Board of Supervisors Memorandum

October 7, 2014

Revisions to Merit System Rules and Personnel Policies

Attached are proposed revisions to Pima County Merit System Rules and Personnel Policies. Elected Officials, department directors, employee groups and the Merit System Commission recommended these changes for approval by the Board of Supervisors.

Explanations for these proposed changes are noted below.

1. Merit System Rule 4 - Selection: Recruitment, Application Process and Administrative Review

   MSR 4.1 B.2 minor wording change

2. Merit System Rule 8 – Promotion, Demotion, Reappointment, Open Range Reappointment, Reassignment and Detail

   MSR 8.1 B Stipulates that an employee shall complete initial probation prior to applying for promotional opportunities.

   MSR 8.2 B.2 Stipulates that an employee shall successfully complete initial probation in order to be eligible to apply for voluntarily demotion.

   MSR 8.3 A Stipulates that an employee shall successfully complete initial probation in order to be eligible to apply for reappointment opportunities.

   MSR 8.4 A Stipulates that an employee shall successfully complete initial probation in order to be eligible to apply for open range reappointment opportunities.

3. Personnel Policy 8-102 – Premium Pay

   8-102 F.3 clarifies that non-exempt employees who are required to work on a holiday will be eligible to receive holiday pay and that exempt employees who are required to work on a holiday will be eligible to receive straight-time compensatory time off.

   ATTACHMENT I

   to PP 8-102 is revised by the addition of the County Attorney's Criminal Division Legal Processing Support Unit to the list of departments with evening and night shifts.

4. Personnel Policy 8-105 – Annual Leave

8-105 C revised to reflect the manner in which an Appointing Authority may request County Administrator approval to permit an employee with annual leave in excess of 240 hours on his/her anniversary date to retain the excess until the following year anniversary date.

5. Personnel Policy 8-108 – Leaves of Absence without Pay

Five (5) instances of "FMLA leave" are revised to "FML" for consistency with other County directives.

8-108 I.1 revised to reflect the procedural change in the way an employee beginning a leave of absence may continue and pay for group insurance and deletes the reference to the Leave of Absence Insurance Coverage Agreement which is no longer in use.

8-108 I.7 deletes the reference to the Leave of Absence Insurance Coverage Agreement because it is no longer in use and clarifies the change in the way an employee beginning a leave of absence may make coverage and payment arrangements with Human Resources.

8-108 I.8 revised to reflect the procedural change in the way an employee beginning a leave of absence is expected to pay for group insurance.

6. Personnel Policy 8-115 – Mediation

8-115 C.4 clarifies that management/supervisory personnel are not entitled to bring a representative when mediating with subordinates at the subordinate employee's request.

7. Personnel Policy 8-118 – Personnel Records

8-118 B.2 deletes the reference to centralized Human Resources staff due to the transition of such staff from Human Resources to the departments for which they provide personnel-related services.

8. Personnel Policy 8-119 – Rules of Conduct

8-119 X adds as a Rule of Conduct "Do not misuse County email systems" and memorializes what is considered misuse of same.
Subsequent sections are re-lettered.

8-119 Z.7 clarifies the County's gift policy.

9. Personnel Policy 8-122 – Group Insurance

Five (5) instances of "Open Enrollment" are revised to "Annual Enrollment".

8-122 C	revised due to the online enrollment features implemented with the ADP Payroll, Human Resources and Benefits system.
8-122 D	"Open Enrollment" is renamed "Annual Enrollment" and revised to reflect changes in insurance enrollment procedures.
8-122 E	"Changes in Family Status" is changed to "Qualifying Life Events" to reflect preferred terminology and other changes are made for clarification.
8-122 F	revised to delete the reference to the Leave of Absence Insurance Coverage Agreement because it is no longer in use and clarifies the change in the way an employee beginning a leave of absence may make arrangements with Human Resources.
8-122 F.4	deleted.
8-122 F.5	deleted.
8-122 F.6	deleted.
8-122 G.1	deletes language specific to FMLA insurance premium payments.
8-122 G.2	revised to delete the reference to the Leave of Absence Insurance Coverage Agreement because it is no longer in use and clarifies the change in the way an employee beginning a leave of absence may make arrangements with Human Resources for insurance coverage.
8-122 G.3	"FMLA leave" is revised to "FML" for consistency with other County directives.

Recommendation

I recommend the Board of Supervisors approve the Merit System Rule modifications outlined above to become effective on or before the ADP go-live date as determined by the Human Resources Department.

Respectfully submitted,

C.H. Huckelberry
County Administrator

CHH/mjk – October 2, 2014

Attachments

c: Allyn Bulzomi, Director, Human Resources

4.1 RECRUITMENT AND ANNOUNCEMENTS

A. Recruitment

Recruitment efforts shall be planned and carried out in a manner that ensures open competition. Development and implementation of recruitment plans shall be a cooperative venture between departments and Human Resources and shall be based on projected workforce needs and labor market conditions, as well as the need for recruitment of minorities, women, and other groups where there is under-representation in the County's workforce.

1. Public recruitment: Unless otherwise allowed under these Rules, the County shall use public announcements to recruit for all vacancies.

2. Internal recruitment: If a vacancy exists in a classification less than grade 32, an internal promotional process shall be used. Any other County policy, resolution, other Board action or County program relevant to recruitment shall be included in this internal recruitment process. Positions identified by Human Resources as entry level and hard to fill positions are exempt from this internal recruitment process. For all other vacancies, departments are encouraged to recruit internally when there are a sufficient number of qualified applicants to ensure competition in the classification, as determined by Human Resources.

   a. County-wide: Recruitment is limited to County employees.

   b. Intradepartmental: Recruitment is limited to the department having the vacancy.

B. Announcements

1. All announcements shall specify the official classification title, classification code number, salary grade or open salary range, description of work to be performed or where this information may be obtained, the minimum qualifications and any selective criteria, the final date for receipt of applications or statement of continuous recruitment, the nature of the selection process and how to apply.

2. Public announcements shall be by public notice for a minimum of five (5) business days. Continuous announcements shall be open for a minimum of five (5) business days before any applicants are certified. Copies of public announcements shall be posted on the County's website and ~~distributed~~ **MADE AVAILABLE** to County

departments and individuals and organizations as Human Resources deems appropriate.

3. An internal announcement shall be open for a minimum of five (5) business days and posted on the County's website.

4.2 APPLICATION PROCESS

A. All employment applications shall be in electronic format compatible with and prescribed by the County's electronic applicant tracking system.

B. Employment applications will only be accepted when a valid opening has been announced and during the opening period posted on the County's website.

C. Acceptance of an application into the County's applicant tracking system shall not be construed as incurring an obligation by the County.

D. Disqualification of Applicants

Human Resources may refuse to examine an applicant, or, after the selection process, may disqualify an applicant, remove an application, or refuse to certify an applicant if it is found that the applicant:

1. Does not meet the minimum qualifications established for the classification;

2. Has made a false statement of material fact in the application process;

3. Has used, or attempted to use, political pressure or bribery to secure an advantage in the examination process or in the appointment to a position in County employment;

4. Has directly or indirectly obtained information regarding any examination to which the applicant is not entitled;

5. Has failed to submit the completed application correctly or within the prescribed time limits;

6. Has taken part in the compilation, administration, or any part of the selection process in which he/she is competing;

7. Has previously been dismissed for a disciplinary reason from a position in County employment;

4.2 D. 8. Has a record of conviction of a crime, the nature of which would affect the applicant's suitability for employment;

9. Has failed to appear for a scheduled examination or interview;

10. Has failed any phase of the selection process;

11. Has been determined by Human Resources to be unsuitable for employment for any job-related reason;

12. Or otherwise has violated the provisions of the Arizona Revised Statutes (ARS), these Rules, or Pima County Personnel Policies.

4.3 ADMINISTRATIVE REVIEW

A. At any step in the selection process, within ten (10) business days of receipt of a notice of disqualification, or receipt of notice of selection results, an applicant may request an administrative review. A written request must be submitted to Human Resources, who shall provide a written response within ten (10) business days of receipt of request.

