
- Initiates and oversees emergency repairs, minor renovations and other repairs to support the needs of the department.



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#### SPECIAL EDUCATION SERVICES

- Special Education teachers are hired to address the disability needs of students. As a result, Special Education teachers may be moved based on the specific disability needs of the students.
- Responsible for the provision of free, appropriate educational programs with a continuum of related services (i.e. specialized transportation services; assistive technology, physical, occupational, and vision therapies; and rehabilitative counseling).
- Services and programs are provided in conjunction with the general education programming to ensure that students, ages 3-21, receive their educational programming in the least restrictive environment, as mandated by the Individuals with Disabilities Education Act as amended.

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#### EMPLOYMENT OF PROFESSIONAL PERSONNEL IN CLASSIFIED GOVERNMENT SERVICE

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The following is a functional definition of what is meant by the term “professional occupation.”

Professional occupations or series are those that require knowledge in a field of science or learning customarily and characteristically acquired through education and training that meets the requirements for a bachelor’s or higher degree with major study in or pertinent to the specialized field, as distinguished from general education. The work of professional positions is creative, analytical, evaluative, or interpretive and is characterized by personal responsibility to

keep abreast of and exercise judgment and broad perspective in the application of an organized body of knowledge that is constantly studied to make new discoveries and interpretations or to improve data, materials and methods. (United States Office of Personnel Management – September, 1979)

#### Procedure for Hiring Teachers or Other Classified Professional Personnel

- A teacher either resigns or is discharged or the principal or activity center head informs the Division of Human Resources in writing of a vacancy or a personnel need. The Division's receipt of a letter of resignation from an employee does not necessarily signal the need for a replacement. All vacancy notices or advertisements are posted at [www.teachusvi.net](http://www.teachusvi.net)
- Once a vacancy occurs, candidates that meet screening requirements are scheduled for an interview with a panel of principals or other appropriate administrators or supervisors.
- When the population of a school drops or a vacancy remains difficult to fill because of recruitment challenges, funds for that position may be utilized to fill a need in another area. This does not mean that a school or activity center has lost that position. Once a candidate is identified the position may be re-created.
- The administrator selects the candidate for teaching position that rates best in the following areas:
  - Knowledge of Subject Area and Curriculum;
  - Experience in the area;
  - Lesson Planning and Implementation Style, Knowledge and Practices;
  - Assessment/ Evaluation Knowledge and Practices;
  - Classroom Organization and Management Practices; • Human Relations and Communications;
  - Observable Professional Traits.

Please note that rating may be holistic or the recommended weights may be factored into each element and applied to compute the overall score for the interview assessment and evaluation. Bear in mind, however, that this is not a scientific instrument.

The important consideration here is to ensure that all of our candidates receive the benefit of a similar interview structure and questions to minimize the potential for what might be perceived as discriminatory hiring practices. The immediate supervisor also has discretionary input in this process.

The Division of Human Resources prepares offer letters for candidates selected. Other candidates are returned to the Division's eligibility files. These files are kept active for one year from the date of application. Placement in our eligibility files is not a guarantee of employment within a certain time. It does not constitute being placed on a list.

The Department hires based on qualifications and experience. Only the Director of the Division of Human Resources or his/her designee is authorized to hire classified personnel. At the time an administrator expresses the need to review candidates; individuals in this file may be required to undergo further interviews either by the same administrators or by other administrators.

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- After the candidate signs the offer, a Notification of Personnel Action (NOPA) is prepared, assigned a document number within the Division of Human Resources and submitted for fiscal sufficiency review to the Budget Control Office within the Division of Fiscal and Administrative Services. The commissioner is the final signatory in this process. The NOPA is tracked through the system by the Division as well.

The selection process may be bypassed in cases where there is a specialized need.

- Pursuant to Virgin Islands law, a candidate can begin work only after a NOPA returns approved. No one shall begin to work without a fully executed NOPA.
- When the NOPA returns fully executed, the Division of Human Resources informs the supervisor or activity center head. At that time, a determination is made as to the first day the employee is expected to report to work. The Division of Human Resources documents the assignment in a letter to the supervisor or activity center head.



#### Procedure for Hiring Non-Teaching Classified Personnel (support staff)

- A resignation or retirement occurs. The position is posted pursuant to the number of days stipulated in the appropriate union contract or twenty (20) days. The position should be posted at all schools and activity centers within the Department of Education. Copies of all advertisements should be mailed or faxed to the various union offices. In some cases, it may be necessary to conduct media advertisements and post ads at other locations outside of the Department.
- After the period of advertisement, applicants are screened by the Division of Human Resources and four (4) eligible candidates are selected for an interview. All applicants must submit to the standard screening procedures which include, but are not limited to, the submission of a completed application and three letters of recommendation from persons who have knowledge of the applicant's abilities, skills, experience and work ethics as they relate to the position applied for.
- Once a provisional offer has been signed the prospective employee will submit to drug testing and background check.

- USVI Department of Education, Division of Human Resources will keep applications active for one (1) year from the original application date. If applicant wishes to maintain the record active for another year, a letter of interest must be submitted prior to the deactivation date.

### Candidate selection is conducted in the following manner:

The administrator selects a candidate rated on established guidelines in the area of knowledge, experience, skills and abilities delineated in the job specification or the interview rating form. In the interviewing process the following factors are considered:

#### Knowledge required of the position

- Specific levels of knowledge and skills required and utilized acceptably in the position;

#### Supervisory Controls:

- Work Assignment;
- Ability to execute work load;
- Assessment of completed work;

#### Guidelines:

- Nature of the guidelines required for the position;
- Judgment needed to apply the guidelines or develop new guidelines;

#### Complexity

- Nature of the assignment;
- Difficulty in identifying what needs to be done;
- Complexity and originality involved in performing the work;

#### Scope and Effect

- Purpose of the work;
- Impact of the work product or services;
- Personal contacts and Purpose of Contacts;
- The people and conditions under which contacts are made;
- The purpose of the personal contacts described above;

#### Physical Demands

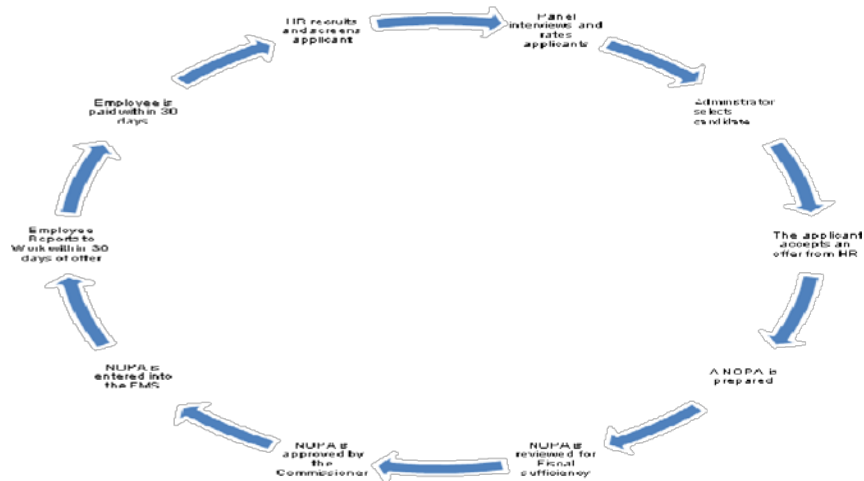
The nature of the physical demands placed on the employee such as:

- Climbing, lifting, pushing, balancing, stooping, kneeling, crouching, crawling or reaching.
- Recurrence and intensity of activity
- Physical characteristics or special abilities needed;

#### Working Environment

- Includes but not limited to physical surroundings in which the employee works;

#### OVERVIEW OF THE HIRING CYCLE



- Once the Division of Human Resources makes an offer to selected candidates, other candidates are returned to the Division's eligibility files. These files are kept active for three years from the date of application. Placement in our eligibility files is not a guarantee of employment within a time certain. Nor does it constitute being placed on a list.
- The Department hires based on qualifications and experience. At the time an administrator expresses the need to review candidates; individuals in this file may be required to undergo further interviews by either the same administrators or other administrators.

### Administrator Eligibility List

When a school administrator such as a principal, assistant principal or coordinator position becomes available the position is advertised pursuant to the collective bargaining agreement. Once the administrator is interviewed and given a favorable rating by the panel of interviewers his or her name will remain on the active list for a maximum of four years. He or she is not required to sit another interview during this period, unless in the estimation of the Department there are reasonable grounds for a closer review. Persons who appear on the current eligibility list are required to communicate their interest, in writing, each time a vacancy is posted.

### Standard Pre-Employment Screening

- The Division of Human Resources shall check references and verify educational credentials, employment histories, and past performance of a finalist before it extends a final offer of employment. A criminal history check will be conducted to ascertain whether the finalist has a criminal conviction that would indicate unsuitability for employment within the schools and activity centers of the Virgin Islands Department of Education. Background checks include both national and local crime research. In addition, a social security trace will be conducted.
- Teachers and other American Federation of Teachers professionals must submit criminal background checks as well as a physician statement of good health as a part of the Virgin Islands Board of Education certification requirements



- Employees in positions requiring lifting, bending and standing as a regular routine part of the job is required to submit a physician's statement that indicates that the applicant is capable of lifting up to seventy (70) pounds. The applicant may request reasonable accommodations

## EXPEDITED HIRING - AUTHORITY OF THE COMMISSIONER

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Effective August 12, 2002, Governor, Charles W. Turnbull, granted the Commissioner of Education full authorization to sign Notices of Personnel Action (NOPAs) on his behalf. The Commissioner's signature would be the final signature in the hiring process for all classified employees. This authorization was granted pursuant to Act 6533 and Act 6333.

Subsequently, the Director of the Government's Division of Personnel sought clarification from the Attorney General regarding whether this meant that the Department of Education had acquired authority similar to those vested in the Government's Division of Personnel. The Attorney General responded "yes."

## APPLICANT INFORMATION COLLECTION, EVALUATION AND DISPOSITION

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### Information Collection

A signed authorization from the finalist is required before criminal record information or background information may be requested. If a finalist refuses to provide such authorization, the individual will be ineligible for consideration.

The finalist has a minimum of five days to refute, explain, or correct the information. If there is no change in status within five days, the finalist will be withdrawn from the candidate list. If the finalist is a current employee, his or her suitability for continued employment will be evaluated. In some cases, the commissioner's approval may be required before an offer of employment is extended.

The Department may refuse to hire a finalist, may withdraw a conditional offer of employment to a finalist, or may terminate an employee where the finalist has made a false representation of material fact or omits providing material factual information in the employment process.

A criminal record on file does not necessarily disqualify an applicant from employment with the Virgin Islands Department of Education, except where the crime is expressly identified in the law.

When considering the employment of an individual with a criminal history, some factors to be assessed during the background investigation review will not limited to:

- Relevance of the criminal conviction to the posted job duties;
- Date of the most recent offense;
- Nature and number of convictions;
- Relative threat to the security of the Department's schools and activity centers or its employees and students;
- Accuracy of the information the individual provided on the employment application and/or in the recruitment process;
- Other relevant considerations.

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### Special Testing For School Monitors

In addition to police background checks and pre-employment drug testing, school Monitors are subject to Psychological testing in accordance with Title 17, chapter 11, sec. 131 of the VI Code.

The law states that “no person may be hired as a school monitor who has not taken and passed a psychological test as to his suitability for the position.”

Further the Department of Education shall provide training for employees who have been hired as monitors before they begin working at a school and shall provide professional development training for all monitors employed by the Department. 'Sec 133

### Compliance with the Fair Credit Reporting Act

In some cases, a background check may uncover information that may disqualify a finalist from further employment consideration. In such a case, the Division of Human Resources will notify the finalist of the information and provide a minimum of five business days for the finalist to refute, explain, or correct the information.

### Information Release

Only Division of Human Resources designated employees may initiate a criminal background check and/or social security trace or receive results. Results of all background checks will be kept confidential and will not be disclosed except to the extent necessary to administer and enforce this policy, as provided by law or pursuant to appropriate legal process.

### Additional Requirements

Additional pre-employment screening required by statute, contract, or policy is not discretionary and shall be coordinated by the Division of Human Resources.

## APPLICANT SCREENING AND SKILLS PROFILING – pre-employment

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The Department has identified a test for screening clerical and administrative applicants. The Division may also develop its own screening devices utilizing territory-wide standards.

### OTHER PRE-EMPLOYMENT CONSIDERATIONS

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The Division of Human Resources sets up eligible candidates for interviews with the appropriate principal, activity center head or supervisor.

Members of this panel should include the candidate's prospective supervisor, the Director of Human Resources or his/her designee and another professional from within the



Department. Interview rating sheets, structured questions, as well as interviewing techniques, guidelines and other handouts will be provided by the Division of Human Resources.

Interviews for all non-teaching personnel are also conducted on a panel with a minimum of three (3) persons.

Just as an example, some of the administrators who may serve on an interviewing panel are listed below along with their areas of jurisdiction:

- School Principal or Assistant Principal, teachers
- Director of Pupil Personnel Services: guidance counselors, attendance counselors, nurses and school registrars
- District Director of Child Nutrition Programs: All school lunch workers
- Director of Special Education: All Special Education employees
- Director of School Plant Facilities: All Maintenance employees
- Director of Curriculum, Assessment and Technology

## APPLICANT NON DISCRIMINATION - Policy on

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Section 1981 of the Civil Rights Act of 1866, as amended in 1991, prohibits race or ethnicity discrimination in making and enforcing contracts and in terms and conditions of contractual relationships and allows for both compensatory and punitive damages.

Subsequent civil rights laws enacted since the 1960s do confer substantive rights to protect citizens from discrimination.

The vindication of employees' rights in school settings has generated substantial litigation under Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination on the basis of race, color, sex, religion, or national origin. It is modeled in part after Title VII of the Americans with Disabilities Act of 1990 provides specific protection in employment and public accommodations for individuals with disabilities. Also, the Age Discrimination in Employment Act of 1967 protects employees over forty against age-based employment discrimination.

## RELIGIOUS NON DISCRIMINATION - Policy on

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Employees of the Department of Education are free to practice their faith without fear of recrimination, in accordance with the Virgin Islands Code Title X Civil Rights Act which states:

(11) (a) It shall be an unlawful discriminatory practice for any employer to prohibit, prevent or disqualify any person from, or otherwise to discriminate against any person in obtaining or holding employment, because of his observance of any particular day or days or any portion thereof as a Sabbath or holy day in accordance with the requirements of his religion.

(b) Except as may be required in an emergency or where his personal presence is indispensable to the orderly transaction of business, no person shall be required to remain at his place of employment

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during any day or days or portion thereof that, as a requirement of his religion, he observes as his Sabbath or other holy day, including a reasonable time prior and subsequent thereto for travel between his place of employment and his home, provided however, that any such absence from work shall, wherever practicable in the judgment of the employer, be made up by an equivalent number of time and work at some other mutually convenient time, or shall be charged against any leave with pay ordinarily granted, other than sick leave, provided further, however, that any such absences not so made up or charged, may be treated by the employer of such person as leave taken without pay.

