



Board of Supervisors Memorandum

June 17, 2014

Revisions to Merit System Rules and Personnel Policies

Attached are proposed revisions to the Merit System Rules and Personnel Policies necessitated by the implementation of the Automatic Data Processing (ADP) integrated Payroll, Human Resources and Benefits system.

Explanations for these proposed changes are noted below.

1. Merit System Rule 1 - DEFINITIONS

- MSR 1.46 adds definition of "pay status" in anticipation of implementation of new payroll system.
Subsequent definitions are renumbered.
- MSR 1.68 adds definition of "termination date" in anticipation of implementation of new payroll system.
- MSR 1.75 adds definition of "work schedule" in anticipation of implementation of new payroll system.

2. Personnel Policy 8-102 – PREMIUM PAY

- PP 8-102 A.1 revised due to the elimination of "medical services pay".
- PP 8-102 A.2 revised to define "hours worked" for the purposes of computing overtime.
- PP 8-102 E revised by removing the reference a "pager."
- PP 8-102 F.2 revised to align the calculation of holiday benefit time off with ADP system capabilities.
- PP 8-102 F.3 revised to align with the revision to 8-102 A.2.
- PP 8-102 F.4 revised to align with the revision to 8-102 A.2.
- PP 8-102 F.5 deleted.

- PP 8-102 F.5 "Holiday Benefit & Workers' Compensation" clarifies how employees who are receiving workers' compensation benefits shall receive holiday benefit time off.
- PP 8-102 F.6 clarifies how employees on leaves of absence without pay shall receive holiday benefit time off.
- PP 8-102 F.7 clarifies how employees on leaves of absence without pay shall receive holiday benefit time off.
- PP 8-102 G returns the definition of "shift" to the standard that was in place prior to the May 1, 2011.
- PP 8-102 G.1.a definition of "Day shift" is deleted.
Subsequent sections are re-lettered.
- PP 8-102 G.1.a "Evening shift" means a work shift in which more than half of the hours worked fall between 5 PM and midnight.
- PP 8-102 G.1.b "Night shift" means a work shift in which more than half of the hours worked fall between midnight and 8 AM.
- PP 8-102 G.2 clarifies how shift differential shall be paid.
- PP 8-102 H revised to require annual approval of special assignment pay by the County Administrator.
- PP 8-102 I Attachments is added and states changes may be made to attachment(s) to this policy by Human Resources, with County Administrator approval.

Attachment I lists departments with evening and night shifts.

3. Personnel Policy 8-104 – ATTENDANCE

- PP 8-104 A adds language to require approval by the County Administrator of alternative work schedules that deviate from the work schedule definition that was added as MSR 1.75.

4. Personnel Policy 8-105 – ANNUAL LEAVE

PP 8-105 A.1 clarifies that annual leave shall not accrue for hours paid less than forty (40) in a pay period.

PP 8-105 A.4&5 properly moved to Paragraph B.

PP 8-105 B.1-6 establishes an accrual rate of annual leave based on a fraction of hours in a pay status and to clarify that any pay received based upon catastrophic leave hours will not be calculated for annual leave accrual purposes.

PP 8-105 C.1 deletes extraneous information regarding annual leave in excess of 240 hours.

PP 8-105 D.2 permits employees who are receiving workers' compensation benefits to use annual leave during the pay period in which it is accrued.

PP 8-105 D.6 clarifies that annual leave may be used only for approved absences.

PP 8-105 D.7 clarifies that use of annual leave for FMLA reasons is provided for by administrative procedures.

PP 8-105 G adds the word "bank" to more accurately reflect the name of the Catastrophic Leave Bank Program and clarifies the contribution and use of annual leave under the Catastrophic Leave Bank Program.

PP 8-105 H delineates the process that will be followed to automatically transfer annual leave hours in excess of 240 to sick leave eliminating the need for an employee to submit a written request.

5. Personnel Policy 8-106 – SICK LEAVE

PP 8-106 A.1 clarifies that sick leave shall not accrue for hours paid less than forty (40) in a pay period.
Subsequent sections are re-lettered.

PP 8-106 A.3&4 properly moved to Paragraph B.
Subsequent sections are renumbered.

PP 8-106 A.4 clarifies requirements for reinstatement of unused sick leave accruals upon returning to County employment adding language related to the Catastrophic Leave Bank.

- PP 8-106 B.1 establishes an accrual rate of sick leave based on a fraction of hours in a pay status
- PP 8-106 B.2&3 clarifies that any pay received based upon catastrophic leave bank hours will not be calculated for sick leave accrual purposes.
- PP 8-106 D.2 permits employees who are receiving workers' compensation benefits to use sick leave during the pay period in which it is accrued.
- PP 8-106 D.7 delineates the process that will be followed to automatically convert the unused portion of sick leave hours to annual leave eliminating the need for an employee to submit a written request. It includes the requirement that an employee shall make a request to central payroll within thirty (30) calendar days after the conversion occurred to reverse the automatic conversion.
- PP 8-106 E.6 clarifies that use of sick leave for FMLA reasons is provided for by administrative procedures.
- PP 8-106 F.2 clarifies that employees who were laid off may regain accrued sick leave held at time of layoff.
- PP 8-106 G adds the word "bank" to more accurately reflect the name of the Catastrophic Leave Bank Program.
- PP 8-106 H.3 takes the hours of unused sick leave eligible for conversion to annual leave to two decimal points.
- PP 8-106 H.4 adds language to clarify that excess annual leave converted to sick leave shall be included in the conversion calculation in H.3.