B. Human Resources may conduct further investigation and provide further response to the applicant as Human Resources deems appropriate.

4.4 ERRORS IN PROCESSING

Human Resources may correct clerical and other errors arising from oversight or omission at any time in order to adjust the status of an applicant. Such adjustment shall not, however, invalidate any certification or appointment action already taken.

8.1 PROMOTION

A. Departments are encouraged to fill all vacancies by promotion.

B. **AN EMPLOYEE SERVING INITIAL PROBATION SHALL BE ELIGIBLE TO APPLY FOR PROMOTION ONLY AFTER SUCCESSFUL COMPLETION OF INITIAL PROBATION.**

C. Promotions shall be competitive and the selection made from applicants who have been identified/certified by Human Resources.

~~C~~D. Failure of promotion probation may result in layoff.

8.2 DEMOTION

A. Involuntary

1. An employee who fails to successfully complete promotion probation may be involuntarily demoted to a position with the same classification and to the same salary previously held. The demoted employee shall be placed into his/her previous position if the position is vacant. If the previous position has been filled on a permanent basis, the employee shall be placed into a vacant position in the current department with the same classification and salary previously held. If such a placement action cannot be made, the employee shall be laid off from the classification to which demoted and within the present department. An employee demoted under this section shall have no right of appeal.

2. An employee may be involuntarily demoted for a disciplinary reason in accordance with Rule 12.

B. Voluntary

1. If an employee makes a written request for a voluntary demotion within his/her current department, the Appointing Authority may make the demotion non-competitively if the employee meets the minimum qualifications. An employee demoted under this section shall have no right of appeal.

2. An employee may voluntarily demote through the competitive process. **AN EMPLOYEE SERVING INITIAL PROBATION SHALL BE ELIGIBLE TO APPLY FOR VOLUNTARY DEMOTION ONLY AFTER SUCCESSFUL COMPLETION OF INITIAL PROBATION.** The employee shall have no right of appeal.

8.2 B. 3. If an employee sustains a job-related injury or illness which precludes working in the current classification, the Appointing Authority may, upon written request of the employee, grant the employee a demotion non-competitively if the employee meets the minimum qualifications. An employee demoted under this section shall have no right of appeal.

8.3 REAPPOINTMENT

A. An employee may be offered reappointment competitively within the same department to a position of another classification with the same starting salary as the classification currently held; or to a position in another department of any classification with the same starting salary as the classification currently held. **AN EMPLOYEE SERVING INITIAL PROBATION SHALL BE ELIGIBLE TO APPLY FOR REAPPOINTMENT ONLY AFTER SUCCESSFUL COMPLETION OF INITIAL PROBATION.**

B. An employee may be offered reappointment non-competitively within the County system at the discretion of the County Administrator.

C. At the discretion of the County Administrator, in consultation with Risk Management, an employee may be offered reappointment non-competitively within the County system to a position of the same classification, or another classification with the same or lower starting salary, if the employee has sustained a work-related injury precluding the employee from working in the current assignment. The employee must satisfactorily meet the minimum qualifications and physical requirements, with or without reasonable accommodation, for the reappointment.

D. The County Administrator may offer an employee a reappointment non-competitively within the County system if Human Resources determines that the employee is a qualified individual with a disability, who is seeking reappointment to a position for which he/she is qualified, as an accommodation for his/her disability.

8.4 OPEN RANGE REAPPOINTMENT

A. An employee may be offered an open range reappointment competitively from or to a position with a discrete grade to or from a position with an open salary range. **AN EMPLOYEE SERVING INITIAL PROBATION SHALL BE ELIGIBLE TO APPLY FOR OPEN RANGE REAPPOINTMENT ONLY AFTER SUCCESSFUL COMPLETION OF INITIAL PROBATION.**

8.4 B. An employee may be offered an open range reappointment non-competitively within the County system at the discretion of the County Administrator.

C. At the discretion of the County Administrator, in consultation with Risk Management, an employee may be offered an open range reappointment non-competitively within the County system to a position of the same classification, or another classification with the same or lower starting salary, if the employee has sustained a work-related injury precluding the employee from working in the current assignment. The employee must satisfactorily meet the minimum qualifications and physical requirements, with or without reasonable accommodation, for the open range reappointment.

D. The County Administrator may offer an employee an open range reappointment non-competitively within the County system if Human Resources determines that the employee is a qualified individual with a disability, who is seeking open range reappointment to a position for which he/she is qualified, as an accommodation for his/her disability.

8.5 REASSIGNMENT

A. An Appointing Authority has the authority to make competitive or non-competitive reassignments within the department.

B. The County Administrator may offer an employee a reassignment non-competitively if Human Resources determines that the employee is a qualified individual with a disability, who is seeking reassignment to a position for which he/she is qualified, as an accommodation for his/her disability.

8.6 DETAIL

A. When the services of an employee are needed temporarily for more than fifteen (15) work days in a position other than the position to which regularly assigned, the employee may be non-competitively detailed to that position for a period of up to six (6) months. An Appointing Authority may renew a detail assignment for up to an additional six (6) months with the approval of the Human Resources Director.

B. An employee is eligible for detail into a non-tested classification only if that employee meets the minimum qualifications of the classification upon detailing or upon completion of the detail assignment. An employee is eligible for detail into a tested classification only if he/she meets the minimum test scores prior to beginning the detail assignment. Temporary and intermittent employees and employees in trainee status are not eligible to serve detail assignments.

8.6 C. A detail assignment may be ended by the Appointing Authority at any time, at which point the employee will be returned to his/her regularly assigned position and salary. An employee whose detail assignment has ended shall have no right of appeal.

8.7 EFFECTIVE DATE

The effective date for actions defined in Rule 8 shall be the first day of the pay period following the County Administrator's approval, unless otherwise addressed in policy or by Board of Supervisors directive. The effective date for actions defined in Rule 8 not requiring County Administrator approval shall be the first day of a pay period.

A. Definitions

1. "Premium pay" means compensation in addition to an employee's normal pay and includes the following: overtime pay, compensatory time, callback pay, on-call pay, holiday pay, shift differential pay, and special assignment pay.

2. "Overtime" means time worked in excess of forty (40) hours per work week, unless a different definition is required by law.

3. "Compensatory time" means earned time recorded on an employee's pay record in lieu of overtime pay.

4. "Holiday benefit" means up to eight (8) hours paid compensation for time off in recognition of each County holiday. An employee on a leave of absence without pay and who is using catastrophic leave time is not eligible for the holiday benefit.

B. Exclusions from Premium Pay

The following are not eligible for premium pay except that an Appointing Authority shall receive the holiday benefit as provided herein.

1. Elected Officials;

2. Appointing Authorities; and

3. Anyone who is not an employee on County payroll.

C. Overtime

1. An employee eligible for overtime shall be compensated for overtime hours worked by either one of the following methods, at the discretion of the Appointing Authority:

   a. By payment at one and one-half (1½) times the employee's current hourly rate;

   b. By compensatory time at a rate of one and one half (1½) hours off for each hour of overtime worked and not paid.

2. The following are not eligible for overtime:

   a. Elected Officials;

   b. Members of the personal staff of Elected Officials;

C. 2. c. Persons appointed by Elected Officials to serve on a policy-making Board or Commission;

d. Advisors to Elected Officials with respect to the constitutional or legal powers of their office;

e. Employees classified as Executive (E), Administrative (A), or Professional (P), under the Fair Labor Standards Act, except those (E, A, or P) employees designated as eligible for overtime under the County's classification system.

3. Employees shall work overtime only when authorized by the Appointing Authority or designee. Overtime shall be allocated as evenly as possible among all employees qualified to do the work. While preference may be given to those employees who wish to volunteer for the work, all employees are required to work overtime when requested to do so.

4. Compensatory time shall not accumulate in excess of one hundred twenty (120) hours. An employee eligible for overtime who has one hundred twenty (120) hours of accrued compensatory time is to be paid for future authorized overtime worked. If compensatory time is accrued, it cannot be converted back to pay except as provided in the termination policy or other directive from the Board of Supervisors. The Appointing Authority shall establish procedures for timely usage of compensatory time accrued.