## EMPLOYMENT PROBATION

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### PART-TIME AND TEMPORARY EMPLOYEES

- A Part-Time employee is an employee who works a maximum of 20 hours per week.
- A Temporary employee is an employee hired to fill a temporary vacancy, caused by disability or excused absence of a permanent employee, for a specific project or designated period of time.
- Part-Time and Temporary employees shall not accrue seniority. In addition NOPAs or per diems of such employees may or may not be renewed after the authorized period of employment has expired.

### ALL EMPLOYEES

- There is a probationary period established for all employees new to the Department. The probationary period of employment for support staff employees is six months. The probationary period for school administrators and supervisors is one year.
- Employees shall accrue no seniority rights during the probationary period provided, however, that seniority shall accrue retroactively to the first date of employment upon the successful completion of the probationary period. During the probationary period an employee may be discharged with or without cause. Each employee shall receive a performance evaluation at the end of his or her probationary period.

### SPECIAL PROVISIONS FOR TEACHERS

- All American Federation of Teachers (AFT) professionals shall be deemed probationary employees during the first school year of employment. Employee shall accrue no seniority rights during the probationary period provided however that seniority shall accrue retroactively to the first date of employment upon the successful completion of the probationary period. During the probationary period an employee may be discharged with or without cause.

Notwithstanding any other provisions of law to the contrary, no person hired to teach in the public schools of the Virgin Islands shall be deemed to have attained tenure or permanent employment status until such person has obtained teacher certification and shall have taught in the Virgin Islands for three consecutive school years in the public schools of the Virgin Islands; (Virgin Islands Code Chapter 11, Title 17; Section 121 (j))

All probationary teachers shall be observed a minimum of three (3) times per year. At least one observation shall occur in each one third of the school year.

## REQUIREMENTS FOR TEACHING IN THE VIRGIN ISLANDS

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### License to Teach - Authority of the VI Board of Education

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- Virgin Islands Code Title 17, Sections 121, 122, and 123, "(b) Authorizes the Board to prescribe rules and regulations and establish criteria for the certification, selection and appointment of teachers, supervisors, principals, librarians and other professionals of the Department of Education. All teaching certificates are issued by the Virgin Islands Board of Education or the Vocational Board of Education. Certificates (except where a waiver has been granted) are required for administrators, teachers and for specialized school personnel for whom certification standards have been established.
- The issuance of a teaching certificate or license indicates that the individuals have met the requirements, but it does not guarantee a position.
- The Virgin Islands Board of Education has developed specific criteria for certification under the Emergency Certification Order approved on July 21, 2000. This order allows employees who do not meet full certification requirements to work in Virgin Islands Public Schools under a year to year agreement.
- Teachers and other education professionals are required to comply with the provisions of the No Child Left Behind Act as amended.

### Teacher Proficiency Examinations

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Candidates for admission to practice teaching shall be required to attain an overall average as determined by the Department of Education on the subjects on which they are examined. No applicant shall be granted an appointment to teach who does not pass the proficiency examination, provided, however, that the provisions of this section may be waived by the Department of Education for temporary or emergency appointments made under section 123 of this chapter, or when it is determined that the applicant has met the equivalency requirements under section 122 of this chapter. (V.I.C. Title 17, Chap. 11 Section 121)

#### VIRGIN ISLANDS HISTORY REQUIREMENT

Every school-based professional appointed to the Virgin Islands Public School System, shall be required by the Commissioner of Education to successfully complete a course in Virgin Islands history and culture within the first year of service. Failure to successfully complete such a course shall be cause for dismissal. (Virgin Islands Code, Chapter 11; Title 17 Chapter 121)

### Annual Performance Appraisals

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All employees shall receive a performance appraisal on an annual basis; however, there may be special instances where, due to certain performance deficiencies, an employee is evaluated as part of a corrective

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action process. Additionally, support staff employees will receive an evaluation at the end of their probation period.

### Performance Evaluation for Teachers and Paraprofessionals

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Annual evaluations will be conducted to ensure that all teachers and paraprofessionals comply with the provisions of the No Child-d Left Behind Act. With a satisfactory rating, a teacher or a paraprofessional may advance on the pay schedule based on additional years of experience. This provision shall be effective September 1, 2006.

- Teachers shall be advised by the Principal, in writing of Department criteria for evaluations at the beginning of the school year. The Principal of the school shall have sole responsibility for evaluations of school personnel.
- All monitoring or observation of the work performance of a teacher will be conducted openly with full knowledge of the teacher.
- Any teacher may request or receive additional observation. Observations shall in no case occur within three weeks of each other.
- All teachers shall be provided with copy of all observation reports within ten (10) working days from the date of observation.
- All observation must be signed by the teacher and the observer.
- In event a principal or other administrator desire to discuss with a teacher matters which may affect his position in respect to discharge, resignation, demotion or transfer, or may result in an unfavorable anecdotal record, such administrator shall advice the teacher in writing that he may have a Union representative present at such conference.
- Teachers shall receive an unofficial copy at least ten (10) working days prior to the end of the school year.

School administrators and other Department personnel are evaluated on an annual basis by the immediate supervisor. School administrators are rated by the District Superintendent of Schools.

### AVAILABILITY FOR SERVICE - Responsibility to Declare

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Not later than April 15<sup>th</sup> of each calendar year, all teachers and educational personnel appointed pursuant law shall sign a declaration as to whether they will or will not be available for services in the ensuing year. Any teacher or educational personnel who indicates on or before April 15<sup>th</sup> that he will return, but subsequently changes his mind, must notify the Commissioner of Education by July 15<sup>th</sup> of that year. The failure to make such notification will be regarded as a confirmation of the April 15<sup>th</sup> declaration of availability for service. (Title 17; Chapter 11; Section 121)

Any teacher or other educational personnel who does not report to duty by the second day of the new school year at his assigned school, and who has failed to notify the principal, in writing, of any valid reason for absence on or before the fifth day shall be subject to immediate dismissal. (Title 17; Chapter 11; Section 121)

Further, it was noted in the Middle States Association's (the accrediting body of the Virgin Islands public schools) review of high schools, that a large number of teachers was absent from work in any given school day. This is a serious matter and principals and activity center heads have stepped up vigilance and monitoring of employee time and attendance. The Department cannot achieve its mission, goals and objectives without the consistent presence of all of its employees. Therefore, disciplinary action may be imposed for employees who establish a pattern of absence or tardiness.

## School Calendar

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Consistent with Virgin Islands Law, the school calendar consists of 1,080 hours of pupil instruction. The school calendar consists of 180 teaching days, unless reduced by the Commissioner of Education at his or her discretion.

## EDUCATION AND TRAINING

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There are two designated district professional development days for all school-based employees. A wide variety of professional development opportunities will be available in areas of mathematics, science, language arts and foreign languages. Additionally, the Division of Human Resources offers professional development to teachers and paraprofessionals in their efforts to become highly qualified. School administrators and other support staff may also take advantage of these opportunities.

## Promotion from within

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The Department of Education promotes employees pursuant to the applicable collective bargaining agreements, the Department's policies and procedures and the Government's rules and regulations.

## REASONABLE ACCOMMODATIONS FOR THE DISABLED - Invitation to Self Identify

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The Department of Education is subject to the Americans with Disabilities Act (ADA). Under both the Rehabilitation Act and the ADA, a qualified individual with a disability may be entitled to reasonable accommodation where that would enable that individual to perform the essential duties of his or her position properly and safely.

An individual with a disability who would like to be considered under the affirmative action program may contact the Division of Human Resources confidentially regarding the disability and possible need for accommodation. Please note that submission of this information is voluntary and a decision not to provide it will not subject you to any adverse treatment.

The individual may inform the Department of his or her desire to benefit under this law and/or request reasonable accommodation at this time or at any time in the future. The information provided in this self-

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identification process, regarding a disability, will be kept confidential except as expressly allowed under the Rehabilitation Act and the ADA.

## REPORTING CHANGES TO THE DIVISION OF HUMAN RESOURCES

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All persons entering the Division of Human Resources are requested to sign our daily log sheet indicating name, date and purpose of visit. Additionally, before proceeding beyond the front office, visitors are to receive clearance from the front desk staff.

### Name Change and Additions to the Family

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- Submit a letter of notification, clearly indicating the exact spelling of the new name or names.
- Submit a copy of official documents displaying the new name such as a marriage certificate, divorce decree or social security card.
- If an employee covered by Health Insurance gets married, within (30) days, the marriage certificate and the spouse's social security number are to be submitted to the Division of Human Resources if the spouse is to be covered by the Government's health insurance.
- If an employee or spouse covered by the same insurance has a baby, within thirty (30) days after birth, a copy of the birth certificate and social security card of the baby must be submitted to the Division of Human Resources if the child is to be covered by the insurance.

### Meeting with the Director or other Division of Human Resources Personnel

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Other than cases of emergency, appointments should be scheduled at least 24 hours in advance. A list of the persons responsible for requests or questions about each school or activity center is available and should be posted in a visible area at your school.

## H1B FACTS FOR INTERNATIONAL TEACHERS

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By definition, a non-immigrant visa is a permit affixed or stamped to a page in the passport. Entrance into the United States is granted under the terms and conditions specified by the particular type of non-immigrant visa.

A spouse or unmarried child of an H1B visa holder is entitled to an H-4 visa and the same length of stay as the principal holder of the visa. The spouse and dependent minor children cannot accept employment, but may attend school in the United States.



Note: Due to increased security measures at U.S. Consulates, it is not unusual for a foreign national to remain stranded outside the US for several months waiting for security checks at a US Consulate.

#### Actual Wage Determination

The Actual Wage Determination is the range paid to all individuals in a department with similar experience and qualifications. An H-1B worker must be paid at or above the range of wages currently paid to comparable employees. Benefits such as sign-on bonuses, hotel accommodations, two-months' rent and reimbursements for one-way tickets to the Virgin Islands should be factored into the total wages for actual wage determination purposes.

#### Change of Address

Any changes in place of residence and/or mailing address must be reported to the Department of Education's Division of Human Resources to ensure uninterrupted communication.

#### Credential Evaluation

As per United States Citizenship and Immigration Service (USCIS) regulations, all foreign degrees must be translated and evaluated. The Virgin Islands Department of Education obtains evaluations from World Education Services or Josef Silny and Associates. Other recognized evaluation service providers may be used as well.

#### Early Termination

If the USVI Department of Education terminates employment for any reason before the designated end date on the H-1B approval notice, the Department is responsible for the return cost of transportation for the employee to return home. The return cost of airfare is defined as "one-way" economy fare for the employee to the country of residence.

#### Employment Limitations

There is a six-year total time limit for H-1B status; however, the initial H-1B time period request to United States Citizenship and Immigration Service (USCIS) cannot exceed three years. This time limit is for all employment in H-1B status, irrespective of employer. Departments must only request H-1B visa status for the period of time for which there is guaranteed funding available for the position. The Department of Education must offer H-1B employees benefits on the same basis as US workers.

Employment of the foreign national beneficiary may not start before the approval date on the I-797, official USCIS approval notice for H-1B status, which will be given to the employee as soon as it is received by the Department of Education. However, if the employee currently has a valid USCIS employment authorization in another non-immigrant status (e.g., F-1 or J-1) for employment, he/she may continue to work in that status until it expires. If USCIS has not approved a change of status to H-1B, and the prior work authorization in F-1 or J-1 expires, the foreign national must be taken off payroll until the H-1B is approved.

#### Expiring Visas

Every H1B employee is expected to monitor the currency of his or her own employment documents. Failure to file the appropriate extensions within the appropriate timeframe may disrupt legal employment with the Department and result in noncompliance with INS rules and regulations. The services of any attorney of choice or other competent individual may be procured in order to file for an extension. The Department of Homeland Security US Citizen and Immigration Services (USCIS) regulations outline that extensions for visas should be submitted no later than 180 days prior to the expiration date of the visa. However, due to the length of the processing period, it is recommended that the request for extension of the visa be filed immediately upon arrival in the territory. The USCIS generally gives a denied candidate

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up to 60 days to leave the country without any penalty. (USCIS may exercise its discretion for the 61 days to 179 days period.)

If a candidate stays over 180 days, the candidate can be legally prevented from returning for three years. If a candidate stays over one year, the candidate can be legally prevented from returning for ten years.

#### Extension of H-1B Status

An H-1B visa can be extended in increments of 3 years or less, the total time period allotted by United States Citizenship and Immigration Service (USCIS) being 6 years. If an H-1B is due to expire at a specific time, the extension must be filed, but does not have to be approved, prior to the expiration of the H-1B. On filing of the extension, the H-1B beneficiary is granted, as per USCIS regulations, 240 days to work with legal authorization. However, if the H-1B beneficiary leaves the US after the expiration of the original H-1B, he/she cannot return to the US until the H-1B extension is approved and a valid visa “stamp” is obtained from a US Consulate abroad.

Note: Once an individual has obtained H-1B visa status for employment at USVI Department of Education, any changes in salary, FTE, site of employment, position or job duties must be reported to the Department of Education’s Division of Human Resources for any departmental or district actions. In some cases, an amended H-1B visa petition will need to be filed prior to any changes occurring in the appointment.

#### Payment of Wages, Bonuses

Wages will begin to be disbursed two pay periods from the date of receipt of the Social Security number. According to Social Security Administration regulations, an international teacher is permitted to work during the time that he/she awaits receipt of the SSN. However, the Department is unable to pay wages in the absence of a Social Security number.

#### Portability

H-1B status is portable. A foreign national may apply for a transfer of H-1B status from another current US sponsor to the USVI Department of Education. The USVI Department of Education must still file its own petition.

Note: The transferee should not quit his/her position with the other US sponsor until after the USVI Department of Education has filed the United States Citizenship and Immigration Service (NCSU) petition. Recent pay stubs from the original US sponsor must be submitted with the NCSU petition.

#### Protest Action and Moonlighting Prohibited

According to United States Department of Labor regulations as set forth in Section E of the Labor Condition Application, holders of H-1B visas may not participate in strikes, lockouts, or work stoppage at the place of employment. Such action will result in violation of law and may jeopardize the visa status.

The US Citizenship and Immigration Services (USCIS) regulations stipulate that holders of H1B visas may work only for the petitioning U.S. employer and only in the H-1B activities described in the petition. Therefore, in order for an international recruit to work for more than one U.S. employer, the recruit must have a Form I-129 petition approved by each employer. Further, it is against USCIS regulations for spouses and children of H1B visas holders to work. Violation of the immigration law may result in immediate cancellation of the current visa and deportation.