6. Personnel Policy 8-107 - SPECIAL LEAVES OF ABSENCE WITH PAY

- PP 8-107 D César Chavez Remembrance Day Leave is revised to align the calculation of time off with ADP system capabilities.
- PP 8-107 E Bereavement Leave is revised to align the calculation of time off with ADP system capabilities.

7. Personnel Policy 8-117 – PAY PLAN

PP 8-117 B adds a definition of "Payday" and specifies that each employee is responsible for submitting the appropriate pay documents by the scheduled due date in order to be paid on the scheduled payday.

8. Personnel Policy 8-122 – GROUP INSURANCE

PP 8-122 F.2 revised due to the addition of the definition of termination date as MSR 1.68.

9. Personnel Policy 8-123 – TERMINATION

Nine (9) instances of "paycheck" are revised to accurately reflect correct terminology.

PP 8-123 B.2 revised due to the addition of the definition of termination date as MSR 1.68.

Recommendation

I recommend the Board of Supervisors approve the Merit System Rule and Personnel Policy modifications outlined above to become effective on July 13, 2014, with the ADP go-live date as determined by the Human Resources and Finance and Risk Management Departments.

Respectfully submitted,



C.H. Huckelberry
County Administrator

CHH/mjk – June 4, 2014

Attachments

c: Allyn Bulzomi, Director, Human Resources
Tom Burke, Director, Finance and Risk Management

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, ~~and medical services pay.~~
2. "Overtime" means time worked in excess of forty (40) hours per work week, unless a different definition is required by law. ~~For purposes of computing overtime hours, in addition to hours worked, annual leave and compensatory time used shall be included. Sick leave, bereavement leave, and administrative leave with pay do not count as hours worked for the purpose of computing overtime. The holiday benefit is to be included as time worked only if it is part of the normally scheduled work week.~~
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 a 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.

- C. 2. The following are not eligible for overtime:
- a. Elected Officials;
 - b. Members of the personal staff of Elected Officials;
 - 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.

- D. 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.
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 ~~through a pager~~ 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.

2. If possible, ~~exempt and non-exempt~~ 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. ~~and Variable-time, part-time employees and employees on intermittent or reduced schedule leave under FMLA-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 ~~regular hours paid in the previous pay period or in the same pay period if no regular hours were paid in the previous pay period~~ **THEIR WORK SCHEDULE**. The ~~prorated calculation shall be ten percent (10%) of the regular hours paid.~~ Exempt employees will receive their regular salary for a pay period in which the holiday falls **BASED ON THEIR WORK SCHEDULE**. Intermittent employees, as defined in Merit System Rule 1, are not eligible for the holiday benefit, but may receive holiday pay.
3. If an 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 plus the following holiday pay:

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

If an employee eligible for the holiday benefit is required to work on a holiday, and the employee receives the holiday benefit time off, he/she shall receive holiday pay for holiday hours worked. At the discretion of the Appointing Authority, the employee may be granted annual leave or compensatory time off and still remain eligible to receive holiday pay for holiday hours worked. ~~Pursuant to A.2 above, annual leave and compensatory time are included in hours worked for the purpose of computing overtime.~~

4. If **MORE THAN** half ~~or more~~ of the hours worked on a shift fall on a holiday, the entire shift shall be paid in accordance with Paragraph 3. above.
5. ~~If mutually agreeable to both Appointing Authority and employee, a non-exempt employee eligible for the holiday benefit may be given time in lieu of holiday pay for all hours worked on the holiday. These hours must be used within six (6) months from the time of their accrual or the County shall invoke its option to pay the employee for the accrued time.~~

65. 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 a ~~prorated amount of holiday benefit based on the number of accrued leave or compensatory time hours used in the same pay period~~ **AS HOLIDAY BENEFIT THE EQUIVALENT TO THE DAILY AMOUNT OF COMPENSATORY TIME OR LEAVE BANKS UTILIZED TO SUPPLEMENT WORKER'S COMPENSATION BENEFITS.**
- ~~7.~~ **B.** An employee eligible for the holiday benefit, who works modified duty and is also compensated by workers' compensation benefits, shall receive a ~~prorated amount of holiday benefit based on the number of hours paid in the same pay period~~ **THE HOLIDAY BENEFIT BASED ON HIS/HER WORK SCHEDULE.**
- ~~86.~~ 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 ~~addition to~~ **CONJUNCTION WITH** leave without pay, shall receive a ~~prorated amount of holiday benefit hours based on regular hours paid in the previous pay period or in the same pay period if no regular hours were paid in the previous pay period~~ **THE HOLIDAY BENEFIT BASED ON HIS/HER MODIFIED WORK SCHEDULE.** Catastrophic leave hours and/or unpaid hours will not be calculated nor applied for these purposes.
- ~~97.~~ 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 ~~addition to~~ **CONJUNCTION WITH** leave without pay, shall receive a ~~prorated amount of holiday benefit based on regular hours paid in the previous pay period or in the same pay period if no regular hours were paid in the previous pay period~~ **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.

G. 1. Definitions

a. ~~"Day shift" means a work shift~~ **IN WHICH MORE THAN HALF OF THE SCHEDULED HOURS FALL** ~~between 8 a.m. and 5 p.m.~~

bA. "Evening shift" means a work shift **IN WHICH MORE THAN HALF OF THE HOURS WORKED FALL** between 5 p.m. and midnight.

eB. "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**, ~~or any portion thereof, shall be eligible to 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** ~~If an employee works hours in more than one shift, the shift differential will be applied to each hour worked in the respective shift as defined in G.1 above. For overtime pay purposes, shift differential shall be calculated at the higher rate of sixty-five cents (\$0.65) per hour.~~

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 ~~work evening or night shifts,~~ 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

**FACILITIES MANAGEMENT
HEALTH (ANIMAL CARE)
INFORMATION TECHNOLOGY
LIBRARY
MEDICAL EXAMINER
REGIONAL WASTEWATER RECLAMATION
SHERIFF
TRANSPORTATION**

A. Work Schedules

Work schedules are established at the discretion of the Appointing Authority.