5. An employee who transfers from one County department to another shall retain any accumulated compensatory time. An employee who changes from one employment type to another shall retain any accumulated compensatory time and shall be eligible to use and/or accrue compensatory time in accordance with his/her current employment type.

D. Callback Pay

An employee eligible for overtime compensation shall be eligible to receive callback pay. An eligible employee who has left a place of work and is called back to work before his/her next regularly scheduled work shift shall receive a minimum of two (2) hours of pay if reporting back to the worksite or a minimum of fifteen (15) minutes of pay for problem resolution by telephone. Callback pay applies in emergency circumstances only. The callback period shall begin when the employee is notified to return to work. Intermittent employees, as defined in Merit System Rule 1, are not eligible to receive callback pay.

1. The employee must report as soon as possible to the worksite. The callback period ends when the employee completes the job assignment. If the employee's private car is used for transportation in a callback situation, mileage shall be paid at the approved rate. Callbacks shall be allocated as evenly as possible among all employees qualified to do the work. All employees are required to work if called back.

D. 2. If the employee is able to resolve the problem by telephone and is not required to report to the worksite, he/she shall receive pay for the actual time spent in problem resolution, with fifteen (15) minutes as minimum pay for each telephone call received.

E. On-Call Pay

An employee eligible for overtime compensation shall be eligible to receive on-call pay. The eligible employee shall be designated by the Appointing Authority to be on call and available for immediate contact for a specific period of time and particular purpose. Being available for immediate contact does not constitute on call unless the employee has been designated on call as above. On-call pay shall be paid at the rate of one dollar and thirty cents ($1.30) per hour of on-call duty. On-call pay may not be coincident with any other pay except for paid holidays. Location of the employee for on-call duty shall be at the employee's discretion, with the stipulation that immediate contact can be made and that the employee must be able to report fit for duty within one (1) hour, unless other conditions require a shorter period. On-call duty shall be allocated as evenly as possible among all employees qualified to do the work. All employees are required to be on call when requested. Intermittent employees, as defined in Merit System Rule 1, are not eligible to receive on-call pay.

F. Holidays

1. Pima County recognizes the following actual holidays:

(1)	January 1	New Year's Day
(2)	Third Monday in January	Martin Luther King, Jr. Day
(3)	Third Monday in February	Presidents' Day
(4)	Last Monday in May	Memorial Day
(5)	July 4	Independence Day
(6)	First Monday in September	Labor Day
(7)	November 11	Veterans' Day
(8)	Fourth Thursday in November	Thanksgiving Day
(9)	Friday after the Fourth Thursday in November	
(10)	December 25	Christmas Day

County offices shall be closed on each of the ten (10) actual holidays listed above. If actual holidays 1, 5, 7, or 10 fall on a Sunday, the holiday shall be designated as observed for pay purposes on the following Monday. If actual holidays 1, 5, 7, or 10 fall on a Saturday, the holiday shall be designated as observed for pay purposes on the preceding Friday.

F. 2. If possible, employees eligible for the holiday benefit, including temporary employees, shall be given time off with pay for each recognized holiday, either on the day the holiday is observed or within the work week in which the holiday falls. Full-time employees shall receive no more than eight (8) hours of time off. Variable-time, part-time employees and employees on reduced schedule leave under ADA shall receive a prorated amount of time off based on their work schedule. For non-exempt employees, holiday benefit hours are paid based on their work schedule. Exempt employees will receive their regular salary for a pay period in which the holiday falls. Intermittent employees, as defined in Merit System Rule 1, are not eligible for the holiday benefit, but may receive holiday pay.

3. If ~~an~~ **NON-EXEMPT** employee eligible for the holiday benefit is required to work on a holiday, and the department is unable to give the employee holiday benefit time off **WITHIN THE WORK WEEK**, the employee shall receive the pay he/she would have received for the holiday benefit plus the following holiday pay:

Actual <u>or</u> Observed Holiday - 1½ times regular pay rate for time worked, minimum two (2) hours.

If ~~an~~ **NON-EXEMPT** employee eligible for the holiday benefit is required to work on a holiday, and the employee receives the holiday benefit time off **WITHIN THE WORK WEEK**, he/she shall receive holiday pay for holiday hours worked. ~~At the discretion of the Appointing Authority, t~~The employee may be granted annual leave or compensatory time off **WITHIN THE PAY PERIOD** and still remain eligible to receive holiday pay for holiday hours worked.

IF AN EXEMPT EMPLOYEE ELIGIBLE FOR THE HOLIDAY BENEFIT IS REQUIRED TO WORK ON A HOLIDAY, AND THE DEPARTMENT IS UNABLE TO GIVE THE EMPLOYEE HOLIDAY BENEFIT TIME OFF, THE EMPLOYEE SHALL RECEIVE THE PAY HE/SHE WOULD HAVE RECEIVED FOR THE HOLIDAY BENEFIT AND HE/SHE SHALL BE CREDITED, IN THE FORM OF STRAIGHT-TIME COMPENSATORY TIME, WITH THE NUMBER OF HOURS WORKED ON THE HOLIDAY, NOT TO EXCEED EIGHT (8) HOURS.

4. If more than half of the hours worked on a shift fall on a holiday, the entire shift shall be paid in accordance with Paragraph 3. above.

F. 5. Holiday Benefit & Workers' Compensation

a. An employee eligible for the holiday benefit, who elects to use annual leave, sick leave, or compensatory time to supplement workers' compensation benefits, shall receive as holiday benefit the equivalent to the daily amount of compensatory time or leave banks utilized to supplement worker's compensation benefits.

b. An employee eligible for the holiday benefit, who works modified duty and is also compensated by workers' compensation benefits, shall receive the holiday benefit based on his/her work schedule.

6. An employee eligible for the holiday benefit, who is on an approved medical leave of absence without pay, and who chooses to use his/her accrued sick or annual leave, or compensatory time, in conjunction with leave without pay, shall receive the holiday benefit based on his/her work schedule. Catastrophic leave hours and/or unpaid hours will not be calculated nor applied for these purposes.

7. An employee eligible for the holiday benefit, who is on an approved leave of absence under the Family and Medical Leave Act, and who is using his/her accrued sick or annual leave, or compensatory time, in conjunction with leave without pay, shall receive the holiday benefit based on his/her work schedule. Catastrophic leave hours and/or unpaid hours will not be calculated nor applied for these purposes.

G. Shift Differential Pay

To qualify for shift differential pay, scheduled hours must consistently meet the criteria in 1.a and 1.b below. Qualifying departments are listed on Attachment I to this policy.

1. Definitions

a. "Evening shift" means a work shift in which more than half of the hours worked fall between 5 p.m. and midnight.

b. "Night shift" means a work shift in which more than half of the hours worked fall between midnight and 8 a.m.

2. A non-exempt employee, as established by Merit System Rule 1, who works an evening or night shift as defined in G.1, shall receive shift differential pay of sixty cents ($0.60) per hour for evening shift and sixty-five cents ($0.65) per hour for night shift, in addition to the current hourly rate for each hour worked on the shift. Eligible employees shall receive shift differential pay for all hours worked on the shift for which they are scheduled as defined in G.1 above.

3. Only eligible employees who are actually working (i.e., not using annual leave, sick leave, compensatory time, or any type of paid leave) are eligible for shift differential pay.

H. Special Assignment Pay

Additional compensation may be authorized by the Board of Supervisors for certain employees who perform hazardous duty (duty which imperils or endangers an employee), or other duty under special circumstances. The Appointing Authority shall annually submit a request to the County Administrator with justification for the special assignment pay no later than July 1.

I. Attachment(s)

Changes may be made to attachment(s) to this policy by Human Resources, with County Administrator approval.

