SETTING THE TERMS

LOCAL GOVERNMENT MANAGER EMPLOYMENT AGREEMENTS

VML Conference

Norfolk, VA

October 12, 2026

AGENDA

- Introductions
- Contract or Employment Agreement?
- Why are they appropriate?
- Statutory Framework
- Common Provisions
- FOIA Considerations
- Final Thoughts
- Q & A

INTRODUCTIONS



- Who am I?
- Who is in the room?

CONTRACT OR EMPLOYMENT AGREEMENT?



- Doesn't matter
- Could be a formal document, MOU, detailed letter, etc.
- Should be recognized as binding on both parties; the governing body/locality and the manager
- Respects the "at-will," or "at the pleasure of" principle of the employment relationship
- Public document

WHY?



- Clarity
- Security
- Predictability
- Convenience

STATUTORY FRAMEWORK

- Code of Virginia
  - § 15.2-1503 – without definite term
  - § 15.2-1540 – authorizes the governing body of any locality to appoint a chief administrative officer
  - § 15.2-1541 – outlines the duties of the chief administrative officer
  - § 40.1-28.7:12 – wage or salary history

  - Alternate forms of county government
  - Local charters

COMMON PROVISIONS

- Duties
- Term
- Termination and Severance Pay
- Salary

COMMON PROVISIONS, CONT.

- Hours of Work
- Performance Review
- Leave Provisions
- Benefits in General
- Vehicle

COMMON PROVISIONS, CONT.

- Annual Benefit Supplement
- Professional Development
- Out of Pocket Expenses
- Technology

COMMON PROVISIONS, CONT.

- Residency
- Relocation Expenses

FOIA CONSIDERATIONS

- § 2.2-3705.1 – no exclusion for contracts between public bodies and its officers
- § 2.2-3711 – allows for discussion, consideration, or interviews of prospective candidates in closed session
- § 2.2-3712 – notice provisions for interviewing candidates (15 days)

FINAL THOUGHTS

- Confidentiality
- The Role of the Mayor or Chair
- The Goal is a Unanimous Public Vote
- Don’t Forget the Oath of Office.

QUESTIONS/COMMENTS?

THANK YOU!

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