EXCEPT FOR ELECTED OFFICIALS, APPOINTING AUTHORITIES MUST SUBMIT DEVIATIONS FROM THE STATED WORK SCHEDULE TO THE COUNTY ADMINISTRATOR FOR APPROVAL AND MUST EMPHASIZE HOW AN ALTERNATIVE WORK SCHEDULE WILL IMPROVE OR POSITIVELY IMPACT COUNTY OPERATIONS.

B. Tardiness and Absence

1. All employees are required to be at work on time. If an employee is unavoidably detained or unable to report to work, notification shall be made to the immediate supervisor or authorized department representative. This notification shall be provided at least one (1) hour before starting time unless otherwise specified by the Appointing Authority. Failure to notify without good reason shall constitute an unauthorized absence without pay.
2. Time off work with pay shall be allowed only as provided in County Personnel Policies for compensatory time, paid holiday time, or various paid leaves.
3. Employees classified as Executive (E), Administrative (A), or Professional (P) are required to be at work as scheduled by the Appointing Authority. All absences, including those of less than a full working day, must be approved in advance by the Appointing Authority or designee.
4. It is the responsibility of the employee to notify the Appointing Authority or designee when absence from assigned duties and/or work schedule is required.

C. Breaks

1. All county employees shall adhere to work breaks established by the Appointing Authority or designee.
2. For a maximum of one (1) year after the birth of a child, nursing mothers may take reasonable break time, whenever necessary, to express breast milk. Such breaks are not paid time. In those circumstances where paid breaks are provided, an employee who uses that break time to express milk will be compensated in the same manner that other employees are compensated for such break time. Break time utilized by nursing mothers to express milk that exceeds the amount of time allowed for other work breaks is not an unscheduled absence.

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. Annual leave shall accrue during any approved leave of absence with pay.~~
- ~~5. Annual leave shall not accrue during any leave of absence without pay or suspension without pay.~~
64. 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 full-time~~ employee with fewer than three (3) years of service (established by anniversary date) shall accrue ~~twelve (12) days of annual leave per year~~ at the rate of **.04625 PER HOUR IN A PAY STATUS** ~~three and seven-tenths (NOT TO EXCEED 3.7) hours per pay period.~~
2. ~~AN full-time~~ employee with three (3) to seven (7) years of service (established by anniversary date) shall accrue ~~fifteen (15) days of annual leave per year~~ at the rate of **.058125 PER HOUR IN A PAY STATUS** ~~four and sixty-five hundredths (NOT TO EXCEED 4.65) hours per pay period.~~

3. ~~AN full-time employee with seven (7) to fifteen (15) years of service (established by anniversary date) shall accrue eighteen (18) days of annual leave per year at the rate of .069375 PER HOUR IN PAY STATUS five and fifty-five hundredths (NOT TO EXCEED 5.55) hours per pay period.)~~
4. ~~AN full-time employee with more than fifteen (15) years of service (established by anniversary date) shall accrue twenty-one (21) days of annual leave per year at the rate of .080875 PER HOUR IN PAY STATUS six and forty-seven hundredths (NOT TO EXCEED 6.47) hours per pay period.)~~
5. ~~A part-time or variable-time employee shall accrue annual leave at a pro-rated amount of the full-time employee accrual rate (as set forth in paragraphs B.1-4 above) based on actual hours worked (excluding any overtime hours) plus any accrued paid leave used during the current pay period. Any pay received based upon donated hours will not be pro-rated or calculated for accrual purposes. An eligible part-time or variable-time employee shall not accrue pro-rated annual leave for hours worked less than forty (40) in a pay period. For accrual purposes, hours paid are exclusive of premium hours worked.~~
5. **ANNUAL LEAVE SHALL ACCRUE DURING ANY APPROVED LEAVE OF ABSENCE WITH PAY.**
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. Credit in excess of two hundred forty (240) hours becomes void at the end of the payroll period in which the employee's anniversary date falls. At the discretion of the Appointing Authority and with the specific approval of the County Administrator, an employee may retain annual leave in excess of two hundred forty (240) hours.~~
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.

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. ~~Both exempt and non-exempt employees will be charged accrued annual or sick leave, to the extent accruals exist, for time taken as FMLA leave. Such annual or sick leave, to the extent accruals exist, is paid leave.~~ **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.
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 (~~established by anniversary date~~) and supplement the accrual of sick leave, ~~a permanent employee may transfer 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**. ~~Transfer of excess annual leave hours to sick leave is done only at the written request of the employee. Requests must be made to the Appointing Authority within thirty (30) calendar days prior to the end of the year (established by anniversary date). Transfer credit becomes effective at the end of the payroll period in which the request is processed.~~

A. Eligibility

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

AN ELIGIBLE EMPLOYEE RECEIVING PAY FOR FORTY (40) OR MORE HOURS PER PAY PERIOD SHALL ACCRUE SICK LEAVE AS SPECIFIED IN 8-106 B.

