

Title 360 – State Instructions

WEST VIRGINIA INSTRUCTION NO: 360-300, First Edition

WV 300.4, Penalty Guide, Delinquency

In compliance with the USDA’s “zero tolerance” policy on late payments and misuse of the government issued travel cards, WV NRCS is adding the following supplement:

Late payments are unacceptable and in direct conflict with USDA policy. If a payment is over 30 days late, that will be considered a policy violation. If a payment is not made and the bill becomes over 60 days late, that will be considered a second violation. Each violation will elevate the response to be taken by a supervisor (Policy Violation Stages) as indicated by the list below.

Policy Violation Stages (PVS) are elevated by:

- 1) the length of time a payment is past due
- 2) the number of times in a year that delinquency violations occur

Examples: The first violation of policy at thirty days overdue is PVS 1. If the payment is not made before it is over 60 days late, then it is elevated to PVS 2. Stage 2 can also be reached if there are two occurrences of over 30 days past due but none beyond 60 days in one rolling year. One violation of 30+ days in addition to another of 30+ and a subsequent 60+ days overdue would elevate the PVS to Stage 3. The same would be true of three separate occurrences of 30+ days late but no violations beyond 60 days – PVS 3.

If, during the investigation of payment violation or other issue, it is determined that misuse of the government travel card occurred, additional disciplinary action may be taken in accordance with NI 360-300, part 300.4, Penalty Guide, Misuse.

After one rolling year without a policy violation, the employee’s PVS will be returned to zero. A rolling year means that the year starts on the date of the first violation, and then the year starts again with the next violation, and so on. All violations count until the employee goes for an entire year with no violations.

Policy Violation Stages:

| <u>Stage</u> | <u>Supervisor Action</u> | <u>Employee Action</u> |
|--------------|------------------------------------|---|
| 1 | Letter of Warning | Written Proof of Payment or Corrective Action |
| 2 | Letter of Reprimand | “ |
| 3 | 3-5 days suspension | “ |
| 4 | 10-15 days suspension | “ |
| 5 | 30 days suspension | “ |
| 6 | Termination (if frequent traveler) | “ |