

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.1-116 of the Code of Virginia, relating to the Virginia Personnel Act;*
3 *exemption.*

4 [H 443]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.1-116 of the Code of Virginia is amended and reenacted as follows:**

8 § 2.1-116. Certain officers and employees exempt from chapter.

9 The provisions of this chapter shall not apply to:

10 1. Officers and employees for whom the Constitution specifically directs the manner of selection;

11 2. Officers and employees of the Supreme Court and the Court of Appeals;

12 3. Officers appointed by the Governor, whether confirmation by the General Assembly or by either
13 house thereof is required or not;

14 4. Officers elected by popular vote or by the General Assembly or either house thereof;

15 5. Members of boards and commissions however selected;

16 6. Judges, referees, receivers, arbiters, masters and commissioners in chancery, commissioners of
17 accounts, and any other persons appointed by any court to exercise judicial functions, and jurors and
18 notaries public;19 7. Officers and employees of the General Assembly and persons employed to conduct temporary or
20 special inquiries, investigations, or examinations on its behalf;

21 8. The presidents, and teaching and research staffs of state educational institutions;

22 9. Commissioned officers and enlisted personnel of the national guard and the naval militia;

23 10. Student employees in institutions of learning, and patient or inmate help in other state
24 institutions;25 11. Upon general or special authorization of the Governor, laborers, temporary employees and
26 employees compensated on an hourly or daily basis;

27 12. County, city, town and district officers, deputies, assistants and employees;

28 13. The employees of the Virginia Workers' Compensation Commission;

29 14. The following officers and employees of the Virginia Retirement System: retirement system chief
30 investment officer, retirement system investment officer, retirement system assistant investment officer
31 and investment financial analyst;32 15. Employees whose positions are identified by the State Council of Higher Education and the
33 boards of the Virginia Museum of Fine Arts, the Science Museum of Virginia, the Jamestown-Yorktown
34 Foundation, the Frontier Culture Museum of Virginia, the Virginia Museum of Natural History and The
35 Library of Virginia, and approved by the Director of the Department of Personnel and Training as
36 requiring specialized and professional training;

37 16. Employees of the State Lottery Department;

38 17. Production workers for the Virginia Industries for the Blind Sheltered Workshop programs; ~~and~~39 18. Employees of the Medical College of Virginia Hospitals and the University of Virginia Medical
40 Center who are determined by the Department of Personnel and Training to be health care providers;
41 however, any changes in compensation plans for such employees shall be subject to the review and
42 approval of the Secretary of Education. Such employees shall remain subject to the provisions of
43 Chapter 10.01 (§ 2.1-116.01 et seq.) of Title 2.1; ~~and~~44 19. In executive branch agencies the employee who has accepted serving in the capacity of chief
45 deputy, or equivalent, and the employee who has accepted serving in the capacity of a confidential
46 assistant for policy or administration. An employee serving in either one of these two positions ~~;~~ shall
47 be deemed to serve on an employment at will basis. An agency may not exceed two employees who
48 serve in this exempt capacity; ~~and~~49 20. *Employees of Virginia Correctional Enterprises. Such employees shall remain subject to the*
50 *provisions of Chapter 10.01 (§ 2.1-116.01 et seq.) of Title 2.1.*

ENROLLED

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