2. New hire employees hired under the Pima County Trainee Program are eligible to accrue sick leave from date of appointment.
23. A temporary employee extended beyond the first six (6) months of employment shall accrue and may use sick leave beginning with the pay period following six (6) months of continuous service and extended employment. A temporary employee appointed to a regular appointment without a break in service shall be credited with sick leave from original date of hire.
- ~~3. Sick leave shall accrue during any approved leave of absence with pay.~~
- ~~4. Sick leave shall not accrue during any leave of absence without pay or suspension without pay.~~
54. Upon returning to County employment, an employee who retired from Pima County with fewer than ~~24~~**240 OR FEWER** hours of unused sick leave hours **ACCRUALS** is ineligible for reinstatement of any sick leave hours under Personnel Policy 8-106 F.2 **UNLESS THE EMPLOYEE CONTRIBUTED THE BALANCE OF HOURS HELD AT RETIREMENT TO THE CATASTROPHIC LEAVE BANK.**
65. Upon returning to County employment, any employee who converted sick leave hours to annual leave for payout purposes is ineligible for reinstatement of any sick leave hours under Personnel Policy 8-106 F.2.
76. An employee who is reinstated or reemployed and did not convert sick leave hours to annual leave for payout purposes shall, upon passing initial probation or earlier when probation does not apply, regain the accrued sick leave hours held at the time of termination.

B. Rate of Accrual

1. An eligible ~~full-time~~ employee shall accrue sick leave at the rate of **.04625 PER HOUR IN A PAY STATUS** ~~three and seven tenths (NOT TO EXCEED 3.7)~~ hours per pay period.)

~~2. An eligible part time or variable time employee shall accrue sick leave at a pro-rated amount of three and seven tenths (3.7) hours per pay period based on actual hours worked (excluding any overtime hours) plus any accrued paid leave used during the current pay period. Any pay received based upon donated catastrophic leave bank hours will not be pro-rated nor calculated for accrual purposes. An eligible part time or variable time employee shall not accrue pro-rated sick leave for hours worked less than forty (40) in a pay period. For accrual purposes, hours paid are exclusive of premium hours worked.~~

2. SICK LEAVE SHALL ACCRUE DURING ANY APPROVED LEAVE OF ABSENCE WITH PAY.

3. SICK 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 SICK LEAVE. ANY PAY RECEIVED BASED UPON CATASTROPHIC LEAVE BANK HOURS WILL NOT BE CALCULATED FOR ACCRUAL PURPOSES.

C. Accumulation

An employee may accumulate sick leave up to a maximum of one thousand nine hundred twenty (1,920) hours. Any accumulation in excess of this maximum shall not be credited to the employee.

D. Use of Sick Leave

1. An eligible employee may use sick leave after three (3) months of continuous service. Accrued sick leave may be used prior to the first three (3) months of service for a job-related injury or job-related illness.

2. **SICK 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 SICK LEAVE ACCRUALS DURING THE PAY PERIOD EARNED.

3. At the discretion of the Appointing Authority, an employee classified as Executive (E), Administrative (A), or Professional (P) may be required to use accrued sick leave for 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 sick leave for absences of less than a full work day.

4. Sick leave may be used for:
 - a. Illness of the employee or any surgical, medical, or dental care for the employee. An employee who requires leave for medical reasons may be eligible for leave under the provisions of the Family and Medical Leave Act (FMLA) of 1993, Personnel Policy 8-108 G. Use of sick leave for FMLA reasons is provided for by administrative procedures which comply with the ~~Family and Medical Leave Act~~ **FMLA**.
 - b. The illness of a spouse, mother, father, step-mother, step-father, grandparent, child, stepchild, foster child, grandchild, domestic partner or child of a domestic partner. The employee must file an affidavit with the department in order to take sick leave for the illness of the domestic partner or child of a domestic partner once a calendar 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.

Use of sick leave as defined above is for a combined maximum of forty (40) hours per year (established by anniversary date). An employee who must care for a seriously ill spouse, child, or parent as defined in the Family and Medical Leave Act may be eligible for FMLA leave.
 - c. Parental reasons, such as court appearance, registration of child(ren) for school, teacher conference, or adoption procedure that can only be scheduled during business hours. Paternity leave is included under leave for parental reasons for those employees not eligible for paternity leave under FMLA, Personnel Policy 8-108 G. Leave for parental reasons should be requested in advance, when possible. Leave for parental reasons is included in and not in addition to the forty (40) hour maximum cited in Paragraph 3.d. above.
 - d. The birth and/or care of a child, or the placement of a child for adoption, foster care, or other legal custody. Employees who request leave for these reasons may be eligible for FMLA leave, Personnel Policy 8-108 G.
 - e. Attendance at court proceedings under the Arizona Victim Leave Law, as detailed in Personnel Policy 8-108 H.