ATTACHMENT I, Pima County Personnel Policy 8-102

Departments with Evening & Night Shifts

COUNTY ATTORNEY'S OFFICE (CRIMINAL DIVISION LEGAL PROCESSING SUPPORT UNIT)
Facilities Management
Health (Animal Care)
Information Technology
Library
Medical Examiner
Regional Wastewater Reclamation
Sheriff
Transportation

A. Eligibility

1. All employees except Elected Officials, intermittent employees as defined in Merit System Rule 1 and temporary employees are eligible to accrue annual leave from date of appointment.

   An eligible employee receiving pay for forty (40) or more hours per pay period shall accrue annual leave as specified in 8-105 B.

2. New hire employees hired under the Pima County Trainee Program are eligible to accrue annual leave from date of appointment.

3. Temporary employees extended beyond the first six (6) months of employment shall accrue and may use annual leave beginning with the pay period following six (6) months of continuous and extended employment. A temporary employee appointed to a regular appointment without a break in service shall be credited with annual leave from original date of hire.

4. For the purpose of annual leave rate of accrual, no credit shall be allowed or given to establish years of service using prior employment with Pima County where there was a break in service, except for reinstatement or reemployment, as defined in these Merit System Rules and Personnel Policies.

B. Rate of Accrual

An eligible employee shall accrue annual leave as follows:

1. An employee with fewer than three (3) years of service (established by anniversary date) shall accrue annual leave at the rate of .04625 per hour in a pay status (not to exceed 3.7 hours per pay period.)

2. An employee with three (3) to seven (7) years of service (established by anniversary date) shall accrue annual leave at the rate of .058125 per hour in a pay status (not to exceed 4.65 hours per pay period.)

3. An employee with seven (7) to fifteen (15) years of service (established by anniversary date) shall accrue annual leave at the rate of .069375 per hour in pay status (not to exceed 5.55 hours per pay period.)

4. An employee with more than fifteen (15) years of service (established by anniversary date) shall accrue annual leave at the rate of .080875 per hour in pay status (not to exceed 6.47 hours per pay period.)

5. Annual leave shall accrue during any approved leave of absence with pay.

B. 6. Annual leave shall not accrue during any leave of absence without pay or suspension without pay, i.e., employees must be in a pay status to accrue annual leave. Any pay received based upon catastrophic leave hours will not be calculated for accrual purposes.

C. Annual Accumulation

1. An eligible employee may carry over, from one (1) consecutive twelve (12) month period (established by anniversary date) to the next, a maximum of two hundred forty (240) hours of annual leave. **IN EXCEPTIONAL CIRCUMSTANCES,** ~~At the discretion of the~~ **AN** Appointing Authority ~~and with the specific~~ **MAY REQUEST** ~~approval of the~~ County Administrator~~,~~ **APPROVAL FOR** an employee ~~may~~ **TO** retain annual leave in excess of two hundred forty (240) hours **WITH THE EXPECTATION THAT THE EMPLOYEE WILL REDUCE HIS/HER ANNUAL LEAVE BALANCE TO 240 HOURS WITHIN THE FOLLOWING ANNIVERSARY YEAR. IF THE EMPLOYEE HAS ANNUAL LEAVE IN EXCESS OF TWO HUNDRED FORTY (240) HOURS UPON HIS/HER SUBSEQUENT ANNIVERSARY DATE, ANNUAL LEAVE HOURS IN EXCESS OF TWO HUNDRED FORTY (240) WILL AUTOMATICALLY BE TRANSFERRED TO SICK LEAVE PURSUANT TO 8-105 H.**

2. The sick leave hours converted to annual leave for payout purposes as specified in 8-106.H, I and J shall not be included in the calculation of the two hundred forty (240) hours payoff limit specified in Personnel Policy 8-123.

D. Use of Annual Leave

1. An eligible employee in the classified service may use annual leave after completion of six months of initial probation. Accrued annual leave may be used prior to completion of six months of initial probation for a job-related illness or job-related injury. New hire trainees who have completed six (6) months of the Pima County Trainee Program may use annual leave in the same manner as those in the classified service. Unclassified employees or employees not subject to initial probation may use annual leave upon accrual.

2. Annual leave accruals earned at the end of the current pay period are not available for use until the following pay period.

   Employees receiving workers' compensation benefits who have exhausted all accrued leave balances may utilize annual leave accruals during the pay period earned.

D. 3. Annual leave shall not be charged against an employee's accrued balance for an authorized holiday which occurs while an employee is using annual leave.

4. All employees are encouraged to take a two-week vacation per year for the purpose of rest and recuperation.

5. An Appointing Authority may require that an employee postpone or change scheduled annual leave for good cause.

6. At the discretion of the Appointing Authority, an employee classified as Executive (E), Administrative (A), or Professional (P) may be required to use accrued annual leave for approved absences of less than a full work day when the Appointing Authority determines that voluntary partial day absences taken by the employee are excessive or have a negative impact on the operation of the department. Employees eligible for overtime are required to use annual leave for approved absences of less than a full work day.

7. Use of annual leave for Family and Medical Leave Act (FMLA) reasons is provided for by administrative procedures which comply with the FMLA.

E. Leave Requests

Unless waived by the Appointing Authority, an employee shall submit a written request for approval of annual leave at least two (2) weeks in advance of the intended absence and indicate the dates and duration of the requested annual leave. The Appointing Authority or designee shall respond to such request within one (1) week of receipt.

F. Disposition of Accrued Leave

An employee who transfers from one County department to another shall retain any accumulated annual leave. An employee who changes from one employment type to another shall retain any accumulated annual leave and shall be eligible to use and/or accrue annual leave in accordance with his/her current employment type.

G. Catastrophic Leave Bank Program

An employee may contribute a portion of his/her annual leave to the catastrophic leave bank. An eligible employee who is experiencing catastrophic circumstances may apply for and receive catastrophic leave provided:

1. The recipient is enrolled in the catastrophic leave bank program.

G. 2. The recipient meets the eligibility definitions of the Family Medical Leave Act (FMLA) as set forth in County administrative procedures. As the FMLA criteria change, so will the catastrophic leave criteria.

3. The recipient has exhausted all paid sick and annual leave and compensatory time earned from his/her own accounts.

4. There is a positive balance in the catastrophic leave bank.

After confirmation of eligibility, the recipient shall begin to receive catastrophic leave following the exhaustion of his/her own leave time as indicated in paragraph G.3 above. If more time was requested than the recipient actually required, only the needed amount shall be used and any excess will be returned to the catastrophic leave bank.

Implementation and administration of the catastrophic leave bank program are set out by administrative procedures.

Denial of a request for leave hours from the catastrophic leave bank is not grievable or appealable.

H. Transfer of Accrued Annual Leave Hours to Sick Leave

In order to prevent the loss of annual leave and supplement the accrual of sick leave, any amount of accrued annual leave hours in excess of two hundred forty (240) will automatically be transferred to sick leave in the pay period following an employee's anniversary date.

A. Types of Leave

Leaves of absence without pay may be granted by a department to an employee for the following reasons and lengths of time:

Reason	Maximum Leave Time
Education	One (1) year
Medical	One (1) year
Candidacy for Elective Office	Six (6) months
Best Interest of County	One (1) year
Humanitarian/Personal	Six (6) months
Family and Medical Leave	Twelve (12) to Twenty-six (26) weeks
Victim	Unlimited

All leaves of absence must have the written approval of the employee's Appointing Authority, except leave designated under the Family and Medical Leave Act.

B. Education

An employee may be granted a leave of absence without pay for educational purposes when it is determined that such leave is in the best interest of the County and/or does not adversely affect its operation.

C. Medical

An employee may be granted a leave of absence without pay when unable to work because of a medical condition that is documented by a recognized physician or medical practitioner to include conditions arising from pregnancy or childbirth. For continuing conditions, official documentation of the status of the condition may be required on a monthly basis at the discretion of the Appointing Authority. Upon returning to work from medical leave, the employee shall provide a written release from his/her attending physician or medical practitioner. Medical leave will end effective the date an employee is notified of his/her full or permanent long term disability coverage. Employees receiving full coverage under long term disability shall immediately resign from County employment. Intermittent medical leave without pay may occur as an Americans with Disabilities Act (ADA) accommodation as determined by Federal law and regulations under the ADA or due to a serious medical condition as determined by Human Resources and may be interspersed with paid time. The ADA is set out by administrative procedures which comply with the Americans with Disabilities Act.