#### Reimbursements of Fees

The Department may reimburse international teachers for filing fees relative to the H1B visa renewal. Contact the Division of Human Resources for more information.

#### Premium Processing

This is an expedited method of obtaining an H-1B visa, provided by United States Citizenship and Immigration Service (USCIS) and serviced by a separate USCIS Premium Processing Unit. The fee is \$1000 in addition to the regular processing fee, and will expedite the process from ten to twelve months for regular processing to adjudication of the petition within 15 calendar days. It provides e-mail communication with USCIS. In certain instances, the Department may provide reimbursement for premium processing. Please place your inquiries regarding this with the Division of Human Resources.

#### Regular Processing

As per United States Citizenship and Immigration Services (USCIS) regulations, when the Department directly recruits an international candidate, without going through an agent, the USVI Department of Education is legally responsible for paying the USCIS filing fee of \$190.00. Regular processing is now taking from 10 to 12 months.

## PERMANENT LABOR CERTIFICATION

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After completing three years of service with the Department with satisfactory or better performance appraisal, an international teacher may declare his/her intention to obtain Permanent labor Certification.

The request must be accompanied by a letter of recommendation from the principal of the school or activity center where the employee is assigned. Filing fees will be paid by the Department; however, the employee must pay for any physical examination required and may use health insurance coverage for the same.

Permanent Labor Certification issued by the Department of Labor (DOL) allows an employer to hire a foreign worker to work permanently in the United States. The DOL must certify to the USCIS that there are no qualified US workers able, willing, qualified and available to accept the job at the prevailing wage for that occupation in the area of intended employment, and that employment of the alien will not adversely affect the wages and working conditions of similarly employed US workers.

## PAYROLL PROCEDURES

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The government's payroll is issued biweekly. It is based on an 80-hour work week of ten working days. The time worked is captured on a pay sheet and should be signed by the supervisor. Earnings and payroll deductions are listed on the attending check stub.

Deductions required by the United States and Virgin Islands government are as follows:

- Federal Income Tax
- Social Security Tax
- Garnishments/Wage Attachments
- Retirement Plan

Deductions which may be authorized by an employee include the following:

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- Medical Insurance
  - Dental Insurance
  - Life Insurance
  - Charitable Contributions • Payments to Financial Institutions
  - Direct deposit.



#### Gross and Net Pay (See Appendix 4)

Gross pay is the total amount earned for the pay period before deductions, including federal and local taxes and/or insurance, retirement or other requested withholdings have been subtracted. Net pay is your take-home pay after deductions. Your net pay is the amount your check is made out for after the following withholdings:

#### Retirement Withholding

Eight percent (8 %) of Gross Salary deductions are automatic for anyone under the age of 55 coming into the USVI Government Employment System to the Virgin Island's Retirement System. If at any time the employee resigns the USVI Government Employment System, they may retire their investment. The total amount withheld will receive an increase of four percent (4%) upon withdrawal. Example: Total amount withheld \$1,000.00 – Total amount received upon withdrawal from system = \$1,040.00

#### Federal Contribution Insurance Act (FICA) and Other Tax Withholding

Most types of US source income, even when received by a foreign person, are subject to US tax of twenty-one percent (21%) to thirty percent (30%) depending on the gross salary of the employee.

Included in the tax withholding of twenty-one percent (21%) to thirty percent (30%) is a 7.65 percent contribution to the Social Insurance System (better known as Social Security) of the United States of America. This contribution is mandatory through the "Federal Insurance Contribution Act" of 1935 to all lawful employees in the United States of America its territories and commonwealths. Your payment to the Social Security office is therefore irretrievable upon leaving the United States Employment System.

#### Health Insurance Withholding

Medical insurance withholding will vary according to the employee's need for coverage, dependents and choice of coverage options. All beneficiaries must be added during the open enrollment period, or within thirty days of birth or marriage. In all other cases, changes will have to wait until the following registration period during the month of August. (See page 32 for more details)

### SUMMARY ANALYSIS OF A TEACHER'S SALARY - prorated

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When a teacher is hired, he or she is given an annual salary based on a complete school year. A complete school year, for a teacher, begins late August and ends early June.

Annual salary however, is prorated into 26 pay periods covering the entire calendar year.

As a result, if you begin working after the beginning of the school year, your salary will be prorated based on the number of days you will actually work. Your pay periods will be prorated to end at the end of the school year.

If you are a teacher, who has worked from the beginning of the school year, and wish to have the remainder of your teachers' annual salary awarded to you in a lump sum, you may request this in writing to the Payroll Office by May 15. It is important to note here that lump sum payments are taxed 28% and above in accordance Internal Revenue rules and regulations. In addition, fringe benefits are also deducted on a lump sum.

A teacher who begins in the middle of the school year may request for the prorated pay to cover the summer months until the new fiscal 26 pay period cycle begins. This written request must be submitted to the Payroll Office at the time the employment offer is signed.

Example of Estimated Prorating BA + 5 years

- a. Annual Salary : \$36,900
- b. 190 days
- c.  $36900/190 = \$194.21$  per day
  
- a. 114 (Estimated days beginning in January)
- b.  $\$194.21 \times 114 = \$22,139.94$
  
- a. 13 pay periods remaining (beginning in January ending June)
- b.  $\$22,139.94 / 13 = \$1,703.07$  (estimated gross pay ending June)

Formula for Salary prorating:

- a. Your annual salary is \_\_\_\_\_.
- b. Your position is \_\_\_\_\_ days.
- c. Your daily rate of pay is \_\_\_\_\_ (A divided by B).
- d. You will work \_\_\_\_\_ days (based on your beginning date).
- e. You will earn \_\_\_\_\_ (C multiplied by D).
- f. This will be divided equally by \_\_\_\_\_ pay periods (number of checks remaining in the contract year).
- g. Your gross pay per pay period will be \_\_\_\_\_ (E divided by F).

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## SALARY ADJUSTMENTS – criteria for

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### Work Experience

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- Employees must submit a letter on the employer's stationery with the exact year, month and dates verifying work experience from their previous employer(s). New teachers are credited with up to ten (10) years of prior teaching experience in another school system. Returning Virgin Islands teachers are credited with up to fifteen (15) years of teaching experience in another school system. NO CREDIT IS GIVEN FOR ANY PERIOD LESS THAN A FULL SCHOOL YEAR.

### Additional Credits

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- (See article XII Section C, 2, pg. 60 of Teachers Contract.) Each employee should obtain written approval from the Insular Superintendent prior to taking any classes for which compensation is to be requested.

### Additional Degrees

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- Request that an official copy of their transcript be submitted directly to the Director of Human Resources for processing. NO CREDIT WILL BE GIVEN FOR MULTIPLE DEGREES OF THE SAME TYPE.

## PER DIEM USE IN THE DEPARTMENT OF EDUCATION

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The United States Virgin Islands Department of Education utilizes Per Diems for temporary employments in after school programs, summer programs or casual/ special needs employment in particular areas that are associated with a specific job title and its established hourly rate; they may not be used for professional or consultative services.

Because Per Diem employment is compensated per hours worked, temporary employees are not entitled to government employee benefits such as: sick leave, annual leave, personal leave, paid holidays, retirement or medical insurance.

## DOCUMENT & PERSONNEL FILE MAINTENANCE & RETENTION

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The Department maintains documents in accordance with both federal and local laws. All inactive applications are kept on file for 3 years.



### Personnel Files

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Division of Human Resources employees should be aware that improper management and willful disregard for the safety and security of the Virgin Islands Department of Education's official personnel files could result in a recommendation for discharge or in criminal charges being filed against the employee.

### Access to the Official Personnel File

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- Access to the personnel files will be allowed on a need-to-know basis; and of that access, only information regarding an individual's job performance, experience, credentials and qualifications will be for review.
- Individuals authorized to review an employee's personnel file will be required to sign in/out for the file(s) in question. The information requested to sign in/out for the file (s) in question will include:
  1. Name of the individual requesting the file (s)
  2. Name of the employee(s) file (s);
  3. Purpose of the review ;
  4. Date requested
  5. Signature

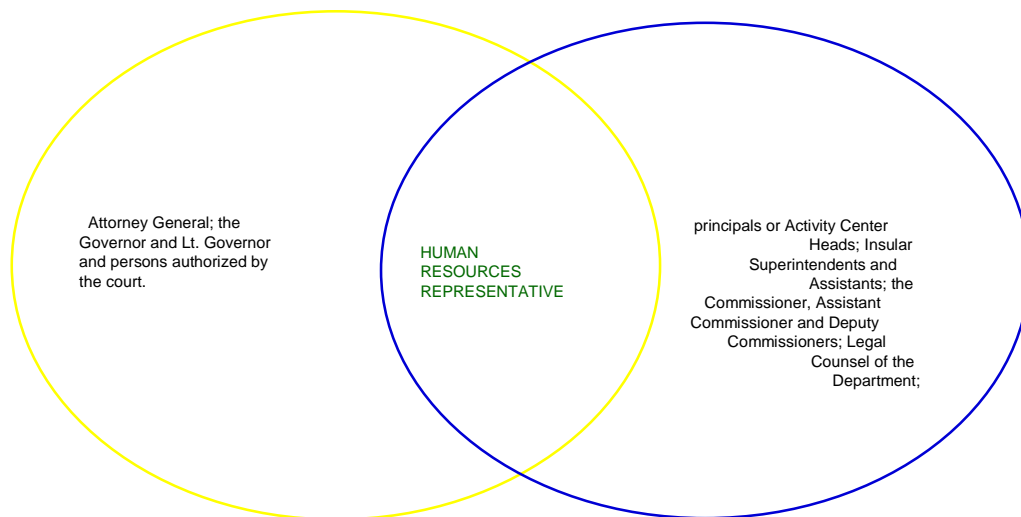
If files are reviewed electronically, this information will be provided on a form specifically designed for this purpose and will become a part of the electronic and paper file. Files will be reviewed in a designated area of the Division of Human Resources in the presence of a Division of Human Resources employee.

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## Reviewing Official Personnel Files

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1. The Director of Human Resources is the official custodian of the Department's personnel files. Requests for access to documents must be submitted in writing to the Director.
2. There is no standard waiting period. The volume of work being conducted at the time in the office and the urgency of the request determine the waiting period.
3. No original documents in a file shall leave the office. An employee may request a copy of an official transcript or request to have it sent to another institution only if the original issuing institution does not restrict this.
4. To view a file, an employee should submit the request in writing along with a copy of some form of personal identification (e.g.: driver's license, Employer identification badge). The request letter should also contain the full name in print form, the person's signature, and the name school/activity center to which the employee is assigned. The Division of Human Resources will respond in three (3) working days to the request. In addition to the person to whom a file belongs, only the following persons shall have access to its contents.



The Virgin Islands Board of Education is also authorized access to the official personnel files of applicable professional staff required to meet certification requirements.

- Each person, listed above, must have a legitimate business need to access the employee's file. This need must be documented to the Director of Human Resources. Each individual viewing the personnel file must sign into the file the reason for review and date of review. This must be noted on the left inside cover of the employee's file.
- To obtain copies of documents other than transcripts, the written request must be approved by the Director of Human Resources specifying which documents are to be copied.
- In order to make corrections on a personnel file, the employee must first submit a written request to the Director of Human Resources stating the changes to be made and the reason for the



change. If the request is granted, the change will be made by the staff of the Division of Human Resources.

- If the request for a correction is turned down, the employee may then request that his/her statement of disagreement with the document in the personnel file be placed within the file. That statement of disagreement is to be made a permanent part of the employee's file.

## Security and Sign-In Procedures

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All persons entering the Division of Human Resources are requested to sign the daily log sheet indicating name, date and purpose of visit. Additionally, before proceeding beyond the front office, visitors are to receive clearance from the front desk staff.

## JOB VERIFICATION REQUESTS

Requests for job or income verification should be submitted in writing to the Director of Human Resources and should be signed by the person making the request and should include the applicant's name in print form. If a form is sent to the Division of Human Resources from another institution requesting job or income verification, the form must be signed somewhere by the person about whom the information is being requested or the form should be accompanied by a letter of authorization signed by said employee.

## IDENTITY THEFT PREVENTION (2005, Act#6789,)

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The Virgin Islands Department of Education Division of Human Resources is committed to protecting the privacy of all of its employees to the fullest extent possible. All personal identification documents are strictly monitored and are under the custodianship of the Director of Human Resources. Personal identification document means birth certificate, a drivers license, a state identification card, a public, government, or private employment card, a debit card, or a passport issued to or on behalf of a person other than the offender or any document made or issued, or falsely purported to have been made or issued, by or under the authority of the United States Government of the Virgin Islands or any other state or political subdivision of any state or territory, or any other governmental or quasi governmental organization that is of the type intended for the purpose of identification of an individual, or any such document made or altered in a manner that it falsely purports to have been made on behalf of or issued to another person or by the authority of one who did not give that authority.

Employees are not required to utilize their social security number as a unique identifier. In addition, School Administrators and Activity Center heads are asked to take all precautions to protect an employee's personal identification information. Employees may not share information of this nature about any other employee without written permission from the employee. All requests of this nature should be forwarded to the Division of Human Resources for processing. Any violation of this ACT shall be dealt with in accordance with the law.

Personal Identifying Information includes but is not limited to the following information:

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Name, address, date of birth, telephone number, driver's license number social security number, employment identification number, and mother's maiden name.

### Submission of Official Documents

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For the following documents, only originals are acceptable:

1. Verification of employment
2. Transcripts
3. Identification documents



ications that are recorded in any form or medium of patient treatment, including reports, notes and photographs, videotapes, x rays, billing records and other documents that describe patient care. Medical records held by a health care provider, including providers.

### AID

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nination against employees based on physical characteristics. Federal laws to reasonably accommodate AIDSinfected employees to perform essential tasks of their particular

Employees' medical information remains confidential and is protected from disclosure. Division of Human Resources staff will not disclose the identity of AIDS-infected employees to other workers. The Division will respect the individual's right to decide whether he/she wishes to disclose the condition to coworkers.

### Coworker Rights

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Infected employees have a duty to exercise reasonable care in order to keep the workplace safe and healthy. Employees may refuse to work if, in good faith, they believe that an assigned work task involves an unreasonable risk of injury or death.

## EMPLOYEE LEAVE

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- Annual leave shall be scheduled and shall be granted for periods of time requested by the employee if said time does not unduly disrupt the operations of the organization.
- Requests for leave shall be approved according to the employee's organizational level within the department. In any case, in the event an employee is absent from work, it is his or her responsibility to indicate which category of leave his or her absence should be charged to. This is not the responsibility of the supervisor or the payroll clerk.

### Chain of Command for Requesting Leave

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State Level Employee: Supervisor - Director - Commissioner

District Level Employee: Supervisor/Principal - Insular Superintendent

### Advanced Sick Leave

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Advanced Sick Leave may be requested for up to one hundred and eighty-three (183) days and must be accompanied by a doctor's certificate. Requests shall be approved according to the appropriate chain of command.