5. Sick leave shall not be charged against an employee's accrued balance for an authorized holiday which occurs while an employee is using sick leave.
6. An employee using annual leave who becomes ill may, upon verification of illness, charge the illness to accumulated sick leave.
7. In order to discourage excessive use of sick leave, ~~an eligible employee may convert~~ up to a maximum of fifty-six (56) hours of the unused portion of sick leave accrued during the current year (established by the end of the pay period in which the anniversary date falls) **SHALL BE CONVERTED** to annual leave ~~at the employee's request~~. Any sick leave used during the current anniversary year will be deducted from the fifty-six (56) hour maximum to determine the amount available for conversion. (Example: If only eight (8) hours of sick leave have been used during the anniversary year, the employee may transfer up to forty eight (48) hours of sick leave to annual leave. If fifty-six (56) or more hours of sick leave have been used during the anniversary year, the ~~employee cannot transfer any sick leave hours to annual leave~~**CONVERSION WILL NOT OCCUR.**)
 - a. ~~Transfer of sick leave hours to annual leave is done only at the written request of the employee. Requests must be made to payroll within thirty (30) calendar days after the end of the year (established by anniversary date). Transfer credit becomes effective at the end of the payroll period in which the request is processed.~~**THIS CONVERSION WILL OCCUR IN THE PAY PERIOD FOLLOWING AN EMPLOYEE'S ANNIVERSARY DATE. ANY EMPLOYEE WHO WISHES TO TRANSFER UNUSED SICK LEAVE THAT WAS CONVERTED TO ANNUAL LEAVE BACK TO SICK LEAVE SHALL MAKE A REQUEST TO CENTRAL PAYROLL WITHIN THIRTY (30) CALENDAR DAYS AFTER THE CONVERSION OCCURRED.** This transfer applies to all permanent employees and to deputy sheriffs who have completed one (1) year of their initial probation, including those who have two hundred forty (240) or more hours accrued on their anniversary date, after the adjustment to two hundred forty (240) hours has been made.

As an equivalent to full-time conversion, part-time and variable-time employees are eligible to **HAVE** ~~convert~~ fifty-eight percent (58%) of sick leave hours accrued during the current year (established by the end of the pay period in which the anniversary date falls), less any sick leave used, **AUTOMATICALLY CONVERTED** to annual leave.

E. Leave Requests

To utilize sick leave, an employee must:

1. Report promptly to his/her immediate supervisor or department, giving the reason for the absence.
2. Keep the immediate supervisor or the department informed daily, unless approved otherwise by the supervisor, if the unscheduled sick leave exceeds one (1) work day. Failure to comply with the above may constitute an unauthorized absence without pay.
3. Provide the department written verification from a recognized physician or medical practitioner for use of sick leave lasting more than three (3) work days. Unless waived by the Appointing Authority, verification shall be provided upon return to work, or as requested by the department, and may be provided by mail or messenger if required.
4. Permit the County to make verification of the illness in cases of suspected abuse of this Policy.
5. Submit a written request for extended sick leave (over three [3] work days) to the department at least two (2) weeks in advance of the intended absence, or as soon as possible after an emergency situation arises which requires extended sick leave. The dates and duration of the sick leave should be noted in the written request. Requests for extended absences are reserved for situations involving an operation or hospitalization. Approval must be obtained from the department's authorized representative prior to the beginning of an extended sick leave. A department may authorize an extended sick leave in emergency situations when advance approval cannot be obtained.
6. Submit leave requests under the provisions of FMLA consistent with Personnel Policy 8-108 G. **AND COUNTY ADMINISTRATIVE PROCEDURES.**

F. Disposition of Accrued Sick Leave

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

- F. 2. A permanent status employee who either resigned in good standing in accordance with Merit System Rules/Law Enforcement Merit System Rules or who was laid off and did not convert hours pursuant to PP 8-106.I and who returns to County employment within two (2) years from the effective date of resignation **OR LAYOFF** shall, upon passing probation, regain the accrued sick leave held at the time of resignation **OR LAYOFF**.

G. Catastrophic Leave **BANK** Program

An employee may contribute a portion of his/her sick 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.
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. Conversion of Sick Leave Hours to Annual Leave Upon Retirement

1. A conversion of unused sick leave hours to annual leave upon retirement shall occur for employees taking normal, early or permanent disability retirement.
2. Eligibility is limited to those employees who retire from County service into the Arizona State Retirement System, Public Safety Personnel Retirement System, or Corrections Officer Retirement Plan.

- H. 3. Conversion of unused hours of sick leave to annual leave shall be as follows:

<u>Unused Hours of Sick Leave</u>	<u>Conversion To Annual Leave</u>
0 - 240 hours	0% of all hours up to 240
240.01 - 480 hours	25% of all hours up to 480
480.01 - 720 hours	35% of all hours up to 720
720.01 hours OR MORE	50% of all hours

4. **EXCESS ANNUAL LEAVE CONVERTED TO SICK LEAVE SHALL BE INCLUDED IN THE CONVERSION CALCULATION IN H.3 ABOVE.**

The hours of sick leave converted to annual leave for retirement payout purposes shall not be included in the calculation of the two hundred forty (240) hours payoff limit specified in Personnel Policy 8-123.

I. Conversion of Sick Leave Hours to Annual Leave Upon Layoff

1. A conversion of unused sick leave hours to annual leave upon layoff is available to employees upon request and prior to the date of layoff. If an employee requests and receives this payout and returns to County employment, he or she is ineligible for reinstatement of sick leave hours under Personnel Policy 8-106 F.2.
2. Conversion of unused hours of sick leave to annual leave shall be in the same manner as set forth in Personnel Policy 8-106 H.3 and H.4.

J. Conversion of Sick Leave Hours to Annual Leave for Unclassified Employees

1. An unclassified employee may convert unused sick leave hours to annual leave upon request if his/her County position is eliminated due to the employee being transitioned into a non-county entity.
2. Conversion of unused hours of sick leave to annual leave shall be in the same manner as set forth in Personnel Policy 8-106 H.3 and H.4.