D. Candidacy for Elective Office

When an employee files petitions of candidacy for an elective office other than School Board Member, the employee shall be placed on a leave of absence without pay if it is determined that the employee's election activities prevent the employee from performing his/her County duties, or that the election activities adversely affect the operation of the department.

E. Best Interest of County

With the full concurrence of the employee and the Appointing Authority and the approval of the County Administrator, an employee may be placed on a leave of absence without pay if it is determined that such leave is in the best interest of the County.

F. Humanitarian/Personal Reasons

An employee may be granted a leave of absence without pay for humanitarian or personal reasons when it is determined that undue hardship to the employee would otherwise result and that the operation of the department would not be adversely affected or to supplement bereavement leave pursuant to 8-107 E.4. Humanitarian/personal leave includes a leave of absence due to the birth and/or adoption of a child and the serious illness of a child, stepchild, foster child, grandchild, spouse, mother, father, grandparent, domestic partner and/or the child of the domestic partner, as established by affidavit once a year or more often if a relationship has changed in that calendar year or must have a current affidavit on file with the Human Resources Department for the domestic partner or child of the domestic partner enrolled under the County's health benefits plan.

G. Family and Medical Leave Act (FMLA) Leave

1. Family and Medical Leave: An employee may be granted a leave of absence without pay as determined by Federal law and regulations under the FMLA. The FMLA is set out by administrative procedures which comply with the Family and Medical Leave Act.
2. Military Family Leave: The federal FMLA entitles eligible employees to take leave for a covered family member's service in the Armed Forces as established in the Federal law and regulations.

3. The employee is required to use accrued sick and/or annual leave banks and compensatory time concurrent with FMLA unpaid leave and pursuant to administrative procedures. This applies to all eligible exempt and non-exempt employees on intermittent or continuous FMLA leave.

H. Victim Leave

1. General Conditions

a. An employee may be granted a leave of absence without pay for an unlimited amount of time under the provisions of the Arizona Victim Leave Law, ARS § 8-420 and § 13-4439, if the employee is a "victim" of a crime. The leave of absence shall be granted for the employee to attend all court proceedings involving the perpetrator(s) of the crime(s) against the employee.

Exception: an employee's time may be limited if it creates an undue hardship, as defined by the statute, for the County.

b. The employee shall maintain all seniority rights while absent from employment under these provisions.

c. All records regarding an employee's victim leave shall be considered confidential and maintained in a separate department personnel file.

2. Eligibility: to be eligible for victim leave, an employee must have been the victim of a juvenile offense or adult crime.

a. "Victim" is defined as a person against whom the delinquent act or criminal offense has been committed, or if the person/victim is killed or incapacitated, the person's immediate family or lawful representative.

(1) "Immediate family" means a victim's spouse, parent, child, sibling, grandparent or lawful guardian.

(2) "Lawful representative" means a person who is designated by the victim or appointed by the court to act in the best interests of the victim.

b. Exception: a family member is not entitled to take victim leave who is in custody for an offense or is the accused.

3. Employee's option for pay: victim leave is unpaid, unless the employee elects to use accrued sick and/or annual leave, or compensatory time, none of which need be exhausted before victim leave begins.

H. 4. Department requirements: at the conclusion of the leave period, the department shall assign the employee to the same or an equivalent position with the same pay, benefits and working conditions. An employee has no greater right to restoration or to other benefits than if the employee had been continuously employed during the leave period.

5 Leave request procedure: an eligible employee shall provide the Department with the following documentation before victim leave is granted:

a. A copy of the notice from law enforcement or the prosecutor regarding the employee's status as a crime victim; and

b. A copy, if applicable, of the notice of any scheduled proceeding.

I. General Provisions

1. An employee shall submit his/her request for a leave of absence without pay at least two (2) weeks in advance of such leave, unless such advance time is not practicable, or is reduced or waived by the department. The employee must also ~~complete a Leave of Absence Insurance Coverage Agreement or group insurance will cease during the leave period~~ **MAKE ARRANGEMENTS WITH HUMAN RESOURCES REGARDING CONTINUATION OF AND PAYMENT FOR GROUP INSURANCE.** Approval must be obtained before such leave begins.

2. Annual leave and sick leave shall not accrue while an employee is on a leave of absence without pay, including continuous FML~~A leave~~, unless the employee is using his/her own leave banks. Employees on intermittent or reduced schedule leave under FMLA, on intermittent medical leave or on intermittent victim leave shall accrue annual and sick leave based on the number of regular hours paid in the same pay period during which leave is used, including all hours of the employee's own leave and/or time worked. Unpaid hours will not be calculated nor applied for the purpose of determining annual and sick leave accruals.

3. An employee on a leave of absence without pay, who is not using his/her accrued leave banks, shall not receive pay for holidays.

4. An approved leave of absence without pay is not considered a break in County service, but no credit is given toward seniority unless the leave of absence without pay was for Uniformed Services leave in accordance with 8-103 G.1.b.

5. A leave of absence without pay shall not be granted for an employee to engage in outside employment.

I. 6. A department may appoint a temporary replacement, without a guaranteed length of employment, or detail another employee to substitute for an employee on a leave of absence without pay, until the regular employee returns. Upon agreement with the department, the employee is not obligated to remain on the leave of absence until the scheduled end date if reasons for the leave have changed and the employee is able to return from the leave earlier than scheduled.

7. An employee starting a leave of absence without pay, who wishes to continue coverage under any of the County's group insurance programs, must ~~submit a Leave of Absence Insurance Coverage Agreement to~~ **MAKE COVERAGE AND PAYMENT ARRANGEMENTS WITH** Human Resources prior to such leave.

8. An employee starting a**N APPROVED** leave of absence without pay, other than FML~~A leave~~, is expected to pay the full cost of the insurance premiums, which includes both employee's and employer's shares. The employee starting FML~~A leave~~ is expected to pay only the employee's cost of the premiums. If **AN EMPLOYEE CANCELS** insurance coverage ~~lapses, an~~ **WHILE OUT ON A LEAVE OF ABSENCE, THE** employee can elect to continue coverage within thirty-**ONE** (3~~0~~**1**) calendar days upon returning to work.

9. An employee on intermittent medical leave will receive the employer's share of the insurance premium as long as he/she receives sufficient pay to cover the employee's share. Otherwise, the employee is responsible for the employer's and the employee's share of the insurance premium.

10. A leave of absence without pay, when granted, must be continuous and may not be interspersed with paid time, except for intermittent medical leave, for intermittent FML~~A leave~~, and for intermittent victim leave.

11. Resignation during a leave of absence without pay becomes effective two (2) weeks from date of notice, or at the end of the leave of absence, whichever occurs first.

A. Mediation is a method of dispute resolution in which a neutral third party assists disputing parties in communicating and developing mutually agreeable solutions to an identified conflict. The goal of mediation is to resolve conflicts. No determination will be made on the merits of the dispute.

B. The Director of Human Resources shall be responsible for the operation of the mediation program.

C. Mediation may be used to resolve any work-related dispute concerning misinterpretation, misapplication, or unequal enforcement of the Merit System Rules, Personnel Policies, Administrative Procedures, and/or department procedures. Pursuant to Merit System Rule 13, employees must attempt mediation prior to filing a formal grievance, except for grievances pertaining to Letters of Reprimand or allegations of sexual harassment or workplace harassment. Contacting the Human Resources Department and either proceeding with mediation or receiving notification that mediation is inappropriate constitutes an attempt.

1. Any County employee may initiate the mediation process by contacting Human Resources. An initial appointment shall be scheduled by Human Resources within ten (10) business days from the date of first contact with the employee. At the initial appointment, the employee will inform Human Resources of the issue(s) in dispute. Human Resources shall then determine if mediation is appropriate.