State Level Employee: Supervisor - Director - Commissioner

District Level Employee: Principal/Supervisor - Insular Superintendent – Commissioner

Illness - Documentation of

- In cases of extended illness, the employee must provide a doctor's certificate for verification of time out sick, along with the dates of sickness. Additionally, another doctor's certificate should be submitted to verify that the employee is fit to return to work along with the specific date on which the employee can begin to work.
- If an employee is absent from work for more than three consecutive workdays, a statement from a physician may be required before he or she will be permitted to return to work. In such instances, the Department reserves the right to require the employee to submit to an examination by a physician designated at the Department's discretion.
- In addition, the Virgin Islands Department of Education may require the employee to either submit a statement from his or her physician or to be examined by a Department designated physician in other instances at its discretion, such as where abuse is suspected (e.g., where an employee's record indicates a pattern of short absences and /or frequent absences or after holidays and weekends).

### Health Insurance Portability and Accountability Act (HIPAA) of 1996

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The Health Insurance Portability and Accountability Act (HIPAA) of 1996 mandate significant changes in the security and confidentiality of individually identifiable protected health information. The regulations set standards for the privacy of all medical records and all identifiable health information and the security of electronically stored information.

## Annual Leave

Notwithstanding the provisions of section 581 of Title 3, Chapter 25, §582, and except as provided in section 41 of Title 2 of the VI Code, all employees of the Government of the Virgin Islands, regardless of tenure, who enter Government service after June 30, 1968, shall accrue annual leave as follows:

1. One-half day for each full biweekly pay period for an employee with less than three years of service;
2. Three-fourths day for each full biweekly pay period, except that the accrual for the last full biweekly pay period in the year is one and one-fourth day, for an employee with 3 but less than 15 years of service;
3. One day for each full biweekly pay period for an employee with 15 or more years of service.

## SAMPLE LEAVE SLIP

Government of the Virgin Islands  
REQUEST FOR OR NOTIFICATION OF ABSENCE

(1) Employee's Name (Last, First, M. I.)		(2) Social Security No.	(4) Date Submitted	(5) No. of Hours Requested	<table border="1"> <tr> <th>Day</th> <th>Init.</th> <th>Hours</th> </tr> <tr><td>Sun 01</td><td></td><td></td></tr> <tr><td>Mon 02</td><td></td><td></td></tr> <tr><td>Tue 03</td><td></td><td></td></tr> <tr><td>Wed 04</td><td></td><td></td></tr> <tr><td>Thur 05</td><td></td><td></td></tr> <tr><td>Fri 06</td><td></td><td></td></tr> <tr><td>Sat 07</td><td></td><td></td></tr> <tr><td>Sun 08</td><td></td><td></td></tr> <tr><td>Mon 09</td><td></td><td></td></tr> <tr><td>Tue 10</td><td></td><td></td></tr> <tr><td>Wed 11</td><td></td><td></td></tr> <tr><td>Thur 12</td><td></td><td></td></tr> <tr><td>Fri 13</td><td></td><td></td></tr> <tr><td>Sat 14</td><td></td><td></td></tr> </table>	Day	Init.	Hours	Sun 01			Mon 02			Tue 03			Wed 04			Thur 05			Fri 06			Sat 07			Sun 08			Mon 09			Tue 10			Wed 11			Thur 12			Fri 13			Sat 14		
Day	Init.	Hours																																																
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Sat 14																																																		
(3) Agency / Division		Account/Activity Code	(6) From Date	Hour																																														
(7) Time of Call or Request	(8) Scheduled Reporting Time	(9) Employee Can Be Reached At (if needed):	Thru Date	Hour																																														
(11) Type of Absence		(12) Documentation (for Official Use Only)																																																
<input type="checkbox"/> Sick (See Reverse) <input type="checkbox"/> Annual <input type="checkbox"/> LWOP (See Reverse) <input type="checkbox"/> Maternity <input type="checkbox"/> Comp <input type="checkbox"/> Other		<input type="checkbox"/> No Call <input type="checkbox"/> For Military Leave (Orders Reviewed) <input type="checkbox"/> For Court Leave (Summons Reviewed)																																																
(14) Remarks - (Do Not Enter Medical Information)		(13) Revised Schedule For																																																
I understand that the annual leave authorized in excess of amount available to me during the leave year will be charged to LWOP.		Approved by Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No																																																
		Begin Work																																																
		Lunch-Out																																																
		Lunch-In																																																
(15) Employee's Signature & Date		(16) Signature of Person Recording Absence & Date																																																
(18) <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved (Give Reason)		(17) Signature of Supervisor & Date Notified																																																
(19) Signature of Supervisor & Date																																																		
Warnings: The furnishing of false information on this form may result in Criminal Action under V. I. Criminal Statutes.																																																		

☐ Continued on Reverse

GPO Form 3571, May 1995

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## Leave without Pay

- Employees should submit the request in writing specifying the beginning and ending date of the leave. They should include provision for approval/disapproval by the principal/activity center heads, who after acting on the request should submit it to the District Superintendent for approval/disapproval. The District Superintendent will then submit the request to the Commissioner for approval/disapproval.
- Leave of more than thirty (30) days is sent to the Governor for final approval. A copy of this approved leave should be returned to the Director of Human Resources for processing of a NOPA. We suggest that the employee send the Division of Human Resources a copy of the request at the same time the request is initially being sent out. The applicant should also maintain a personal copy.
- If an extension is needed, it is the employee's responsibility to follow the same procedure utilized for the original request. This should be done at least thirty (30) days prior to the expiration of the original request.
- In cases where an employee has run out of paid sick time that employee should be aware that he or she is responsible for paying the employee contribution to their health insurance premium.
- In some cases, a Return to Work Agreement may be required. (See Appendix 3.)
- Employees on extended leave without pay are also required to pay the employee contribution to their health insurance premium.

## Study Leave with Pay

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The Governor may grant study leave to one employee of each agency for the purpose of pursuing advance training courses and programs. Study leave with pay may not exceed one year in duration. A contract requiring your return upon completion of your studies must be signed.

The deadline for applying for one year of study leave with or without pay is December 31 of the school year before the leave is to be taken.

## Administrative Leave:

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- Administrative Leave for reasons such as attendance at institutes or summer classes or to participate in short term courses, conferences and the like, for death or grave illnesses in the immediate family or other personal emergency may be authorized by the Commissioner of Education. Title 17 V.I.C Chapter 11 Section 121-101 (7). Additionally, an employee who is drafted for service in the armed forces or a reservist called up for active duty is eligible for administrative leave of absence. For more information, you may contact the Division of Human Resources.

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- The District Superintendent may approve up to five (days) of administrative leave. All other requests for Administrative Leave should be addressed to the Commissioner through the principal or immediate supervisor and the District Superintendent.

### Bereavement Leave

In the event of the death of an immediate family member, unless otherwise covered in an applicable collective bargaining agreement, a government employee may be allowed up to four (4) consecutive days of administrative leave. Immediate family members include your parents, spouse, children, grandchildren, siblings, and parents-in-law.

### Funeral Leave for Veterans

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Veterans of the United States armed forces will be excused from regular duty for up to four (4) hours, with pay, in any one-day to participate as an active pallbearer or as a member of a firing squad or a guard of honor in a funeral ceremony for a member of the armed forces (VIC Title 3; Section 585).

### Jury Duty Leave

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Eligible employees called by the Virgin Islands court system to serve on a jury panel of their peers have a civic responsibility to serve. Upon receiving the notice of the requirement to serve, the employee must notify his or her supervisor by presenting a copy of the subpoena. If after reporting for jury duty the employee is excused, he or she must return to work. Federal law prohibits discharge, discrimination or retaliation against employees because of jury duty.

### Personal Leave (AFT Professionals)

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Teachers shall be granted leave not to exceed five (5) days in any school-year for personal reasons which shall be non cumulative. No statement of reason shall be required when such leave is requested. In case of emergency employees should notify their immediate supervisor prior to start of the workday. New teachers may not use more than three (3) days of leave in any one semester.

### Donated Leave

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A government employee may donate his or leave to another government employee who has completed at least one year of continuous employment with the Government of the U.S. Virgin Islands (Act 6031, Section 7; October 13, 1994). Leave donation is permissible only if:

1. the employee identified to receive this benefit is suffering a catastrophic health condition or injury which is expected to require his or her prolonged absence from work;
2. the employee identified to receive this benefit has exhausted all accrued sick, annual, administrative leave and compensatory time off.

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A donated leave recipient shall receive not more than two hundred and sixty (260) sick days or annual days and shall not receive days on a retroactive basis.

A leave donor shall have at least twenty (20) days of accrued sick leave and at least twelve (12) days of accrued annual leave remaining when donating leave. Any unused donated leave must be returned to the leave donor.

The Commissioner of Finance is responsible for administering the Donated Leave Program.

Please check with Division of Human Resources staff regarding internal procedures or forms for accessing this benefit.

### Family Medical Leave

Entitlement (see appendix 2)

Under the Family and Medical Leave Act of 1993 (FMLA), eligible employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period. The term eligible employee means an employee who has been working:

1. For at least 12 months with the employer with respect to whom leave is requested under section 102 (Leave Requirement); and
2. For at least 1,250 hours of service with said employer during the previous 12-month period.

The unpaid leave may be used for the following purposes:

- Birth of the employee's biological child and the care of such child;
- Placement of a child with the employee for adoption or foster care;
- Care of an employee's spouse, son, daughter, or parent who has a serious health condition;
- Employee's serious health condition rendering him/her unable to perform the essential functions of his or her position.

Under certain conditions, an employee may use the 12 weeks of FMLA leave intermittently. An employee may elect to substitute annual leave and/or sick leave, consistent with current laws.

### Military Family Leave Entitlements

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Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered service

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member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness has incurred in the line of duty on active duty that may

render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

## Job Benefits and Protections

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During FMLA leave, the Department will maintain the employee's health coverage group health plan on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### Eligibility Requirements

Employees are eligible if they have worked for at least one year and for 1,250 hours over the previous 12 months.

## Advance Notice and Medical Certification

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- An employee must provide notice of his or her intent to take family and medical leave not less than 30 days before leave is to begin or, in emergencies, as soon as is practicable.
- Employees must submit medical certification for FMLA leave taken to care for an employee's spouse, son, daughter, or parent who has a serious health condition or for the serious health condition of the employee.

## Second Opinions

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Should the government doubt the validity of the certification, the government may require the opinion of a second healthcare provider designated or approved by the government. However, the provider may not be regularly employed by government. Government is obligated to pay for the second or third opinion approved by both parties. The third opinion will be final and binding. Returning to Duty from an Extended Leave of Absence

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- It is the employee's responsibility to write to the Director of the Division of Human Resources at least 30 days prior to the expiration of the original leave request. If the leave involved sickness, the employee should also provide a physician's statement for verification of time out sick along with the dates of sickness. Additionally, another doctor's letter should be submitted to verify that the employee is fit to return to work along with the specific date on which the employee can begin to work. In some cases, an employee may be required to submit a Return to Work Agreement.



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- If the employee is not fit to return to work on the date the original leave is to expire, the employee must submit a physicians' letter indicating the additional period of time needed to recover.
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- Additionally, the employee must sign a Leave without Pay N.O.P.A. if his/her sick leave is used up. In cases of serious illness, if eligible, the employee may apply for advanced sick leave.

## DRUG AND ALCOHOL POLICY

### Background

The Drug-Free Work Place Act of 1988 (P.L. 100-690, Title V, D) became effective on March 18, 1989. The Act requires that no federal funding will be available for institutions or individuals who do not have in place a drug-free work place policy. The May 25, 1990, Federal Register published the final rules.

### Conditional Offer of Employment

#### Pre-Employment Screening

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It is a requirement that applicants seeking consideration for employment with the U.S. Virgin Islands Department of Education undergo Pre-employment Drug Screening.

Any offer of employment to a person who is not currently by the Government of the VI Department of Education is a conditional offer of employment. The offer of employment is conditioned upon the person submitting to and passing a pre-employment drug test. A person given a conditional offer of employment is prohibited from performing any duties until the person has submitted to and passed the pre-employment drug test.

If a person given a conditional offer of employment fails or refuses to submit to the preemployment drug test, interferes with a test procedure, or tampers with a test sample, the conditional offer of employment must be rescinded and the person must not be appointed to the position. The person also is removed from all applicant pools and is disqualified from appointment to a position within the Government of the VI Department of Education for a period of 3 years.

#### Notification of Convictions

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An employee of the Virgin Islands Department of Education is required by the Drug Free Work Place Act of 1988 to inform the agency within five (5) days after being convicted for violation of any federal or local drug offense criminal statutes, where violation occurred while on the work premises or while the employee was representing the department in an official capacity. A conviction means a finding of guilt, including a plea of nolo contendere (no contest), or the imposition of a sentence by a judge or jury in any federal or local court. The Department will take appropriate action within 30 days of notification.

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The Drug Free Work Place Act of 1988 specifies that the agency head or designee of the department must notify the U.S. Government agency from which any funding is received, either through contract or grant, within ten days after receiving notice from an employee or otherwise receiving actual notice of a conviction.

## Drug Testing and Screening Employees

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As a condition of continued employment, each employee must submit to a drug test or an alcohol test when required in pre-employment, random, post-accident, reasonable suspicion, return-to-duty and follow-up testing in accordance with policies set by the U.S. Virgin Islands Department of Education.

An employee who tests positive will be immediately removed from duty, required to successfully complete recommended rehabilitation including continuing care, requiring passing a Return-to-Duty test and signing a Return-to-Work Agreement, subject to ongoing, unannounced, follow-up testing for a period of five years and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

### Test-designated Positions

Classes of positions, subclasses of positions, or individual positions to be test-designated include the following:

Seafarer's International Union  
United Industrial Workers

## Drug and Alcohol Testing: Prohibited Activities

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An employee shall not do any of the following:

- Consume alcohol or use drugs while on duty.
- Report to duty or be on duty with a prohibited level of alcohol or drugs present in the employee's bodily fluids.
- Refuse to submit to a required drug test or alcohol test.
- Interfere with any testing procedure or tamper with any test sample.

## Authorized Tests within the USVI Department of Education

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### Pre-appointment testing

An employee not occupying a test-designated position shall submit to a drug test if the employee is selected for a test-designated position.

### Reasonable suspicion testing

An employee shall submit to a drug test or an alcohol test if there is reasonable suspicion that the employee has violated this rule.

### Follow-up testing

An employee shall submit to an unscheduled follow-up drug test or alcohol tests if, within the previous 24 months, the employee has done any of the following:

- Failed or refused a pre-appointment drug test;

- 
- Been disciplined for violating this rule.

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#### Random selection testing

A test-designated employee shall submit to a drug test and an alcohol test if the employee is selected for testing on a random selection basis.