A. Administrative Leave

1. Upon approval of the Appointing Authority and the County Administrator, an employee may be granted administrative leave with pay when emergency situations exist such as extreme weather conditions, fire, flood, or malfunction of publicly owned or controlled machinery or buildings, making it hazardous or impossible for the employee to get to or perform at his/her workstation (providing alternate work or workstation has not been designated).
2. An employee shall be granted administrative leave with pay upon the declaration of the Board of Supervisors that a state of emergency, disaster, or grief exists, and that such leave is to be granted.
3. Administrative leave with pay may be given to an employee by the Appointing Authority when it is determined to be in the best interest of the County, except in the case of layoffs, which may require County Administrator approval.
 - a. An employee may be placed on administrative leave with pay for up to thirty (30) business days. For extensions beyond thirty (30) business days, County Administrator approval is required.
 - b. The notification of administrative leave shall be delivered to the employee no later than five (5) business days after the effective date of the leave. The notice shall contain the specific reason(s) for the leave in sufficient detail to inform the employee of the reason(s) for the action. Prior to the commencement of administrative leave under this section, all County property, including County issued identification cards, access badges/key cards, keys, mobile devices, etc., shall be collected from the employee and retained by the department until the conclusion of the leave.
 - c. At the conclusion of administrative leave, the employee shall be returned to work and advised of any appropriate action.
4. Upon approval of the Appointing Authority, an exempt employee may be granted up to three (3) work days of management leave with pay per fiscal year during his/her normally scheduled work days and work hours. The purpose of management leave is to recognize exceptional performance. Requests for additional management leave must be submitted to the County Administrator for consideration and shall not be awarded to the employee(s) until approval is received. Each department shall provide the County Administrator with a report detailing all management leave as it is awarded. The report must indicate the department, each employee's name and position held, the reason leave is being granted and the dates and total hours of management leave awarded. Management leave is non-accruable.

B. Grievance/Appeal Activity Leave

Grievance/appeal activity leave applies to preparation and/or investigation of a grievance or appeal.

1. A permanent employee shall be granted grievance/appeal activity leave with pay up to three (3) hours per grievance/appeal. Grievance/appeal activity leave is limited to two (2) occurrences per fiscal year. Time in excess of the three (3) hour limit shall be charged to some other type of leave and must be approved in advance. Pursuant to Merit System Rule 13.1 D., this three (3) hour limit does not apply to those times when the employee is called to testify in a Human Resources grievance/appeal proceeding.
2. An employee representative shall be granted grievance/appeal activity leave with pay up to three (3) hours per grievance/appeal, when requested for the purposes of investigation or representation on behalf of another employee, for grievances/appeals formally submitted to the appropriate authority. Grievance/appeal activity leave is limited to two (2) occurrences per fiscal year. Time in excess of the three (3) hour limit shall be charged to some other type of leave and must be approved in advance.
3. Grievance/appeal activity leave is non-accruable and shall not be taken in increments of less than one (1) hour.
4. Requests for grievance/appeal activity leave shall be made in writing at least three (3) business days in advance, unless conditions preclude such advance notice as determined by the Appointing Authority.

C. Special Program Leave

1. Upon approval of the Appointing Authority, an employee may be granted special program leave with pay.
2. Special program leave applies only to those programs which have been approved by the County Administrator and/or Board of Supervisors for employee participation.
3. Requests for special program leave shall be made in writing at least five (5) business days in advance, unless conditions preclude such advance notice as determined by the Appointing Authority.

D. César Chavez Remembrance Day Leave

1. Upon proclamation of the Board of Supervisors, the fourth Monday in March shall be designated as a day of remembrance in honor of César Estrada Chavez, for his efforts in establishing the farm labor movement.
2. Eligible employees, hired prior to the fourth Monday of March, shall be granted a day of administrative leave with pay.
 - a. For those departments with normal working hours of Monday through Friday, 8:00 am to 5:00 pm, the administrative day may be granted either the fourth Monday in March or the Friday immediately preceding the fourth Monday in March.
 - b. For those departments with twenty-four (24) hour operations, Elected Official departments or departments given specific written approval by the County Administrator, the administrative day may be granted any day beginning the three weeks preceding the fourth Monday in March up through and including the three weeks immediately following the Friday that precedes the fourth Monday in March.
3. Only employees who are ~~working~~ **IN PAY STATUS** (i.e., not on any type of approved leave of absence) are eligible for the remembrance day. The only exceptions are employees on intermittent **FMLA OR INTERMITTENT MEDICAL OR VICTIM** leave or employees on modified duty workers' compensation who are actually working.
4. Full-time employees shall be granted a single day of **NO MORE THAN** eight (8) hours of paid time off. ~~Part-time and variable-time employees and employees on intermittent family and medical leave or employees on modified duty workers' compensation who are actually working shall receive a prorated amount of paid time off based on regular hours paid in the previous pay period. If no regular hours were paid in the previous pay period, the amount of paid time off shall be based upon regular hours worked during the pay period in which the remembrance day is administered.~~ **LEAVE FOR OTHER THAN FULL-TIME EMPLOYEES SHALL BE PAID IN THE SAME MANNER AS THE HOLIDAY BENEFIT AS SET FORTH IN PERSONNEL POLICY 8-102 F.**
5. Intermittent employees, as defined in Merit System Rule 1, are not eligible for this remembrance day leave.

