TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

ORDINANCE

SEPTEMBER 23, 2025

Ordinance- to amend Chapter 54 (PERSONNEL), Article I (In General), Article II (Pay), Article III (Leave), and Article IV (Grievance Procedure)

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are amended and re-ordained as follows:

CHAPTER 54 (PERSONNEL)

Article I. In General

Sec. 54-3. - Definitions.

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Demotion and *reduction in rank* mean assignment of an employee from one position to another which has a lower maximum rate of pay.

Department heads means ~~the director of community development, director of public works, director of parks and recreation, director of finance, director of information technology, director of golf, director of human resources, and chief of police.~~ **persons occupying the job classifications that are responsible for a department.**

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Article II. Pay

Sec. 54-25. - Overtime pay.

1. Employees who are subject to the overtime provision of the Fair Labor Standards Act (non-exempt personnel) who perform approved necessary and assigned overtime work shall have their schedules adjusted within the same work period or shall be compensated for overtime work on an overtime pay basis **in compliance with the Fair Labor Standards Act**. ~~Overtime pay shall be at the rate of 1½ times the regular rate of pay.~~ Overtime should be kept to a minimum and used to relieve occasional excessive workloads or to address emergencies and not to provide for recurring requirements. Classified employees must work necessary and assigned overtime work as directed by their

supervisor. Overtime pay will be calculated in accordance with town administrative regulations and in compliance with state and federal law.

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Article III. Leave

Sec. 54-51. - Holiday leave.

The following holidays are observed by the town and shall be granted to regular employees with pay and to temporary and part-time flexible employees without pay, unless such employees are required to be on scheduled duty:

New Year's Day

Martin Luther King Jr. Day

President's Day

Memorial Day

Juneteenth

Independence Day

Labor Day

Veterans Day

Thanksgiving Day

Friday after Thanksgiving Day

Christmas Eve ~~(half-day)~~

Christmas Day

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Article IV. Grievance Procedure

Sec. 54-84. - Coverage of personnel.

~~(a)~~ Unless otherwise provided by law, all nonprobationary town regular full-time and part-time employees are eligible to file grievances with the following exceptions:

(1) Appointees of elected groups or elected individuals;

(2) Officials and employees who by charter or other law serve at the will or pleasure of the town council;

(3) Deputies ~~and executive assistants~~ to the town manager;

(4) Department heads;

(5) Employees whose terms of employment are limited by law;

(6) Temporary, limited term, part-time flexible and seasonal employees.

(7) Law enforcement officers as defined in Code of Virginia, § 9-1-500 et seq., whose grievance is subject to the provisions of such state law provisions and who have elected to proceed pursuant to those provisions in the resolution of their grievance, or any other employee electing to proceed pursuant to any other existing procedure in the resolution of his or her grievance.

~~(b) The town manager or his or her designee, shall determine the officers and employees excluded from the grievance procedure, and shall be responsible for maintaining an up-to-date list of the affected positions.~~

2. This ordinance shall be effective on and after the date of its adoption.