#### Post-accident testing

A test-designated employee shall submit to a drug test or an alcohol test if there is evidence that the test-designated employee may have caused or contributed to a serious work accident.

#### Limitations on Certain Tests

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An employee subject to testing under this rule may be required to submit only to a drug test, only to an alcohol test, or to both tests subject to the following limitations.

#### Pre-appointment testing

Pre-appointment testing is limited to drug testing.

#### Follow-up testing

The Department may require an employee who is subject to follow-up testing to submit to no more than six unscheduled drug tests or alcohol tests within any 12-month period.

#### Random selection testing

The number of drug tests conducted in any one year on a random selection basis cannot exceed 15 percent of the number of all test designated positions. The number of alcohol tests conducted in any one year on a random selection basis cannot exceed 15 percent of the number of all test designated positions.

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## Penalties

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

## Return-to-Work Agreements (Appendix 2)

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Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

To support our employees, our drug-free workplace policy:

- Offers all employees and their family member's assistance with alcohol and drug problems through the Employee Assistance Program (EAP).

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

## Searches

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If there is reasonable suspicion that the Drug Free Workplace Act is being violated the Department reserves the right to search and inspect its schools and activity centers to include lockers, equipment, work stations and vehicles.

## Confidentiality

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All information received by the Department through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and the department's policies and procedures.

## MANDATED REPORTING OF SUSPECTED CHILD ABUSE AND NEGLECT

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Nurses, school teachers or other school personnel are mandated to report suspected child abuse and neglect. Mandated persons shall immediately report this or cause a report to be made to the Department of Human Services or the Police Department.

In addition to persons mandated to report suspected abuse, sexual abuse, and neglect, any other person may make a report if such person has reasonable cause to suspect that a child has been abused or

neglected, observes the child has been abused or neglected or observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect (VIC Title 5 Section 2533).

## STUDENT HEALTH

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The principal or other authorized official of a school shall report to a child's parent or guardian any unusual behavior, changes in physical appearance, changes in attendance habits and changes in scholastic achievement which may indicate an impairment of child's health. Recommendations as to medical, surgical or dental care shall be sent to each parent or guardian on forms prepared or approved by the Commissioner of Health, with instructions to the parent or guardian to notify the Department of Education of the action taken with respect to the recommendations. (Title 17; Chapter 10; Section 114)



## EMPLOYMENT OF A MINOR TO PERFORM PROHIBITED ACTS

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Every person who with knowledge that a person is a minor, or while in possession of such facts that he should reasonably know that such person is a minor, or any parent or guardian who has a minor under his or her control, knowingly permits, promotes, employs, uses, persuades, induces, or coerces such minor to engage in or assist others to engage in either posing or modeling alone or with others for purposes of preparing a film, photograph, negative, slide, or live performance involving sexual conduct by a minor, alone or with other persons or animals, for commercial purposes, is guilty of a felony and shall be fined not less than \$50,000 and be imprisoned for not less than three years and not more than six years. (VIC Title 14 Crimes: Chapter 51. Indecency: Section 1027)

## AUTHORITY TO DISCIPLINE CHILDREN

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All principals and teachers in the public schools shall have the right to exercise the same authority, as to conduct, and behavior, over pupils attending their schools during the time they are in attendance, including the time required in going to and from their homes, as parents, guardians or persons in parental relations to such pupils. Please check with the school's principal to determine the school's policy (VIC Title 17 Sec 130).

## TELECOMMUNICATIONS SERVICES & EQUIPMENT

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### TELEPHONE USE

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Telephones are a vital part of our business day since much of our business is handled on the phone. Personal use of the telephone should

be limited to emergencies and unusual circumstances. Also, personal calls should be brief. Personal long distance calls not billed to the employee may not be made without maintaining accurate records and reimbursing the department for the cost of the call. All long distance calls must be approved in advance by your supervisor.

## CELLULAR PHONE USE

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It is the policy of the Virgin Islands Department of Education cellular phones are to be used during office hours in the following manner:

- Set ringer to “vibrate”; never allow telephone to ring audibly.
- Excuse yourself from meetings or office area to briefly answer calls; • Limit phone use to official break periods.

## ELECTRONIC MAIL AND INTERNET USE

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Use of email by Department of Education employees is permitted and encouraged where such use is suitable for business purposes and supports the goals and objectives of the Department’s schools and activity centers. Email is to be used in a manner that is consistent with the Government of the Virgin Islands standards of business conduct and as part of the normal execution of an employee’s job responsibility. Each employee of the Department is assigned an email account to be used for business purposes.

Note: Emails Live Forever. Simply deleting an email message from your account does not destroy the message. This message probably remains on our email server, and the Department’s technology office often makes back-up copies of email servers that may be stored for months or years. Even after we erase the back-up copies, a skilled technician may be able to restore the erased message. Further, in the case of emails sent over the Internet, copies of the email could persist on the recipient’s system (or any person who receives a forwarded copy from this person) indefinitely. Thus, you should only send emails that you are willing to have live forever.

## UNACCEPTABLE USE OF ELECTRONIC MAIL OR INTERNET

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It is unacceptable to:

- Solicit emails that are unrelated to business activities or for personal gain;
- Send or receive any material that is political in nature, obscene, defamatory or which is intended to annoy, harass or intimidate another person; • Reveal or publicize confidential or proprietary information;
- Waste time on non-Governmental business.

Your failure to comply with the provisions of this policy may result in disciplinary action up to and including a recommendation for your discharge.

## INFORMATION TECHNOLOGY POLICY

(As compiled by the Information Technology Division 12/2000)



It is the policy of USVI Department of Education, Inc. to improve workplace efficiencies by increasing its use of technologies related to information acquisition, processing, storage, transfer and retrieval. As necessary, the Department makes certain of its information technologies available to employees. The Department wants to help these employees to: 1) use the information technologies, and 2) achieve the efficiencies created by the information technologies. However, because of the rapid pace at which the information technologies are introduced, controls are needed to assist and protect both the Department and its employees.

### Scope of Policy

This policy applies to all full-time and part-time regular and temporary employees, including managers, supervisory and non-supervisory personnel, and temporary employees of the Department.

### Definitions

For purposes of this policy, "Information Technologies" shall consist of equipment, systems, and software provided by or through the Department to its employees. The Information Technologies include but are not limited to modems; computer networks; document scanners; electronic pagers, voice mail systems; electronic mail systems; CD ROM players and disks; photocopiers, facsimile machines; internet access accounts; telephone lines; office, portable, and cellular or digital telephones; desktop and laptop computers and peripheral equipment; computer software licensed to or owned by the Department; electronic storage media, including floppy disks, drives, backup tapes, and removable storage media; and a comprehensive body of Department information created or contained on, or accessible through, any of the above.

### Information Technology Ownership & Purpose

Department maintained and controlled: The Department maintains the Information Technologies solely to facilitate Department business. Although employees may have personal passwords to some of the Information Technologies, these passwords do not prevent access by the Department's systems administrators. The Department maintains control of all Information Technologies and may access at any time the contents of messages, data, and files on or concerning the Information Technologies.

Records retention: Each Division within the Department has a Records Coordinator who is responsible for compliance with the Department's Records Retention Program. Employees with questions about the Records Retention Program should consult their Department's Records Coordinator. All messages, data, and files sent, received, created and/or stored on or through any of the Information Technologies are Department property and will be deleted or archived pursuant to the Records Retention Program. The Department is not responsible for loss or deletion of claimed "personal" messages, data, or files on any of the Information Technologies.

Department business purpose: The Information Technologies are intended for use by Department employees in conducting only Department business and not for any employee's personal use. Employees may not use any of the Information Technologies to solicit or conduct nonDepartment business ventures or for personal, political, or religious purposes. It is recognized that employees may occasionally communicate with family members or friends by means of the Department's Information Technologies or occasionally have the need to use the Department's Information Technologies for a personal purpose, however such use should be limited and in a manner that does not interfere with Department business and otherwise in compliance with this Policy.



Unlawful harassment and discrimination prohibited: All employee usage of the Information Technologies shall comply with all federal and state laws and all Department policies which seek to prevent unlawful workplace harassment or discrimination. For example, electronic mail or the use of screen savers that may create a sexually hostile work environment will not be tolerated. Any offender will be subject to discipline, up to and including termination.

Intellectual property protections: Any documents contained on or created by the Department's computer or e-mail systems are Department property. Employees may not reproduce or otherwise use any information received through e-mail or Internet access that may infringe upon another's lawful intellectual property (copyright, trademark, or patent) or other rights. The scanning or copying of documents in violation of copyright laws is prohibited.

All information technologies are Department property and are intended for business purposes only. With the limited exceptions discussed below, personal use of them is prohibited.

Privacy not excepted: The Department may access and disclose, at any time, any: 1) data or files contained on any Department-provided or authorized computer or diskette, and 2) outgoing or incoming voice-mail or e-mail messages, on any Department-provided or authorized Information Technologies equipment, systems, or software. Therefore, an employee's Department voice-mail greeting must not indicate to the caller that any incoming message will be "confidential" or "private".

Use is consent: An employee's use of any of the Information Technologies constitutes the employee's consent to the Department's access to, and waiver of the employee's privacy interest (if any) in, all messages, data, or files on, or information about, the Information Technologies.

Personal use at own risk: The Department understands that immediate family members or others occasionally may leave or send voice mail or e-mail messages for an employee. The Department is willing to accommodate such personal use of the systems to a limited degree; however, the Department treats such messages like other business messages and affords no personal privacy protections to them. Employees should not have any expectations of personal privacy in anything created, sent, received, or stored on or by means of any of the Information Technologies. Personal use of any of the Information Technologies that interferes with an employee's work performance is prohibited.

Deletion or erasure not reliable: Even after a message, data, or file has been "deleted" or "erased", it remains on the system and/or is retrievable from a backup system. Therefore, employees should not rely on the erasure or deletion of messages, data, or files to assume that it is "private" in any respect.

Password known to Department: The existence of passwords on any of the Information Technologies is not intended to indicate that messages, data, or files will remain private, as employees must make all such passwords known to the Department upon request. An employee may not refuse to provide an authorized Department official with his or her password(s) upon request.

No employee may use encryption programs or passwords that are not known to the Manager of the Information Technology Department. Other than the Department's confidential business matters, nothing on any Information Technologies equipment, system, or software shall be treated as private or confidential.

Password sharing prohibited: An employee shall not share his or her password(s) to any of the Information Technologies with anyone, except as required above. Any employee who shares his or her password(s) with anyone else is solely responsible for any damage or liability that may result. Accidental disclosure to another of one's password should be reported immediately to an

Information Technology Department representative, and the employee shall immediately change the password. If an authorized Information Technology Department representative requires the use of an employee's password(s) to perform technical support work, the employee should disclose the password(s).

## Penalties

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Violation of law or Department policies: Any violations of this policy, and any voice-mail, e-mail, or other communications using, and any data or files created or contained on, any of the Department's



Information Technologies which violate any law (including but not limited to antidiscrimination, copyright, export control, defamation, patent, privacy, trademark, and trade secret laws) or any Department policy (including those against unlawful harassment or discrimination), will subject the offender to: 1) discipline (up to and including termination), and 2) personal responsibility for any civil liabilities or criminal penalties.

Employees who improperly use the Department's Information Technologies for personal use also are subject to discipline (up to and including termination) and are responsible for reimbursing the Department for the reasonable costs associated with making the Department whole for such improper usage.

Release or Destruction of Department business information: Any creation, transfer, dissemination, or destruction of messages, data, or files contained in or on any of the Information Technologies which is unauthorized or illegal or knowingly done with malicious intent or any introduction with malicious intent of any virus into the Information Technologies is the same as a theft or destruction of Department property and will be prosecuted.

## Access

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Responsibility: Once an employee "signs on" as a user via his or her password, the employee is responsible for all communications sent or data/files created or edited under that employee's password. Therefore, any employee who is "signed on" should be careful to not leave the workstation unattended for an extended period of time.

Non-employee access prohibited: No employee may grant or permit any nonemployee (including customers and suppliers) to access any Information Technologies, or the messages, data and files contained thereon, without prior written approval of both the employee's Department Manager and the Manager of the Information Technology Department.

Message access: Messages on any of the systems are to be accessed only by: 1) the intended recipient, 2) others at the direct request of the intended recipient, or 3) the Department's designated representatives. Therefore, no employee may access another person's messages without either the other person's permission or a Department business-related reason for doing so. Any attempt by an unauthorized person to access messages on any of the systems (such as voice mail or e-mail) is a serious violation of Department policy. Any employee who receives a message for which the employee is not the intended recipient should either: 1) return the message to the sender and tell the sender of the error, or 2) forward the message to the intended recipient, if possible.

Data and file access: Data and files contained on any of the Information Technologies are to be accessed only by those employees with a Department business need to know about the information. "Browsing" through Department data or files (in hard copy or electronic format) without a legitimate Department business reason is prohibited.

Any employee found to have violated the Information Technology policy may be subject to disciplinary action, up to and including termination of employment.

## PERSONAL CONDUCT

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All officers and employees of the Government are expected to comply with and executive orders enacted, prescribed to or issued by order of the Government. Employees are required to behave in a professional manner and to cultivate high standards of public conduct as reflect to the credit of the Government. The private conduct of an officer or employee which adversely reflects upon the Government cannot be tolerated.

### DRESS CODE OR PERSONAL APPEARANCE

Discretion in style of dress and behavior is essential to the efficient operation of the Department of Education's schools and activity centers. Employees are, therefore, required to work in appropriate attire.

Authority is communicated through dress. The wearing of jeans, sneakers, and tight-fitting or revealing clothing, unless otherwise permitted by the activity center head, is considered inappropriate for work within the offices, schools and activity centers of the Virgin Islands Department of Education. Further, employees are asked to be cognizant of the following:

- Your dress sets a tone for the day.
- Your dress sets a model for students, colleagues and clients.
- Business wear establishes a mood of respect and discipline.
- Jeans are allowed ONLY on days designated by the principal or activity center head.

In addition, good hygiene promotes non-offensive body odor and minimizes the potential for workplace concerns. Failure to adhere to these guidelines may result in disciplinary action up to and including a recommendation for discharge. (CODE OF ETHICAL CONDUCT FOR OFFICERS AND EMPLOYEES OF THE GOVERNMENT OF THE VIRGIN ISLANDS (EXECUTIVE ORDER NUMBER 53-1961; filed December 7, 1961p File number 174)

### GOOD FAITH REQUIREMENT

All officers and employees are required to carry out and execute in good faith the established policies and programs of the Government. A governmental officer or employee continues to enjoy the full political privileges and rights enjoyed by all other American citizens, but his right to disagree or criticize may not be projected into the discharge or performance of his duties and responsibilities so as to frustrate, impede or distort decisions made by those charged with the making thereof.