2. If a determination is made to mediate, the mediation session shall commence within ten (10) business days of the initial appointment, unless the time is extended for good cause.

3. **WITH THE EXCEPTION STATED IN C.4 BELOW,** employees participating in mediation are entitled to be assisted by a **WILLING** person of the employee's choosing who may participate in the discussions during mediation. If the employee requesting mediation decides to bring an assistant, the other party will be given the opportunity to do so as well. Both participating employees shall receive notice of a scheduled mediation at least three (3) full work days from the date of written notification. If either party has not obtained an assistant in the timeframe established, the mediation will proceed as scheduled.

4. **WHEN AN EMPLOYEE REQUESTS MEDIATION WITH HIS/HER SUPERVISOR, THE REQUESTING EMPLOYEE IS ENTITLED TO BE ASSISTED BY A PERSON OF THE EMPLOYEE'S CHOOSING WHO MAY PARTICIPATE IN THE DISCUSSIONS DURING MEDIATION. MANAGEMENT AND/OR SUPERVISORY EMPLOYEES ARE NOT ENTITLED TO REPRESENTATION WHEN MEDIATING WITH AND AT THE REQUEST OF SUBORDINATE EMPLOYEES.**

C. **45.** Human Resources may determine that the mediation would more appropriately be conducted in separate sessions for each disputing party.

~~5~~6. Human Resources shall establish and provide to each disputing party the Ground Rules for Mediation. Prior to the start of the mediation session, each party shall sign a confidentiality agreement. Violation of the confidentiality agreement may result in disciplinary action.

~~6~~7. If the mediation is successful, a written agreement will be drafted and signed by the disputing parties. Human Resources will give a copy of the agreement to each of the disputing parties.

~~7~~8. If mediation is not successful, or if it is determined that mediation is inappropriate, Human Resources shall provide written notification to the disputing parties.

D. Human Resources shall maintain the following information pursuant to State law:

1. The confidentiality agreement;

2. The written agreement or notification that mediation was not successful;

3. Mediation notes.

A. Definitions

1. "Record" means any information maintained on an individual with his/her name and/or other identification.

2. "Official personnel file" means any employment information maintained on current or former County employees.

3. "Maintain" means collect, file, update, use, or disseminate.

4. "Access" means to have permission, liberty, or ability to examine, obtain information from, or add to personnel files as defined in this Policy.

5. "Official insurance file" means insurance and benefits information maintained on current County employees.

6. "Official payroll file" means any payroll information maintained on current County employees.

7. "Custodian of Records" means the person(s) designated by the County Administrator to be in charge of official employee records. For the purpose of inquiries and/or subpoenas, the Director of Human Resources is designated the Custodian of personnel records and the Director of Finance and Risk Management is designated the Custodian of financial records.

B. General

1. Effective personnel administration requires the gathering and use of information concerning employees. Personnel files shall be established and maintained in a manner designed to protect the privacy of all concerned.

2. Each Appointing Authority is responsible for ensuring that employment information is filed in the appropriate personnel file. ~~An Appointing Authority with centralized Human Resources staff support shall designate that staff to maintain the department personnel and medical records on his or her behalf while still maintaining the ultimate responsibility for this task.~~

3. To avoid inappropriate disclosure of records pertaining to County employees, all inquiries for personnel information shall be referred to the Custodian of personnel records and all inquiries for payroll information shall be referred to the Custodian of financial records. Departments shall instruct all employees that inquiries regarding current and former employees, made either verbally or in writing, are to be referred to the appropriate Custodian of records. This Policy shall be adhered to regardless of how routine or insignificant the inquiry may be.

C. Official Personnel Files

1. Official personnel files shall be maintained by Human Resources and are the property of Pima County Government.

2. Each official personnel file should contain documentation of official personnel actions and the following information:

   a. Employee's name;

   b. Social Security Number;

   c. Employee emergency information;

   d. Employment application(s) **PRIOR TO JULY 25, 2014**;

   e. County Personnel Action Forms and supporting documentation;

   f. Loyalty Oath;

   g. Performance Appraisal Forms;

   h. Documentation of all formal disciplinary actions and grievance actions not alleging discrimination when the grievance was filed based on a Letter of Reprimand;

   i. Relevant credentials and/or verification of transcripts or diplomas as stated on the application **PRIOR TO JULY 25, 2014**;

   j. A copy of the Pima County Drug-Free Workplace Agreement signed by the employee;

   k. Electronic Mail Procedure Acknowledgment prior to January 25, 2008;

   l. Preventing Workplace Harassment Acknowledgment;

   m. Employee Consent to Pima County's Disclosure of Employment Information and Release of Liability Form **PRIOR TO JULY 25, 2014**;

   n. Applicant Consent to Release Liability and Reference Information Form and accompanying reference check documentation **PRIOR TO JULY 25, 2014**;

   o. Eligibility for Reinstatement of Sick Leave Hours Form.

D. Official Insurance Files

Official insurance files are maintained by Human Resources and should contain the following information:

1. Medical membership records;
2. Dental membership records;
3. Life insurance membership records;
4. Other supplemental benefit records.

E. Form I-9 Employment Eligibility Verification Archive Files

Official Form I-9 archive files are maintained by Human Resources and shall contain the following information:

1. Form I-9, Employment Eligibility Verification;
2. Supporting documentation.

F. Official Payroll Files

1. Official payroll files are maintained by the Finance and Risk Management Department and should contain the following documents:

   a. W-4 Forms;

   b. Arizona State Retirement Fixed Benefit Plan Enrollment Form, Application for Return of Contributions Form and/or Change of Beneficiary Designation Form;

   c. Authorizations for deductions;

   d. U.S. Military Selective Service Act Compliance Form.

2. The Finance and Risk Management Department shall respond to civil subpoenas for any payroll records in the same manner outlined in H.5 below.

G. Department Files

1. Department personnel files should contain the following information:

   a. Employee's name;

   b. Social Security Number;

   c. Classification title and classification code;

   d. Employee emergency information;

   e. Copies of Personnel Action Forms;

   f. Performance Appraisal and Performance Plan forms;

   g. Documentation of all formal and informal disciplinary and grievance actions;

   h. Letters of commendation;

   i. Educational Reimbursement Application Forms;

   j. Outside Employment Permission forms;

   k. Computer Use and Electronic Mail Procedure acknowledgments;

   l. Termination arrangements (non-medical) as found in Personnel Policy 8-123.A.6.

2. Department medical files should contain the following information:

   a. Workers' compensation reports:

      (1) Initial reports (Supervisor's Report of Industrial Accident/ Injury; Employer's Report of Industrial Injury);

      (2) Work status documentation from health care provider;

   b. Accident /Injury reports;

   c. Records and documents relating to medical certifications or medical history except for Family and Medical Leave Act (FMLA) related medical documents dated on or after January 16, 2009, including medical certification forms;

G. 2. d. Hepatitis B Vaccination Consent/Declination Form;

e. Pima County Risk of Exposure Notification;

f. Termination arrangements (verification from medical provider) as found in Personnel Policy 8-123.A.6.

3. Upon request, departments shall provide an opportunity for employees to review their department files.

4. Department files shall be relocated to the receiving department when an employee transfers. The transferring department may retain the following information:

a. Employee's name;

b. Address;

c. Social Security Number;

d. History of personnel actions as indicated on County Personnel Action Forms.

5. Any employee records maintained by the department, aside from those contained in the official department personnel file, shall contain no adverse material that is not contained in the official department personnel file. For the purpose of employee performance management, notations related to deficiencies in identified performance factors may be maintained in a supervisory file provided the performance issue(s) has been discussed with the employee and the notation(s) removed after a disciplinary or non-disciplinary action and/or performance appraisal has been issued.

