

Common Elements Found in Locality Pay Plan Examples

Locality pay plan agreements provided to the Compensation Board appear to have the following common elements:

- The “intent” of the agreement – to place the employees of the Constitutional Officer under the locality pay plan – is clearly stated.
- Staff of the Constitutional Officer remain “employees at will” who continue to serve at the will and pleasure of the Constitutional Officers, concurrent with the term of the Constitutional Officer.
- The employees clearly ARE OR ARE NOT covered by the locality grievance procedure.
- All locality policies to which the Constitutional Officer agrees are identified, and made a part of the agreement.
- The agreement has a specific duration in time (usually the term of the specific officer) and includes effective and expiration dates, provisions for suspension of the agreement, definitions of what constitutes breach of the agreement, and the procedure necessary to amend the agreement.
- The agreement specifies which party maintains personnel and leave records and performs payroll functions.
- The agreement specifies that the agreement shall be governed in all respects by the laws of the Commonwealth of Virginia.
- The agreement includes authorizing signatures, titles and dates.

Note: The above is a Compensation Board staff summary of locality pay plans made available to Compensation Board staff and does not represent Compensation Board policy and does not constitute legal advice. Any Constitutional Officer considering adopting all or parts of a locality pay plan should consult an attorney familiar with Constitutional Officers’ roles and responsibilities and employment law.