## PROSCRIBED ACTIVITIES

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No officer or employee of the Government of the Virgin Islands may:

1. Directly or indirectly, receive or agree to receive any compensation for any services rendered or to be rendered, either by himself or any other, in relation to any proceeding, contract, claim, controversy,



charge, accusation or arrest or other matter in which the Government of the Virgin Islands is a party or directly or indirectly interested, before any department or agency of the Government;

2. Act as an agent or attorney for prosecuting any claim against the Government of the Virgin Islands, or aid or assist in the prosecution or support of any such claim otherwise than in the proper discharge of this official duties, or receive any gratuity, or any share of or interest in any such claim in consideration of assistance in the prosecution of such claim;

3. Be directly or indirectly interested in the pecuniary profits or contracts of any corporation of, joint stock company, or association, or any firm or partnership, or other business entity, act as an officer or agent of the Government of the Virgin Islands for the transaction of business with such business entity;

4. Engage in outside employment or other outside activity not compatible with the full and proper discharge of the responsibilities or duties of his office. Abuse of leave privileges to engage in outside work shall be treated as an interference with official performance of duty. While an officer or employee is not prohibited from performing outside work solely because the work is of the same general nature as the work he performs for the Government, no such officer or employee may perform work for compensation outside the government service:

- If the work is such that he is required to do it as part of his regular duties; or
- If the work involves active proprietary management of a business closely related to the official work of the officer or employee; or
- If the work is to be performed while an officer or employee is on duty; or •
  - If the work is to be performed while an officer or employee is on duty; or
- If the work is such a nature that may be reasonably be construed as an official act of the Government; or
- If the work involves the use of Government facilities, equipment and supplies of whatever kind; or
- If the work involves the use of official information which is not available to the public.

5. Receive compensation or anything of monetary value in connection with his services such as an officer or employee from any source other than the Government of the Virgin Islands, for any consultation, lecture, discussion, writing or appearance the subject matter of which is:

- Devoted substantially to the responsibilities, programs or operations of the officer's or employee's department or agency or
- Draws substantially upon official data, proposals or ideas which have not become part of the body of public information, except such compensation as may be contributed by the federal government or the government of any state of the United States or any political subdivision thereof as part of a joint or participating program. Nothing in this paragraph shall preclude the participation by officers or employees in the affairs of charitable, religious, and non-profit educational, public service or civic organizations or acceptance of awards by such officers or employees for meritorious public service given by such charitable or other civic organizations.

The Government shall expect the resignation, or will dismiss, suspend or take any other appropriate disciplinary action against any officer or employee who violates the provisions of this order. The good intentions or demonstrable virtue of an officer or employee shall be no defense in any instance where such officer or employee by his conduct brings the integrity of the Government of the Virgin Islands into question.

## 1. INVOLVEMENT IN POLITICAL ACTIVITY

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The Virgin Islands government respects and encourages employee participation in political activities, but not on government time or on government property or with governmental resources.

## 2. DRUG AND ALCOHOL USE

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An employee shall not do any of the following:

- Consume alcohol or use drugs while on duty.
- Report to duty or be on duty with a prohibited level of alcohol or drugs present in the employee's bodily fluids.

## 3. SMOKING

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Smoking in government buildings is NOT permitted. The regulation of smoking in government facilities is governed by Title 23 of the Virgin Islands Code, Section 891.

## 4. SOLICITATION & LOITERING

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Employees must not solicit other employees for any purpose during working times. This does not include break or meal times. Employees are not permitted to distribute literature of any kind in work areas. People who don't work for the government are prohibited from distributing literature of any kind or soliciting employees for any purpose at any time on government property. Loitering on government property at all times is prohibited.

## 5. VIOLENCE in the WORKPLACE

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Government of the Virgin Islands Department of Education has a zero tolerance for workplace violence and defines workplace violence as any physical assault with or without weapons or any behavior that a reasonable person would interpret as such, i.e inflicting physical harm, behaving in a belligerent manner, pushing, shoving, throwing objects or otherwise creating a dangerous atmosphere. Employees who engage in workplace violence will face a recommendation for immediate discharge.

## 6. WORKPLACE BULLYING

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The VI Department of Education considers workplace bullying unacceptable and will not tolerate it under any circumstances.

Workplace bullying is behavior that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients, or customers. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale and create legal risks.

The VI Department of Education believes all employees should be able to work in an environment free of bullying. Managers and supervisors must ensure employees are not bullied.

The VI Department of Education has grievance and investigation procedures to deal with workplace bullying. Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially.

The VI Department of Education encourages all employees to report workplace bullying. Managers and supervisors must ensure employees who make complaints, or witnesses, are not victimized.

Disciplinary action will be taken against anyone who bullies a co-employee. Discipline may involve a warning, transfer, counseling, demotion or dismissal, depending on the circumstances.

The Employer Assistance Program officer in the Division of Human Resources is available for more information.

## 7. HARASSMENT

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Ever since the Equal Employment Opportunity Commission began its emphasis on ending sexual harassment at work, this issue has been one of the most difficult to police. A sexual harassment investigation after the fact is not the time to figure out how to prevent sexual harassment. Nor is it the time to answer questions like "When does 'kidding around' become sexual harassment at work?" Or "From whose perspective is it harassment?" Supervisors need to take appropriate steps before harassment happens.

It is the policy of the Virgin Islands Department of Education that all employees enjoy a working environment free from all forms of discrimination, including sexual harassment.

- A. The Department will not tolerate sexual harassment in any form within the workplace.
- B. Any employee who believes that he or she has been sexually harassed by a supervisor, co-worker or any other employee may file a complaint under this procedure.
- C. Any employee who believes that he or she has been adversely affected by the sexual favoritism toward another employee may file a complaint under this procedure.
- D. The Department will take prompt and severe sanctions against any employee found to have sexually harassed any other employee.
- E. The Department will not tolerate retaliation against employees or beneficiaries who raise complaints of sexual harassment.
- F. To the extent possible, the Department will make every effort to keep complaints of sexual harassment confidential and shall involve only those individuals with "a need to know" in the processing of these complaints.
- G. The Department will evaluate and handle complaints on a case by case basis and in the context of the work situation.

### WHAT CONSTITUTES SEXUAL HARASSMENT

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim, as well as the harasser, may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

- The harasser's conduct must be unwelcome.

No employee, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment is illegal, lowers morale and is damaging to the work environment.

#### CONSEQUENCES FOR OFFENDERS

The Virgin Islands Department of Education will treat sexual harassment like any other form of employee misconduct. It will not be tolerated. On April 7, 2006 the United States Virgin Islands Legislature enacted Act No. 6829, which extends the scope of the territorial laws concerning sexual harassment and imposes substantial requirements on employers with respect to prohibiting sexual harassment.

This new Act also states that "any person responsible for sexual harassment in the workplace" "shall incur civil liability" for "double the amount of damages that the action has caused the employee or job applicant" (or not less than \$5,000 in those cases where there is no actual loss). The Act creates individual, personal liability for supervisors, managers and co-workers who are found to be "responsible for sexual harassment."

#### RETALIATION PROVISIONS

The Act also adds a new section to Chapter 17 of the Discrimination in Employment Act, 24 V.I.C. §451a. This section makes it unlawful to retaliate against any employee who reports or is about to report any discrimination to a "public body" (or if someone acting on behalf of the employee reports or is about to report) or is requested by a public body to participate in an investigation, hearing or inquiry held by the public body or a court.

The only exception to this provision is if the "employee knows the report is false." This section also allows the employee to file a lawsuit for injunctive relief and/or actual damages based on any alleged retaliation.

#### PROCESS FOR HANDLING SEXUAL HARASSMENT/ FILING COMPLAINTS

The Department has established the following procedural guidelines:

A. The Director of the Division of Human Resources has the responsibility for the implementation of this complaint procedure and for conducting or coordinating the investigation of complaints alleging unlawful sexual harassment.

B. Employees are encouraged to inform the offending person that the conduct is unwelcome and should stop immediately. If the harassment does not cease, an employee should promptly make a complaint of sexual harassment.

C. Complaints may be reported to the immediate supervisor. If the complaint involves the immediate supervisor, or if the complaining does not want the supervisor to be the investigator, the complaint should be reported to the HR Director. Complaints may also be lodged with the Virgin Islands Civil Rights Commission within the Virgin Islands Department of Justice at (340) 774-5757 or (340) 773-0295.

(1) The complaining party should report the incident immediately but no later than 180 days from the alleged sexual harassment.

(2) If filed with the supervisor, the supervisor shall immediately notify the HR Director of the complaint by way of a confidential memorandum.

(3) The investigation of sexual harassment complaints will be consistent with the Virgin Islands law and policies set forth by the Virgin Islands Department of Education, as appropriate.

(4) If during the initial investigation, the supervisor and parties to the complaint determine that resolution can be achieved satisfactorily, the supervisor shall notify the DOE Commissioner of Education in writing of the facts with a confidential copy to the Director of Human Resources.

(5) The notification shall include an appropriate statement or agreement that is to be signed by the employee filing the complaint that the employee is satisfied with the resolution of the complaint.

(6) The Department shall take appropriate disciplinary and corrective action(s).

(7) Disciplinary actions taken shall reflect the severity of the conduct and may include, but are not limited to:

- (i) A letter of reprimand; (ii) Suspension without pay; or (iii) Termination.

(8) A written report that includes the results of the investigation that support the allegation(s) and resolution(s) shall be made a part of the accused's personnel file.

(9) As appropriate, the accused shall be advised of any appeal or grievance rights if the accused believes the resolution to be unfair.

(1) The employee filing the complaint shall be advised in writing that the incident could not be substantiated.

(2) This notification shall include a statement that retaliation against the employee for filing a complaint is prohibited.

(3) The employee filing the complaint shall also be advised again of the right to file a formal complaint.

(4) The employee against whom the allegations were made shall be notified in writing that the complaint was received and investigated but was not substantiated.

D. When the findings do not support the employee's allegations, the following actions are taken:

E. 1) The employee filing the complaint shall be advised in writing that the incident could not be substantiated.

F. (2) This notification shall include a statement that retaliation against the employee for filing a complaint is prohibited.

G. (3) The employee filing the complaint shall also be advised again of the right to file a formal complaint.

H. (4) The employee against whom the allegations were made shall be notified in writing that the complaint was received and investigated but was not substantiated.

## PROGRESSIVE DISCIPLINE of EMPLOYEES

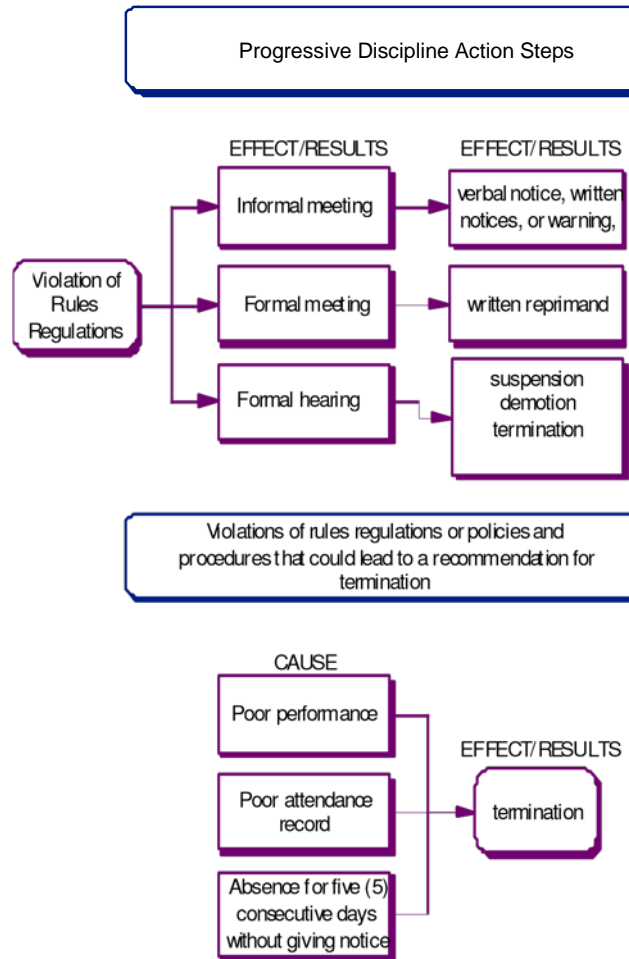
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Disciplinary corrective action is the proper managerial response to misconduct specified in the Department's rules and regulations or policies and procedures. To ensure that each employee receives unbiased treatment, supervisors should use the disciplinary action checklist following one of these actions to ensure that the employee receives due process.

An employee may be subject to such action in any of the following instances (list is not exhaustive).

- Theft of government property or that of another employee
- Breach of confidentiality
- Intoxication during working hours
- Destruction of government property
- Excessive absence or tardiness
- Drug or alcohol abuse
- Insubordination or refusal to follow proper instructions
- Unsatisfactory or poor work performance

- Deliberate injury to another person
- Job Abandonment
- Willful misuse of government property
- Conduct enumerated in departmental rules and regulations
- Unintentional violation of safety rules
- Use of abusive language or conduct which disrupts departmental activities
- Fighting on the job.



## Informal Meeting

Upon learning of a performance or conduct problem, your supervisor may inform you, either orally or in writing, of the performance or conduct problem and request a meeting with you. The purpose of the meeting between you and your supervisor is to make you aware that your performance or conduct is not up to specified requirements. The seriousness of the problem and the possible consequences if you do not correct the problem will be explained and the specific policies which apply to the situation will be reviewed with you. You have a right to union representation in any case where disciplinary action may be imposed.





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## Written Reprimand and Meeting

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For repeated or serious problems either of performance or conduct, the supervisor may issue a formal letter of warning. The letter of warning will state the date, a description of the problem and specific corrective action to be taken by you over a designated period of time. After receipt of the letter, a meeting between you and your supervisor may be held. The purpose of the meeting is to discuss the nature of the problem and specific steps to be taken by you to correct the problem.

The Department of Education, its officers and employees, are required to comply with the terms of the existing Collective Bargaining Agreements (CBA) regarding placing correspondence in an employee's file. In the absence of a CBA, due process requires prior notification of any charges before action is taken.

For example, to comply with the American Federation of Teachers, Collective Bargaining Agreement (Educational Professionals) Article II, Section 3, prior notification to the employee is mandated. The procedure recommended is that your correspondence to the teacher should contain the following paragraph and must comply accordingly:

"... a copy of this correspondence will be placed in your official personnel file on \_\_\_\_\_ (future date) and it may be used in the future in a formal hearing. If you wish, you may respond to this correspondence within the time specified in the CBA if you feel the information is incorrect."

- This provision is to ensure prior notification before filing in the Official Personnel File. Additionally, a receipt and notation of the dates of delivery of the correspondence to the employee and to the Official Personnel Files are necessary for our records.