H. Access to Personnel Files

1. Official personnel files shall not be disclosed except as required by law. The following persons may be allowed access to official personnel files:

a. Members of the Board of Supervisors;

b. The County Administrator or designee;

c. The employee or the employee's designated representative who has written authorization from the employee;

d. Authorized County staff with the approval of the Director of Human Resources or designee;

H. 1. e. Law enforcement and investigative organizations' staff in the course of their duty, when required, and only after presentation of proper identification and a release signed by the employee, or a subpoena calling for release of the records;

f. Internal, state and federal auditors in the course of their duty, when required, and only after presentation of proper identification and notification of the audit;

g. The employee's Appointing Authority or designee.

2. The Director of Human Resources may provide access to persons other than those cited in this Policy upon determination that such persons in the course of their official duties have a valid need-to-know.

3. Department personnel files shall not be disclosed except as required by law. The following persons may be allowed access:

a. The County Administrator or designee;

b. The employee or the employee's designated representative, who has written authorization from the employee;

c. The Appointing Authority and authorized departmental staff;

d. Law enforcement and investigative organizations' staff in the course of their duty, when required, and only after presentation of proper identification and a release signed by the employee, or a subpoena calling for release of the records.

4. Appointing Authorities and/or the Director of Human Resources shall require reasonable identification of individuals requesting information to ensure that records are disclosed only to the proper persons.

5. Human Resources shall respond to civil subpoenas for any personnel records as follows:

a. Notify the affected employee;

b. Determine whether to seek, through the County Attorney, a protective order restricting dissemination to only such materials as are necessary and proper; and

c. Comply with the subpoena as required by law.

H. 6. Each employee and/or his/her authorized representative has the right to review the employee's personnel files. With reasonable notice given to Human Resources, files may be reviewed at Human Resources in the presence of authorized staff.

7. Employees shall be provided with copies of their own personnel records for a fee not to exceed the actual cost of providing the copy, or the prescribed statutory fee, if any, whichever is less.

All County employees must observe the following basic work rule principles:

A. Observe Personnel Policies and Merit System Rules.

B. Report to work on scheduled work days at the proper starting time and remain at assigned work station for the scheduled periods, unless permission to leave has been granted by the supervisor or Appointing Authority.

C. Do not abuse County leave policies, departmental break, rest, or lunch periods.

D. Be careful and considerate in the use of County property and equipment. Keep tools, machines, vehicles and other County property clean and in proper condition.

E. Notify your immediate supervisor as required in these Policies if absence from assigned duties is necessary.

F. Obtain County Administrator permission before soliciting, selling, passing petitions, or distributing or circulating written or printed matter of any description on County property. Employees may post written or printed material on employee bulletin boards without permission, provided such material is not detrimental to the County.

G. Follow established safety practices and report any accidents to the supervisor.

H. Cooperate in keeping the work site clean and sanitary.

I. Carry out specific orders or instructions from the immediate supervisor or another employee in charge.

J. Perform a full day's work in an efficient and professional manner in accordance with the methods and standards required by the County.

K. Be responsive to the citizens of the County at all times while performing any duties which are related to County employment, or whenever representing the County in any capacity.

L. Prepare all records and reports truthfully and completely.

M. Establish and maintain effective working relationships with others and do not take part in harmful and/or malicious gossip.

N. Report to the immediate supervisor all known mistakes, policy violations, or infractions of the Rules of Conduct.

O. Report to the immediate supervisor any known willful damage, thievery, or unauthorized removal of County property.

P. Do not engage in physical violence or threats of physical violence with fellow employees and the public.

Q. Do not use abusive, profane, or obscene language or gestures or display obscene or offensive materials. Materials related to the health field which are determined to be of business necessity are excluded from this Policy.

R. Do not make slurs and/or remarks concerning race, color, religion, national origin, age, sex, disability, veteran's status, sexual orientation or results of a genetic test received by the County, when applicable.

S. Treat all co-workers and general public in a courteous manner.

T. Report to immediate supervisor any criminal conviction of the employee that results from drug statute violations in the workplace. The report must be made no later than five (5) calendar days following such conviction.

U. Follow Pima County Procurement Policy regarding acceptance of gifts.

V. Do not engage in unethical or illegal behavior with minors who are employed with the County or who participate in any County program or activity.

W. Do not engage in practical jokes or other activities commonly referred to as 'horseplay'. Horseplay is defined as behavior, essentially without malice, and usually involves, for example, rough, boisterous or rowdy physical interaction such as tripping, grabbing, wrestling, or scuffling and may be inconsistent with ordinary and reasonable common sense safety rules.

X. **DO NOT MISUSE COUNTY EMAIL SYSTEMS FOR THE PURPOSE OF PRODUCING, DISTRIBUTING, OR FORWARDING CONTENT THAT:**

1. **IS DISCRIMINATORY, HARASSING, OR DISRUPTIVE WHICH INCLUDES, BUT IS NOT LIMITED TO, CONTENT THAT IS SEXUALLY EXPLICIT, DEROGATORY OR ABUSIVE; THREATENING IMAGES; CARTOONS, JOKES, OR INAPPROPRIATE OR PROFANE LANGUAGE;**

2. **IS DEMONSTRABLY OFFENSIVE, REGARDLESS OF WHETHER OR NOT ONE OR MORE RECIPIENTS FELT THREATENED, OFFENDED, OR OTHERWISE DISTURBED;**

3. **IS NOT COUNTY-RELATED BUSINESS WHICH INCLUDES, BUT IS NOT LIMITED TO, CHAIN LETTERS, STORIES, PETITIONS, WARNINGS, PICTURES, AND/OR PROGRAMS;**

4. **IS SENSITIVE, PRIVATE, CONFIDENTIAL OR PRIVILEGED WHICH MAY INCLUDE, BUT IS NOT LIMITED, TO PERSONNEL MATTERS OR DECISIONS, GRIEVANCES AND DISCIPLINARY ACTIONS; OR**

5. **MAY CREATE THE APPEARANCE OF INAPPROPRIATE USE.**

~~X~~**Y**. Supervisory responsibilities include:

1. Ensuring that employees are informed regarding changes in County policy and working conditions.

2. Administering Pima County Merit System Rules, Personnel Policies and Administrative Procedures in a fair and equitable manner.

3. Ensuring that the work activity of subordinates is performed in an efficient manner and is of high quality.

4. Monitoring employee conduct for compliance with the Merit System Rules and Personnel Policies.

~~Y~~**Z**. Prohibited conduct - County employees shall not:

1. Hold financial or personal interests that could negatively impact the interest of the County.

2. Use or attempt to use their official positions or confidential information for financial gain or for personal advantage.

3. Permit themselves to be placed under any kind of personal obligation or allow themselves to be put in any kind of situation which could lead any person to expect official or personal favors.

4. Give preferential treatment to any private organization or individual.

5. Engage in any outside employment as defined in Personnel Policy 8-111 or outside activities, including seeking and negotiating for employment, that conflict with official and assigned County duties and responsibilities.

6. Perform any act in a private capacity which could be considered to be an official act.

7. Accept or solicit, directly or indirectly, anything of economic value such as a gift, gratuity, favor, service, entertainment, or loan, which may, or may not, appear to be~~,~~ designed to influence the employee's official conduct. Specific provisions of ~~the County~~ **VENDOR-RELATED** gift policy**IES** are set out in Board policies and Administrative Procedures.

8. Directly or indirectly use or allow the use of County property of any kind, including property leased by the County, for other than official or assigned duties.

9. Make a political contribution and/or solicit or collect political contributions for any candidates for any elected County office.

A. Coverage

1. The County offers group insurance coverage for its employees and their dependents as follows:

   a. Medical insurance;

   b. Dental insurance;

   c. Life insurance (basic and supplemental);

   d. Additional plans, as adopted by the Board of Supervisors. Such additional plans may be governed by Administrative Procedures.

2. An employee may be required to share the cost of insurance, except that the County pays for the entire premium cost of the basic life policy.

3. Employees electing coverage may choose to cover eligible dependents.

B. Eligibility for Insurance Coverage

1. A regular full-time or part-time employee hired to work and receiving pay for twenty (20) or more hours per week, or forty (40) or more hours per pay period, is eligible. A variable-time employee hired to work and receiving pay for a minimum of twenty (20) hours per week, or forty (40) or more hours per pay period, regardless of the actual number of hours worked, is eligible. A temporary employee extended beyond the first six (6) months of employment and hired to work and receiving pay for a minimum of twenty (20) hours per week, or forty (40) or more hours per pay period, is eligible.