E. Bereavement Leave

1. Upon approval of the Appointing Authority, an eligible employee may be granted paid bereavement leave for each occurrence in the case of the death of a family member. For purposes of bereavement leave, "family member" includes an employee's spouse, mother, father, step-mother, step-father, grandparent, child, step-child, foster child, grandchild, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, domestic partner or child of a domestic partner. The employee must file an affidavit with the department in order to take bereavement leave for the death of the domestic partner or the child of a domestic partner once a calendar 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.
2. Paid bereavement leave shall be for a period of up to three (3) days per occurrence for the death of an eligible family member occurring within the State of Arizona, or up to five (5) days per occurrence for the death of an eligible family member occurring out of state. Employees must take bereavement leave in full day increments and within the first six (6) months following the death of an eligible family member. Days not taken within six (6) months of the death of an eligible family member shall be forfeited.
3. Full-time employees shall receive **NO MORE THAN** eight (8) hours of paid time off for each day of approved bereavement leave. ~~Part time and variable time employees shall receive a prorated amount of paid time off based on regular hours paid in the previous pay period. If no regular hours were paid in the previous pay period, the amount of paid time off shall be based upon regular hours worked during the pay period in which paid bereavement leave is approved.~~ **BEREAVEMENT LEAVE FOR OTHER THAN FULL-TIME EMPLOYEES SHALL BE PAID IN THE SAME MANNER AS THE HOLIDAY BENEFIT AS SET FORTH IN PERSONNEL POLICY 8-102 F.**
4. Upon approval of the Appointing Authority, an eligible employee may use his or her annual leave, compensatory time or unpaid leave under 8-108.F., when additional bereavement time is needed.
5. All employees except Elected Officials, intermittent employees as defined in Merit System Rule 1 and temporary employees with less than (6) months of service are eligible for bereavement leave.

- E. 6. An employee on an approved unpaid leave of absence as defined in 8-108.A. is not eligible for bereavement leave unless on intermittent FMLA or intermittent medical **OR VICTIM** leave and ~~working~~ **IN PAY STATUS** during the pay period when bereavement leave is requested.
- 7. Bereavement leave may be used for the purpose of making funeral arrangements, settling family affairs, bereavement, and/or attending the funeral or memorial service of an eligible family member.
- 8. The Appointing Authority or designee may require a death certificate, obituary, or documentation from the funeral home.
- 9. Bereavement leave shall not be counted as hours worked for the purpose of computing overtime.

A. Basic Pay Plan

The basic pay plan may consist of salary grades, open ranges and step plans. Each classification in the Classification System is assigned a grade/open range, except some classifications which are assigned a flat rate of pay. The grade/open range designation is determined by considering the relative level of duties and responsibilities of various classifications, rates paid for comparable classifications elsewhere, the County's financial resources and other relevant factors. Human Resources shall utilize current salary data, the employment market and other pertinent factors as a basis for making recommendations to the County Administrator for approval by the Board of Supervisors. Periodic changes or adjustments are necessary to maintain the pay plan. Grades/open ranges will be assigned with due regard to internal and external equity considerations as well as labor market competitiveness factors.

B. PayDAY Periods

~~A pay period (26 per year) shall be two (2) weeks in length. Each pay period begins at 12:01 a.m. Sunday and ends 12:00 midnight the second (2nd) Saturday thereafter.~~ **PAYDAY SHALL BE ON THE FRIDAY FOLLOWING THE END OF EACH PAY PERIOD.** Wages shall not be withheld for more than five (5) business days following the end of each pay period. **EACH EMPLOYEE IS RESPONSIBLE FOR SUBMITTING THE APPROPRIATE PAY DOCUMENTS BY THE SCHEDULED DUE DATE IN ORDER TO BE PAID ON THE SCHEDULED PAYDAY.** ~~Payday shall be on the Friday following the end of each pay period.~~

C. Entrance Salary

The initial appointment to a County position shall ordinarily be at the minimum salary of the salary grade or open range or in accordance with the approved Salary Administration Plan for open range appointments. The Appointing Authority may recommend hiring above the minimum salary of the assigned grade/open range in two and one-half percent (2.5%) increments, up to seven and one-half percent (7.5%), based on recruiting difficulty, the appointee's qualifications and the needs of the department. This recommendation shall address any pay equity issues that arise as a result of hiring above the minimum salary of the assigned grade/open range. The Appointing Authority may recommend to the County Administrator pay equity adjustments under Section G. of this Policy as a means of resolving the pay equity issue(s). Hiring above the minimum salary of the assigned grade/open range requires the County Administrator's approval.

D. Reinstatement/Reemployment

Reinstatement or reemployment of a laid-off employee shall ordinarily be at the minimum salary of the assigned grade/open range or in accordance with the approved Salary Administration Plan for open range appointments. The Appointing Authority may recommend hiring above the minimum salary in two and one-half percent (2.5%) increments, up to seven and one-half percent (7.5%), based on recruiting difficulty, the appointee's qualifications and the needs of the department. Reinstatement or reemployment above the minimum salary of the pay grade/open range requires the County Administrator's approval.

E. Reassignment

When an employee is reassigned, he/she shall retain the same salary held prior to the reassignment.

F. Adjustment

1. Upward adjustment

When a higher salary grade/open salary range is made applicable to a classification, all employees in that classification shall be changed to the new grade/salary on the same effective date. Each employee shall be placed in the new grade/open range at a rate that results in the same salary held in the previous grade/open salary range. There shall be an increase in salary when more is necessary to reach the minimum salary of the new salary grade/open salary range or salary as determined by the approved Salary Administration Plan.

2. Downward Adjustment

When a lower salary grade/open salary range is made applicable to a classification, all employees in the classification shall be changed to the new grade/open salary range on the same effective date. Each employee shall be placed in the new grade/open range at a rate that results in the same salary held in the previous grade/open salary range. If the employee's previous salary exceeds the maximum of the salary grade/open range of the new classification, the employee shall retain the previous salary, resulting in no loss in pay. There shall be no increase to the employee's salary until his/her pay is within the salary range of the new classification.