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## Suspension

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- Suspension may be used in situations where an employee has committed a serious infraction and his or her supervisor or department head decides it is in the best interest of the employee and the agency to temporarily separate the employee from the agency. The suspension may be immediate or it may take effect at a later date.

- When a supervisor recommends the suspension of an employee, a letter of suspension signed by the Commissioner or her designee will be sent to the employee. The letter will state a description of the problem, the effective date of the suspension, the duration of the suspension and the employees' right to a hearing.
- After the employee's receipt of the letter of suspension, the employee may request a meeting with the Commissioner or her designee. The employee may call witnesses and produce documents relevant to the matter under consideration. Within a short time after the meeting, the commissioner will notify the employee in writing of the decision. The Commissioner may approve, modify or disapprove the suspension. Suspensions in excess of six (6) months must be approved by the Governor.
- Suspension, pending a hearing will be mandatory in cases involving violence, the illegal possession or transportation of firearms and the use of illegal drugs on government property.

## Demotion

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The commissioner may demote an employee for cause or in lieu of layoff. A written statement of the reasons for the demotion must be furnished to the employee within five (5) days prior to the effective date of the action. This action will be documented via NOPA to the employee's official personnel file.

## Transfers

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Application for voluntary transfer will be considered based on qualification in subject field and grade level, seniority and all other relevant factors.

Teachers must renew their transfer request not later than April 30<sup>th</sup> of each year in order to maintain their seniority by date of original application. A list of applicants for assignments to a particular school shall be kept by the Division of Human Resources. Applicants shall be ranked according to date of application. When a vacancy occurs, the name at the top of the list shall be sent to the appropriate school principal for an interview.

## SEPARATING FROM THE USVI DEPARTMENT OF EDUCATION

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## Termination

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- Flagrant disregard for policies and practices such as gross insubordination and physical violence warrant immediate discharge. Major offenses, such as dishonesty, breach of trust, unlawful distribution of drugs while on government business and illegal possession or transportation of personal firearms on government property, are so serious in nature that an employee may be discharged for the first violation. These are not the only instances which merit immediate discharge. Others are left to the discretion of the head of the agency or are outlined in your collective bargaining contract.



- When a supervisor recommends the termination of an employee, a letter advising the employee of the recommendation for such termination is forwarded to the employee by the Division of Human Resources. The letter will state a description of the problem, the effective date of the termination and the employee's right to a hearing. All recommendations for termination of a district employee should be made through the District Superintendent. Termination recommendations for state employees should be made through the appropriate activity center head.
- Within a short time after the employee's receipt of the letter of termination, the Director of Human Resources will arrange for a hearing with the agency head or he or she may conduct the hearing on behalf of the commissioner or the superintendent at which time the employee will be given an opportunity to be heard.
- The employee may call witnesses and produce documents relevant to the matter under consideration. The agency head will notify the employee in writing of the decision. The agency head may approve, modify or disapprove the termination. The recommendation for termination will then be sent to the Governor, through the Office of Collective Bargaining. The Governor may approve, modify or disapprove the recommended termination. Terminations are effective only upon approval of the Governor.

## Retirement

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Employees planning to retire must discuss their intent with a representative at the Government Employment Retirement System. Additionally, a letter indicating the prospective retirement date should be sent to the Commissioner of Education with a copy to the appropriate activity center head or Insular Superintendent, and the Director of Human Resources. This is necessary so that a N.O.P.A can be prepared.

## Resignation

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In the event that a teacher or other educational professional fails to give proper notification to resign his or her position, the following notice will be placed on the employee's final Notice of Personnel Action (NOPA):

Employee did not comply with Section 121-51 Education Laws of the Virgin Islands, "Voluntary separation from the Department may be accomplished by resignation. To resign in good standing, teachers and other professional employees must give the Commissioner at least 60 calendar days prior, in writing, unless the Commissioner agrees to a shorter period of notice. The Commissioner has not agreed to shorter period of notice."

### Dismissals (Act 4373)

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The principal or activity center head must submit the request for dismissal in writing to the Insular Superintendent along with any written documentation verifying actions taken or communication attempted to prevent the dismissal request. The section of the appropriate union contract or Legislature Act (i.e. ACT NO. 4373) should also be cited. Space should be provided for the Insular Superintendent's signature of approval or disapproval. After this the Division of Human Resources will take the additional steps.

### The Exit Interview

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Each employee who resigns or otherwise separates from the Department should complete an Exit Interview. This interview can be performed at the employee's activity center by his or her supervisor or by a Human Resources representative in the Division of Human Resources. In any case, a copy of this interview should be forwarded HR.

During the exit interview, the outgoing employee must indicate whether or not he/she wishes to serve as a teacher's substitute in the future. A substitute teacher application should be completed at that time and the name of the candidate placed on the Substitute Teachers List.

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## Appealing a Dismissal

You may have a right to an appeal or your dismissal, demotion or suspension before the Public Employees Relations Board (PERB) provided; you file your appeal within 10 days following your receipt of the charges.

Your appeal must be in writing and addressed to:

Aubrey Lee, Chairman, PERB  
PO Box 2984  
Christiansted, USVI 00822-2994

A copy must also be filed with the Department of Justice.

## LABOR RELATIONS SERVICES

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The Division of Human Resources provides employee assistance and dispute resolution support services to activity center heads. The Director of the Division is a mediator, arbitrator trained by the Virgin Islands Public Employee Relations Board (PERB).

- When a dispute arises in an activity center, the activity center head may contact the Director of Human Resources for Collective Bargaining Agreement or Personnel policy interpretation. The activity center head may also solicit advice on resolving the dispute. Supervisors are strongly urged to contact the Division of Human Resources for early assistance. Early consultation can avoid unnecessary grievances or charges filed against the Department at the Public Employee Relations Board (PERB) or in local courts.
- The Director may also participate in grievance hearings at the second or in some instances, the third step and make recommendations for resolution of such grievances to the Superintendent or the Commissioner
- The Division of Human Resources may also, upon the Principal or Administrator's request, assist with mediating employee/employee disputes or employee/supervisor disputes.
- To assist supervisors in disciplinary cases, a disciplinary action checklist is included here.



## GRIEVANCE HEARING PROCEDURES

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Administrators and heads of activity centers are expected to adhere to the grievance procedures outlined in all collective bargaining units within their respective activity centers or schools. Contractual clauses relative to this responsibility can be found within the respective collective Bargaining Agreement:

### STEP I: HEARING OFFICER'S OPENING STATEMENT

- Introduction of parties present;
- Statement of the purpose of the hearing;
- Overview of hearing procedure; and
- Entertainment of questions regarding the clarification of hearing procedures.

### STEP II: OPENING STATEMENT BY THE UNION

This is a summary statement of alleged contractual violations.

### STEP III: OPENING STATEMENT BY THE DEPARTMENT

This is a summary statement indicating why a contractual clause was not violated.

### STEP IV: UNION'S TESTIMONY

This is the declaration in which the union presents evidence (correspondence, reports, photos, etc.) and other facts supporting the alleged violations. Note that the above items are passed on to all persons present and that statement(s) from grievant (s)/witnesses are also entertained at this time.

### STEP V: DEPARTMENT'S TESTIMONY

This is the declaration in which the Department presents evidence (correspondence, reports, photos, etc.) and other facts substantiating that the respective contractual clauses were not violated. Note that the above items are passed on to all persons present. Note further that statements from the Department's witnesses are also entertained at that time.

### STEP VI: QUESTION AND ANSWER PERIOD

These are questions put forth by the hearing officer seeking clarification on testimony presented by both parties. Union/departments representatives put forth questions to each other regarding testimony

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presented on either side. Note that if the above questions are presented in an argumentative manner, the hearing officer maintains the right to either request a brief recess or discontinue the questioning privileges.

#### STEP VII: UNION'S CLOSING STATEMENT

This is a summary statement by the union's representative relative to testimony supporting alleged violations of the contract.

#### STEP VIII: DEPARTMENT'S CLOSING STATEMENT

This is the summary statement by the Department's representative relative to testimony supporting that the contract was not violated.

#### STEP IX: HEARING OFFICER'S CLOSING STATEMENT

This is the summary statement by the hearing office indicating the date by which the decision will be rendered in accordance with the time limit outlined within the collective bargaining agreement.

### WORKERS' COMPENSATION

All employers who employ one or more persons in the Virgin Islands are required to cover such employees by obtaining insurance under the Government Insurance Fund. Failure to do so is in violation of Title 24, Chapter 11, and V.I. Code Section 277.

#### Injury Defined

Injury means any harmful change in the human organism arising out of and in the course of employment, including damage to or loss of a prosthetic appliance, but does not include any communicable disease unless the risk of contracting such disease is increased by the nature of employment.

#### Compensation for Personal Injury or Occupational Disease:

Compensation is paid for disability or death of an employee resulting from a personal injury or occupational disease arising out of and in the course of his employment, irrespective of fault as a cause of the injury or death. However, the employer may show proof that the injury or death is caused solely by the willful misconduct of the employee or by the willful intention of the employee to injure or kill himself or another or by the intoxication of the employee.

#### Injuries Away from Worksite

Injuries resulting from travel to and from home immediately before or after working hours and injuries resulting from travel to and from an eating place during an authorized break period are considered injuries in the course of employment.

#### What to Do In Event of an Injury

As soon as an employee is injured, no matter how minor the injury appears to be, he should seek medical care by getting first aid administered by a qualified person, by seeking the private services of a physician or by going directly to a hospital.

#### How to Report an Injury or Occupational Disease

Written notice of the injury must be reported to the immediate supervisor by the injured employee or his representative within 48 hours after the injury. For occupational diseases, written notice must be given to the immediate supervisor within 30 days from the first distinct manifestation thereof. In each case, copies must be forwarded to the Division of Human Resources. Failure to comply with these statutory deadlines can result in a denial of compensation. The written notice of the injury or occupational disease shall contain (a) the name of the person (b) the nature of the injury or occupational disease and (c) when and where it occurred. The written notice may be completed on the form from the Office of Workers Compensation, Department of Labor but it must be filed with the Department.

The Activity Center Head must transmit the employee's report to the Department of Labor, Office of Worker's Compensation within eight days after filed together with the employer's "report of injury" or the employer may also appear at the Office of Worker's Compensation to complete the report. A copy of this document should also be forwarded to the Division of Human Resources.



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### Complying with Medical Evidence Requirements

Injured employees may go to Government Hospitals or Clinics or to private physicians for medical care and take with them accepted evidence of having sustained the injury on the job. Accepted evidence is a specific medical report form supplied by the Office of Worker's Compensation to employers.

#### Claiming Benefits

All employees are entitled to medical care and compensation for loss of wages. The first claim for compensation must be filed in writing within sixty (60) days of the injury on forms from the Office of Worker's Compensation. This Office will assist the injured worker in preparing his claim. If he has sustained a disabling injury causing him to lose wages of one day or more, he may file a claim to recover lost wages.

#### Obtaining Forms for Reporting Injuries and for Claims

Forms for the Employer's Report of Injury, the Employee's Notice of Injury, Medical Reports and Claims are available at the Office of Worker's Compensation, Department of Labor.

## SCHOOL SECURITY

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The Department works in cooperation with the Virgin Islands Police Department (VIPD) to provide school security in accordance with Title 3, Chapter 15; Section 261 of the Virgin Islands Code which states that the VIPD "shall provide twenty-four hour security services for each public high school and each public junior high school in the Territory" (and) "such other appropriate security measures for the various other schools, property, personnel and equipment in consultation with the Commissioner of Education."

### Accessing Premises after Hours --Responsibility for Facility Keys and Equipment

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Each administrator or activity center head determines who may access the facility after hours. In some cases, an employee may be issued keys at the sole discretion of the Activity Center Head or Administrator. Employees are expected to comply with all applicable rules and regulations regarding use of government premises or access to government property. Upon termination of employment, the employee is required to turn in all keys and other government equipment to the appropriate activity center head.

### Use of Bulletin Boards

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The Department utilizes bulletin boards to communicate important information such as safety rules, management memos and labor relations matters. Each employee has the responsibility to read the information posted. The Department Chair or other school personnel can give the location of the nearest bulletin board. Employees may not post material on bulletin boards without the principal's or activity center head's approval.

## EMERGENCIES

### Emergency Evacuation Procedures

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Each activity center has an emergency evacuation procedure posted. Please check with your supervisor to inquire about your school or activity center's emergency evacuation plan.



### Bad Weather

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The Hurricane Season begins in June and ends November 30 – most of the time. The storms range in intensity from Category I with winds of 75 miles per hour up to Category V at 156 miles per hour and above. A hurricane with its strong winds and pelting rain can do serious damage to structures. Flooding may also occur due to tidal surges. Residents of low-lying areas should take special precautions to avoid getting trapped by rising flood waters.

For the safety of staff and students, each school maintains an emergency operational plan with which each employee should become familiar. Employees should also set up a personal emergency plan which should include identifying area shelters, stocking up on food supplies in the form of canned goods and bottled water, and storing batteries to power flashlights and portable radios.



The chief source of information during a hurricane will come from the Virgin Islands Territory Emergency Management Agency (VITEMA) through the Office of the Commissioner. The Department of Education will activate its Emergency Operations only after the National Weather Bureau's Puerto Rico office, in conjunction with communication from VITEMA, gives an official alert.

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## HOLIDAYS OBSERVED BY THE VIRGIN ISLANDS GOVERNMENT



January 1 - New Year's Day  
January 6 - Three King's Day  
3<sup>rd</sup> Monday in January - Martin Luther King's Day  
  
3<sup>rd</sup> Monday in February - President's Day  
March 31 - Transfer Day  
April 9 - Holy Thursday  
April 10 - Good Friday  
April 13 - Easter Monday  
1<sup>st</sup> Monday in May - Memorial Day  
July 3 - V.I. Emancipation Day/Danish W. I. Emancipation Day  
July 4 - Independence Day  
1<sup>st</sup> Monday in September - Labor Day  
2<sup>nd</sup> Monday in October - Columbus Day & V.I. / P.R. Friendship Day  
November 1 - Liberty Day  
November 11 - Veteran's Day  
4<sup>th</sup> Thursday in November - Thanksgiving Day  
December 25 - Christmas Day  
December 26 - Boxing Day



Appendix 1

DEPARTMENT OF EDUCATION  
DIVISION OF HUMAN RESOURCES  
EXIT INTERVIEW

Employee \_\_\_\_\_ Job Title \_\_\_\_\_

School or Activity Center \_\_\_\_\_ Employed From \_\_\_\_\_ To \_\_\_\_\_

Disposition: Resigned ☐ Layoff ☐ Discharged ☐ Other ☐

Do you have another job? ☐ Yes ☐ No

If yes, where? \_\_\_\_\_ New Title \_\_\_\_\_

Present Salary \_\_\_\_\_ New Salary \_\_\_\_\_

Additional Fringe Benefits New Position Offers

Did employee get along well with supervisor? ☐ Yes ☐ No

If no, please explain.