2. If both spouses or domestic partners work for the County and are eligible for benefits, only one (1) person is allowed to cover eligible dependents. For the purpose of Pima County insurance coverage, an eligible dependent is a legally married spouse, domestic partner, natural born child, stepchild, adopted child of the employee or domestic partner, child who has been placed for adoption with the employee or domestic partner and for whom the application and approval procedures for adoption pursuant to ARS §8-105 or §8-108 have begun, and/or a child for whom the employee or domestic partner has obtained court ordered guardianship.

3. An eligible child is insurable up to the age of twenty-six (26), regardless of the child's student or marital status or the availability of other employer-based coverage for that child. The employee must supply documentation

to support the parent-child relationship and the age of the child. As an example, such document may include a birth certificate or applicable court order. An enrolled dependent child will continue to be eligible beyond the age of twenty-six (26) provided he/she is incapable of self-sustaining employment by reasons of intellectual disability or physical disability and is chiefly dependent upon the employee or enrolled domestic partner for support and maintenance. Restrictions may be placed on dependent coverage by an insurance carrier if the dependent is not living within the carrier's defined service area. At any time, an employee may be requested to document dependent status.

C. Enrollment and Effective Date

1. Insurance coverage becomes effective the first day of the month following completion of thirty (30) calendar days of eligibility. An eligible employee electing insurance coverage must enroll ~~with Human Resources~~ **VIA THE BENEFITS ONLINE ENROLLMENT SYSTEM** within the scheduled enrollment period or wait until the next ~~open~~ **ANNUAL** enrollment period to obtain insurance coverage. Bi-weekly premium deductions will begin the first payday following enrollment.

2. A reinstated employee's insurance coverage becomes effective the first day of the month following reinstatement.

3. A reemployed employee shall be treated as a new employee.

D. ~~Open~~ **ANNUAL** Enrollment

1. ~~Open~~ **ANNUAL** enrollment for group insurance is held at least once a year and is scheduled by Human Resources. This is a specified period during which an eligible employee may enroll **IN,** ~~or~~ change ~~medical/dental insurance plans,~~ **OR** cancel medical/dental insurance, add eligible dependents, **AND** cancel dependents.~~, or enroll in supplemental life insurance (with restrictions).~~ **THIS ALSO APPLIES TO SUPPLEMENTAL AND ANCILLARY BENEFITS.**

2. Supplemental and dependent life insurance is available on an open and continuous enrollment basis. Evidence of insurability of all applicants, except newly eligible employees and dependent children, will be required.

E. Coverage Changes, Cancellation of Coverage, ~~Changes in Family Status~~ **QUALIFYING LIFE EVENTS**

1. An employee may enroll in or cancel insurance coverage and/or add or delete dependents only during the regularly scheduled ~~open~~ **ANNUAL** enrollment, unless a ~~family status change~~ **QUALIFYING LIFE EVENT** has occurred. A ~~family status change~~ **QUALIFYING LIFE EVENT** is defined to be:
   a. Marriage;
   b. Divorce;
   c. Legal separation;
   d. The establishment or dissolution of a domestic partner relationship;
   e. Birth;
   f. Adoption;
   g. Placement for adoption pursuant to ARS §8-105 or §8-108;
   h. Court ordered guardianship;
   i. Dependent leaves the service area (for certain medical and dental plans);
   j. Employee's spouse, domestic partner or other dependent ~~obtains new employment, becomes eligible for benefits with current employer, becomes ineligible for benefits with current employer, terminates employment and as a result of the termination loses coverage with his or her employer~~ **GAINS OR LOSES OTHER COVERAGE**;
   k. Leave of absence without pay;
   l. Dependent child attains age 26.

2. These changes must be made within thirty-one (31) calendar days of the date of occurrence. Premium changes will be effective the first payday following ~~approval of the change~~ **ENROLLMENT EFFECTIVE DATE**. An employee may not change from one plan to another except during the scheduled ~~open~~ **ANNUAL** enrollment period.

3. Cancellation of coverage shall occur for non-payment of premiums.

4. An employee's insurance coverage terminates at midnight on the last day of the month for which premiums were paid.

5. Unless a ~~family status change~~ **QUALIFYING LIFE EVENT** has occurred, an employee whose coverage has been canceled **FOR NON-PAYMENT** in the current plan year may re-enroll for insurance coverage only during the next regularly scheduled ~~open~~ **ANNUAL** enrollment.

6. Reinstatement of coverage following cancellation for non-payment of premium and outside of the ~~open~~ **ANNUAL** enrollment period may be authorized by the County Administrator.

F. Leave Without Pay~~; Reduction of Hours~~

1. An employee starting a leave of absence without pay may continue coverage under any of the County's group insurance programs ~~by submitting a Leave of Absence Insurance Form prior to such leave~~ **BASED ON POLICY GUIDELINES OF THE PLAN**.

2. An employee on a leave of absence without pay, who terminates prior to the end of such leave, shall be responsible for payment of insurance premiums up to the last day of employment.

3. If the employee's insurance coverage is terminated due to non-payment of premium, cancellation will be effective the end of the payroll period for which premiums were paid.

~~4. Insurance coverage under a reduction of hours will be as follows:~~

~~a. If an employee receives pay for less than forty (40) hours in one (1) pay period, or is on an approved leave of absence without pay for one (1) pay period, the County shall continue its contribution for medical and dental insurance coverage for the employee.~~

~~b. If the employee receives pay for less than forty (40) hours in two (2) or more consecutive pay periods, or is on an approved leave of absence without pay for two (2) or more consecutive pay periods, the employee will be responsible for paying both the employee's and the County's share of the medical and dental premiums.~~

~~5. An employee on leave for a workers' compensation injury shall be responsible only for that portion of the premium(s) which would normally be deducted from her/his biweekly pay.~~

~~6. Unless the employee is transferred to a non-insurance eligible status position, the County will continue to pay for basic life insurance coverage throughout the approved leave of absence without pay, or when the employee is receiving pay for less than forty (40) hours per pay period.~~

G. Leave Taken Under the Family and Medical Leave Act (FMLA)

1. When an employee is on an approved leave of absence without pay under the provisions of FMLA, the County will continue to pay to insurance providers the County's contribution for medical, dental and basic life insurance coverage ~~for up to twelve (12) weeks during any twelve (12) month period~~. An employee taking leave under FMLA will be responsible for payment of the employee's share of premium costs for any County-sponsored insurance benefits.

G. 2. An employee starting an FML~~A~~ leave of absence without pay may continue coverage under any of the County's group insurance programs by ~~submitting an FMLA Leave of Absence Insurance Form~~ **MAKING BENEFIT AND PAYMENT ARRANGEMENTS WITH HUMAN RESOURCES** prior to such leave.

3. The County may recover insurance premiums paid on behalf of an employee during an unpaid leave under the provisions of FMLA if:

a. The employee fails to return from leave after the leave period has expired, and

b. Fails to return for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to take FML~~A leave~~, or other circumstances beyond the employee's control.

H. Retirement Benefits

In Arizona, retirement benefits, including health benefits for retirees of State and County government, are governed by Arizona statute. Pursuant to Arizona constitutional and statutory law, the State of Arizona has established, operates and maintains a retirement system, known as the Arizona State Retirement System (ASRS) for State and County employees. There are separate systems, also established by Arizona law, for law enforcement personnel, corrections system personnel, and county elected officials.

I. Complaints

Formal complaints may be made in writing to Human Resources.

J. Continuation of Group Medical, Dental and Employee Assistance Program Coverage

Under Public Law Number 99-272, as amended, certain employees and dependents are eligible to continue group medical benefits, dental insurance benefits and employee assistance program benefits. This continuation requires the eligible employee or dependent to pay the full premium (without County contribution) plus a 2% administration fee.