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COMMONWEALTH OF VIRGINIA

Compensation Board

P.O. Box 710
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October 29, 2020

MEMORANDUM

TO: Constitutional Officers and Regional Jail Superintendents
Local Governing Bodies

FROM: Robyn M. de Socio, Executive Secretary

RE: 2020 Special Session I Conferees Report

Following is the summary of funding and language amendments recommended by the House Appropriations Committee and Senate Finance and Appropriations Committee Budget Conferees in HB5005 impacting Constitutional Officers and the Compensation Board. These include items contained in HB5005 when introduced by the Governor at the beginning of the 2020 Special Session I.

2020 Special Session I Amendments for New Funding or Language

FY21

- Language and funding is provided in the current year (FY21) for a one-time \$500 bonus payment effective December 1, 2020 for Compensation Board funded sworn positions in sheriffs' offices and regional jails, including sheriffs, sheriffs' deputies, regional jail superintendents and corrections officers in regional jails;
 - Legislative intent provides that this is a one-time bonus to be paid on December 1, 2020 to these employees and does not represent base salary funding, and consequently is in addition to and does not supplant local salary supplement funds.
 - The \$500 salary bonus cost and related 7.65% FICA contribution cost is applicable to positions filled and funded as of December 1, 2020 and is reimbursable by the Compensation Board at 100% for such filled and funded positions;
 - Given the short timeline for implementation of this action pending approval by the Governor and adjournment of the 2020 Special Session I, the Compensation Board will provide additional information and an estimate of expenses to be fixed in FY21 for this action within the next week to local governments, sheriffs' offices and regional jails.

2020 Special Session I Amendments for New Funding or Language (continued)

FY22

- Contingent upon the Comptroller's analysis determining that FY2020 year-end revenues meet or exceed the revenue forecast and that there is sufficient revenue, language and funding is provided in the second year for a one-time 1.5% bonus on September 1, 2021 (FY2022), for constitutional officers, regional jails and their employees, provided that the governing authority of such employees uses such funds to support the provision of a bonus (state employees will instead receive a one-time bonus payment equal to \$1,500 on September 1, 2021 [FY2022] if they were employed as of April 1, 2021 and remain employed until at least August 24, 2021);
 - No across-the-board salary increases are included for constitutional officers and their employees or for state employees in either year of the biennium.
- A reduction of \$2,550,000 in estimated jail per diem funding savings in FY22 based on an anticipated reduction in state-responsible offenders resulting from the earned sentence credit provisions of House Bill 5148/Senate Bill 5034, of the 2020 Special Session I.

2020 Special Session I Amendments Eliminating New Funding or Language previously approved during the 2020 Regular Session

The following amendment items were approved during the regular 2020 session of the General Assembly, and then unallotted (held to prevent implementation) during the reconvened session in April 2020. Special Session I HB5005 amendments revert funding back to the General Fund of the Commonwealth from the FY21-FY22 biennial budget, originally approved for the following actions, that will NOT go forward:

- Reversion of additional funding for a one-time 2% bonus effective December 1, 2020, for constitutional officers, regional jails and their employees (provided that the governing authority of such employees would use such funds to support the provision of a bonus);
- Reversion of additional funding for a 3% across-the-board salary increase effective July 1, 2021, for constitutional officers, regional jails and their employees (provided that the governing authority of such employees would use such funds to support salary increases);
- Reversion of additional funding of \$979,399 in FY21 and \$1,113,082 in FY22 and 29 additional sworn court services positions for allocation to Sheriffs' offices based on staffing standards;
- Reversion of additional funding of \$2.67 million in FY21 and \$2.91 million in FY22 for a similar increase to entry level regional jail officers as was previously provided on February 1, 2019 for entry level deputy sheriffs - \$897 for each entry level jail officer with less than one year of service and \$938 for those with more than one year of service in a Compensation Board funded entry level jail officer position – effective July 1, 2020;

2020 Special Session I Amendments Eliminating New Funding or Language previously approved during the 2020 Regular Session (continued)

- Reversion of additional funding of \$1,350,989 in FY21 and \$1,433,928 in FY22 and 19 Assistant Commonwealth's Attorney positions and 10 Support Staff positions for the allocation of funding for approximately 25 percent of the unfunded positions needed based on FY20 staffing standards within Commonwealth's Attorneys' offices;
- Reversion of additional funding of \$1,820,339 in FY21 and \$1,985,824 in FY22 for a salary increase to Compensation Board funded Circuit Court Clerks' staff positions in Pay Bands 1 and 2 to address pay equity with district court clerk positions. Funding would increase the Compensation Board entry-level salary of Pay Band 1 and 2 employees to match the entry-level salary of a deputy clerk in the district courts (\$30,660), increasing Compensation Board salary levels for positions with salaries below the new entry-level;
- Reversion of additional funding of \$358,578 in FY21 and \$391,176 in FY22 that would establish a minimum of three staff positions in each Circuit Court Clerk's office;
- Reversion of an additional \$1,000,000 in general fund support for Circuit Court Clerks' operating budgets in each year of the biennium that would have reduced the use of non-general technology trust funds (TTF) to offset prior budget reductions; the use of TTF to support operating budgets will remain at \$1.98 million in each year;
- Reversion of additional \$821,028 in FY21 and \$1,642,054 in FY22 for re-funding in Treasurers' offices of approximately 50% of underfunded positions and 10% of unfunded positions in the first year and 100% of underfunded positions and 20% of unfunded positions in the second year of the biennium;
- Reversion of additional \$950,656 in FY21 and \$1,037,069 in FY22 for re-funding in Commissioners of the Revenue's offices of approximately 100% of underfunded positions and 10% of unfunded positions in both years of the biennium;
- Reversion of additional \$600,000 in each year for the Virginia Center for Policing Innovation (VCPI) to contract to enhance the Statewide Automated Victim Information and Notification (SAVIN) System by providing automated protective order notification services;
- Reversion of additional \$260,230 in each year for the additional cost of policy-based salary increases due to population increases since FY10 for which funding has not been provided;
- Reversion of additional funding of \$119,775 from each year of the biennium to re-fund an existing FTE position.

MEMO: Constitutional Officers, RJ Superintendents, Governing Bodies
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These conferee amendments are subject to review and further recommendations by the Governor prior to final approval and adjournment of the 2020 Special Session I. Please contact Charlotte Lee or me if you have any questions.

cc: Compensation Board Members and Staff
The Honorable Keyanna Conner, Secretary of Administration
Michelle Gowdy, Executive Director, Virginia Municipal League
Dean Lynch, Executive Director, Virginia Association of Counties
John Jones, Executive Director, Virginia Sheriffs' Association
Jane Chambers, Commonwealth's Attorneys' Services Council
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