How well did supervisor handle any complaints or grievances employee may have had?

How did you feel about his/her salary?

How did employee feel about his/her progress with the Department?

What did employee like best about his/her job?

What did employee dislike about his/her job?

Specifically, why is employee leaving?

Would employee stay if a more satisfactory arrangement could be worked out? ☐ Yes ☐ No

If yes, explain.

What recommendations does the employee have for making his/her school or activities center a better place to work?

Interviewer's comments on reason for employee's separation from the Department.

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

Interviewer \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_



Appendix 2

Government of the Virgin Islands of the United States  
Department of Education  
DIVISION OF HUMAN RESOURCES  
CERTIFICATION OF HEALTH CARE PROVIDER

(Family and Medical Leave Act of 1993)

1. Employee's Name:
2. Patient's Name (if different from employee):
3. The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition<sup>1</sup> qualify under any of the categories described?  
  
If so, please check the applicable category.  
(1)\_\_\_ (2)\_\_\_ (3)\_\_\_ (4)\_\_\_ (5)\_\_\_ (6)\_\_\_, or None of the above\_\_\_
4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories.  
  
5.a. State the approximate date the condition commenced and the probable duration of the condition (and also the probable duration of the patient's present incapacity<sup>2</sup> if different).  
  
b. Will it be necessary for the employee to take work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment described in item 6 below)?\_\_\_  
  
If yes, in the space provided below, give the probable duration.  
  
c. If the condition is a chronic condition (condition #4) or pregnancy, state whether the patient is presently incapacitated<sup>2</sup> and the likely duration and frequency of episodes of incapacity.<sup>2</sup>
- 6.a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments.  
  
If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any.  
  
b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments.

\_\_\_\_\_  
Signature of Health Care Provider

\_\_\_\_\_  
Date

(See following page)

A "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity<sup>2</sup> or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment

A period of incapacity<sup>2</sup> of more than three consecutive calendar days (including any subsequent treatment or period of incapacity<sup>2</sup> relating to the same condition), that also involves:

- (1) Treatment<sup>3</sup> two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
- (2) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment<sup>4</sup> under the supervision of the health care provider.

3. Pregnancy

Any period of incapacity due to pregnancy or for prenatal care.

4. Chronic Conditions Requiring Treatments A chronic condition which:

- (1) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- (2) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- (3) May cause episodic rather than a continuing period of incapacity<sup>2</sup> (e.g., asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity<sup>2</sup> which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment from, a health care provider. Examples include Alzheimer's disease, a severe stroke, or the terminal stages of a disease.

6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity<sup>2</sup> of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Notes

1. Here and elsewhere on this form, the information sought relates only to the condition for which the employee is taking FMLA leave.

2. "Incapacity," for purposes of the FMLA, is defined to mean inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from.

3. Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

4. A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.





United States Virgin Islands Department of Education , Division of Human Resources Return-to-Work Agreement

This Return-to-Work Agreement is necessitated due to the fact that:

Please check one or more of the following items that pertains to the employee's situation

- ☐ The employee tested positive for drugs.
- ☐ A supervisor refers the employee to the EAP or treatment due to declining job performance.
- ☐ The employee has violated a work rule that could result in termination.
- ☐ The employer is giving the employee a "last chance" to work free of alcohol or drugs.
- ☐ The employee acknowledges receipt of the organization's drug and alcohol policy and agrees to comply with all provisions.
- ☐ The employee has voluntarily signed the Release of Information form allowing the organization to receive information from medical professionals regarding continuing care recommendations and compliance.
- ☐ The employee agrees to comply with all aspects of the medical professional's recommendations.
- ☐ The employee agrees to be subject to unannounced follow-up testing for a period of five years.
- ☐ The employee agrees that the organization will monitor compliance by receiving updates from medical professionals regarding compliance with continuing care recommendations. The employee will maintain documentation of attendance.
- ☐ The employee agrees to abstain from the use of alcohol and/or other drugs except when prescribed by a physician who has been informed of the employee's difficulty with substance abuse.
- ☐ The employee agrees that all costs of treatment and monitoring not covered by the employee's insurance plan are the financial responsibility of the employee.
- ☐ If absence from work is required as part of rehabilitation, it will be regarded as family and medical leave, sick leave, vacation, personal leave or some combination thereof, depending upon accrued leave.
- ☐ The employee agrees to comply with all organization policies and procedures and understands that nothing in

this agreement prohibits the organization from applying discipline for other violations.

☐ The employee understands this is his/her last chance to successfully address his/her problem with alcohol and/or other drugs. The employee must satisfactorily meet the organization's expectations and standards. The

employee understands that failure to comply fully with this agreement will result in IMMEDIATE termination.

Employee's Name: (Print) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Director of Human Resources Signature: \_\_\_\_\_ Date \_\_\_\_\_ xc: Personnel file



Appendix 4

### Sample Gross and Net Pay Scales

Approximate Net Income		
Pay Scale	BA + 5 years	BA + 10 years
Annual Salary	\$36,900	\$41,719.00
Social Security (7.65%)	\$2,822.85	\$3,191.50
Internal Revenue (13.35%)	\$4,926.15	\$5,569.49
Retirement (8%)	\$2,952.00	\$3,337.52
Medical Insurance*	\$2,284.88	\$2,284.88
Total Expenses	\$12,985.88	\$14,382.51
Net Pay after Taxes and Withholdings:	<u>\$23,914.12</u>	<u>\$27,336.49</u>
AFT Dues	\$216.00	\$216.00

MASA	\$150.00	\$150.00
Net Pay after AFT Dues and MASA:	<u>\$23,548.12</u>	<u>\$26,970.49</u>
Estimated Bi-weekly	\$905.70	\$1,037.33
* Estimated for single coverage		
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Appendix 5  
ESTIMATED GOVERNMENT INVESTMENT

Approximate Government Investment per Employee		
Pay Scale	BA + 5 years	BA + 10 years
Annual Salary	\$ 36,900.00	\$ 41,719.00
Social Security	\$ 2,512.34	\$ 3,191.50
Medical Insurance*	\$ 4,569.76	\$ 4,569.76
SUTA (State Unemployment Tax)(5.4%)*	\$ 1,992.60	\$ 2,252.83
FUTA (Federal Unemployment Tax)(6.2%)*	\$ 2,287.80	
	\$ 5,350.50	\$ 2,586.58
		\$ 6,049.26

<b>Retirement (14.5%)</b>		
<b>Estimated Yearly Investment</b>	<u>\$ 51,100.66</u>	<u>\$ 60,368.93</u>

\*Medical Insurance estimated for Single Coverage.

\*Paid while employee has made less than \$7,000

## APPENDIX 6

### GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES



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 DEPARTMENT OF EDUCATION  
 DIVISION OF HUMAN RESOURCES

#2133 Hospital Street  
 Christiansted, St. Croix  
 Virgin Islands 00820-4665  
 Tel: (340) 773-1095 Fax: (340) 773-5844

#44-46 Kongens Gade  
 St. Thomas, Virgin Islands 00802  
 Tel: (340) 774-0100  
 Fax: (340) 774-2142

## EMPLOYER AUTHORIZATION

U. S. Virgin Islands Department of Education  
 Division of Human Resources

Candidate's Name: \_\_\_\_\_ Date of Job Offer: \_\_\_\_\_

Candidate's Social Security Number: \_\_\_\_\_

### SCREENING PROCEDURE REQUESTED:

\_\_\_\_ Pre-Employment Drug Screening

\_\_\_\_ Reasonable Cause Testing

\_\_\_\_ Random Testing

\_\_\_\_ Return to Duty Testing

\_\_\_\_ Post Accident Testing

\_\_\_\_ Follow-up Testing

Go to the registration desk at the lab designated below. Present this form and sign in using the appropriate account number designated below.

St. Croix applicants - Acct# 94001:

St. Croix Clinical Lab  
Island Medical Center  
Suite 6  
(340) 778-5369

St. Thomas applicants – Acct: MedTalks

Roy Lester Schneider Hospital & Community Center  
Pathology Lab  
9048 Sugar Estate  
(340) 776-8311

St. John applicants – Acct: MedTalks

Myra Keating Medical Center  
3B Susannasberg (340)  
693-8900

PHOTO ID IS REQUIRED!

Authorized by:

\_\_\_\_\_  
\_\_\_\_ Karen L. Blyden, Director,  
Human Resources Division

Appendix 7

United States Virgin Islands Department of Education

Orientation Checklist

Name_____	Payroll Procedures Direct Deposit Study Leave
Hire Date _____	Compensatory Time Advanced Sick Leave Holidays
Title_____	Jury duty pay Pension plan Sick/personal days Vacation
School_____	Workmen's Compensation Military Leave
Activity Center_____	Study Leave

Hiring paperwork to be completed or presented:

As items are covered, check the  
appropriate  
box

Full-time

Part-time

Salaried Exempt

Dues check-off (bargaining unit)

Copy of Employee Orientation  
Handbook Discussion of HR Office  
Procedures

Public Safety

Benefits

Bereavement pay

Funeral Pay for Veterans

Leave Without Pay

Government Employees Retirement System Requirements

[ Application  
[ Official College Transcript  
[ Background check form  
[ Social Security Card  
[ Picture I.D.  
[ I-9 Form  
[ W-4

Insurance

[ Long Term Disability  
Insurance  
[ Life Insurance  
[ Group Insurance

U.S. VIDE Division of Human Resources

Orientation Checklist-continued

Policies and procedures

Attendance

Organizational Structure

Affirmative action/EEO Policy

Grievance/Complaint/appeal procedures

Discipline

Progressive

Dress Code/ Personal Appearance      Personal  
Conduct  
Violence in the Work Place  
Progressive Discipline    Proscribed  
Activities  
    Drug-free Workplace  
    Smoking Policy  
Professional    Development/Training      Child  
Protection Laws  
Ethical/Professional    Conduct      Performance  
Appraisals  
    Promotion  
    Sexual Harassment  
    Invitation to Self Identify  
    Termination  
    Internet and Electronic Mail  
Policy    for    Accessing    Premises    After    Hours  
Responsibility for Facility Keys  
    H1B Responsibilities and Requirements  
    School Calendar

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_

Date \_\_\_\_\_

xc: Personnel File

## ST. CROIX SCHOOL DISTRICT

JUANITA F. GARDINE ELEMENTARY SCHOOL

CHARLES H. EMANUEL ELEMENTARY SCHOOL

EULALIE R. RIVERA ELEMENTARY SCHOOL

LEW MUCKLE ELEMENTARY SCHOOL

CLAUDE O. MARKOE ELEMENTARY SCHOOL

ALEXANDER HENDERSON ELEMENTARY SCHOOL

PEARL B. LARSEN ELEMENTARY SCHOOL

ALFREDO ANDREWS ELEMENTARY SCHOOL

EVELYN WILLIAMS ELEMENTARY SCHOOL

RICARDO RICHARDS ELEMENTARY SCHOOL

JOHN H. WOODSON JR. HIGH SCHOOL

ELENA L. CHRISTIAN JR. HIGH SCHOOL

ARTHUR A. RICHARDS JR. HIGH SCHOOL

ST. CROIX CENTRAL HIGH SCHOOL

ST. CROIX CAREER AND TECHNICAL CENTER

ST. CROIX EDUCATIONAL ACADEMIC COMPLEX

POSITIVE AND ALTERNATIVE EDUCATION PROGRAM

ST. THOMAS/ ST. JOHN SCHOOL DISTRICT

E. BENJAMIN OLIVER ELEMENTARY SCHOOL

JANE E. TUITT ELEMENTARY SCHOOL

JOSEPH SIBILLY ELEMENTARY SCHOOL

JOSEPH GOMEZ ELEMENTARY SCHOOL

GLADYS ABRAHAM, ELEMENTARY SCHOOL

HERBERT LOCKHART ELEMENTARY SCHOOL

LEONARD DOBER ELEMENTARY SCHOOL

PEACE CORPS ELEMENTARY SCHOOL

ULLA MULLER ELEMENTARY SCHOOL

GUY H. BENJAMIN ELEMENTARY SCHOOL

JULIUS E. SPRAUVE ELEMENTARY SCHOOL



EDITH L. WILLIAMS ALTERNATIVE ACADAMY

CHARLOTTE AMALIE HIGH SCHOOL

IVANNA EUDORA KEAN HIGH SCHOOL

ADDELITA CANCRYN JR. HIGH SCHOOL

BERTHA C. BOSCHULTE MIDDLE SCHOOL

YVONNE BOWSKY ELEMENTARY SCHOOL

WHEATLEY SKILL CENTER

DAY ADULT EDUCATION

## DIVISION OF HUMAN RESOURCES STAFF

Karen L. Blyden, Director

### ST. CROIX STAFF

Telephone: 772-3848

Facsimile: 773-5844

Email: teachusvi@doe.vi

Joy A. C. Williams, Assistant Director -Ext. 22

Althea M. Jacobs, Special Assistant to the Director -Ext. 23

Arlene Ford, Administrative Officer -Ext. 35

Brenda V. Grey, Administrative Officer -Ext. 24

Marisa Allen, Administrative Officer -Ext. 33

Saul Santiago, Systems Analyst -Ext. 26

Dino Fontaine, Systems Analyst -Ext. 34

Ehsan Said, Systems Analyst -Ext. 32

Kaj Miller, Systems Analyst -Ext. 31

Charlene Spencer, Personnel Officer -Ext. 25

Michael Francis, Custodial Worker -Ext. 58

### ST. THOMAS-ST. JOHN STAFF

Telephone: 774-0100

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Nicole Jacobs, Assistant Director -Ext. 8078

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Ivy Mills, Personnel Assistant -Ext. 8168

Faheemah Muhammad, Computer Operator -Ext. 8156  
Chanice Gerard-Percival, Personnel Assistant -Ext. 8054  
Namibia Williams, Records Clerk -Ext. 8226 Jose  
Negron, Systems Analyst -Ext. 8052  
Kirsten Adams, Systems Analyst -Ext. 8055  
Akil Lewis, Personnel Assistant -Ext. 8177  
Sharmilia Richardson, Personnel Assistant -Ext. 8077  
Kevin James, Data Entry/File Imaging Clerk -Ext. 8065  
Ernesto Cintron, Jr., Data Entry/File Imaging -Ext. Clerk 8051

TAKE NOTE TAKE NOTES TAKE NOTE TAKE NOTES

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PREPARED BY:  
U.S. VIRGIN ISLANDS DEPARTMENT OF EDUCATION  
DIVISION OF HUMAN RESOURCES  
HANDBOOK OF OFFICE PROCEDURES AND EXCERPTS OF RELATED POLICIES, PROCEDURES, RULES,  
REGULATIONS & STATUTES. alb/cs