G. Pay Adjustment

At the request of an Appointing Authority, the County Administrator may approve a pay adjustment up or down in two and one-half percent (2.5%) increments in order to address pay equity issues and/or as is otherwise in the best interest of the County, provided no other pay policy applies. A downward adjustment requires written concurrence by the employee prior to implementation.

H. Promotion

When an employee is competitively promoted, his/her salary shall be raised up to five percent (5%), in two and one-half percent (2.5%) increments, provided it does not exceed the maximum salary of the new grade/open range, unless more is necessary to reach the minimum salary of the new grade/open range or salary as determined by the approved Salary Administration Plan. Promotional increases in excess of the five percent (5%) require written approval by the County Administrator.

I. Demotion

When an employee is demoted or demotes for any reason, his/her salary shall be reduced to a salary in the grade/open range for the lower classification which shall result in lower pay of at least two and one-half percent (2.5%), unless waived by the County Administrator, and the salary shall not exceed the maximum salary of the new grade/open range.

J. Reappointment

The salary for an employee reappointed to a position in a classification assigned a lower compensation/salary grade shall be set in the same manner as for entrance salary. The Appointing Authority may recommend placement above the minimum salary of the assigned grade/open range in two and one-half percent (2.5%) increments, up to seven and one-half percent (7.5%), based on the reappointed employee's qualifications and the needs of the department. Hiring above the minimum salary of the assigned grade/open range requires the County Administrator's approval. The salary for an employee reappointed to a position in a classification assigned the same compensation/salary grade shall not decrease. A reappointed employee shall receive a salary increase only with the approval of the County Administrator, or when reappointed to a classification having an approved salary matrix (salary administration plan) and when such an adjustment is consistent with the salary matrix. In all other cases, a reappointed employee shall receive no increase in pay.

K. Reclassification

1. When an employee is reclassified to a classification of a higher grade/open salary range, his/her salary shall be raised two and one-half percent (2.5%), provided it does not exceed the maximum salary of the new grade/open range, unless more is necessary to reach the minimum salary of the new grade/open range or salary as determined by the approved Salary Administration Plan.
2. When an employee is reclassified to a classification of a lower grade/open salary range, he/she shall be placed in the new grade/open range at a rate that results in the same salary held in the previous grade/open range. If the employee's previous salary exceeds the maximum salary of the new grade/open range of the new classification, the employee shall retain the previous salary, resulting in no loss in pay. There shall be no increase to the employee's salary until his/her pay is within the salary range of the new classification.

L. Detail

When an employee is detailed to a position with a higher salary grade/open salary range for more than fifteen (15) work days, his/her salary shall be raised five percent (5%), provided it does not exceed the maximum salary of the new grade/open range, unless more is necessary to reach the minimum salary of the new grade/open range or salary as determined by the approved Salary Administration Plan. After the detail is completed, the employee shall return to the same grade/open range and pay held before the detail, plus any salary increases which may have occurred during the detail.

M. Merit Increase

When the Board of Supervisors appropriates funds for a merit increase, the Appointing Authority may grant an employee a two and one-half percent (2.5%) merit increase based upon an official performance review with the majority of the ratings being successful or above, provided no formal disciplinary action has occurred during the performance rating period. Merit increases shall be limited to one per year. In no case shall a merit increase raise an employee's salary above the maximum salary of the salary grade/open range unless approved by the Board of Supervisors.

N. Open Range Classifications

1. Classifications which are authorized by the Board of Supervisors as open range shall be assigned an alphanumeric salary grade. The salary for each incumbent shall be determined in accordance with a Salary Administration Plan approved by the County Administrator. All alphanumeric salary grades are not open range.
2. Any adjustments to the incumbent employee's salary within an open range classification shall be determined by the Appointing Authority, based on a County Administrator approved pay matrix and Salary Administration Plan. In no case shall adjustment in the incumbent's salary raise the incumbent's salary above the maximum of the salary range.
3. Merit increases shall be limited to one per year and may be awarded in a different manner than 8-117 M above and in accordance with the approved Salary Administration Plan. The merit increase shall be granted based upon a performance appraisal conducted pursuant to Merit System Rule 15, with the majority of the ratings being successful or above, provided no formal disciplinary action has occurred during the performance rating period. In no case shall a merit increase raise an employee's salary above the maximum of the salary range.

O. Open Range Reappointments

1. When an employee moves from a position with a salary grade to a position with an open salary range, his/her salary shall remain the same, unless more is necessary to reach the starting salary of the open range or salary as determined by the approved Salary Administration Plan. If the change in pay results from a competitive process, the department may offer the employee a lower salary based on internal equity issues or a higher salary up to five percent (5%), in two and one-half percent (2.5%) increments, provided it does not exceed the maximum of the salary of the new grade/open range, unless more is necessary to reach the minimum salary of the new grade/open range or salary as determined by the approved salary administration plan, when applicable. Open range reappointments in excess of five percent (5%) require written approval by the County Administrator.
2. When an employee moves from a position with an open salary range to a position with a salary grade, his/her salary shall remain the same, unless more is necessary to reach the minimum salary of the salary grade. If the change in pay results from a competitive process, the department may offer the employee a lower salary based on internal equity issues or a higher salary up to five percent (5%), in two and one-half percent (2.5%) increments, provided it does not exceed the maximum of the new

grade/open range or salary, unless more is necessary to reach the minimum salary of the new grade/open range or salary as determined by the approved salary administration plan, when applicable. Open range reappointments in excess of five percent (5%) require written approval by the County Administrator.

3. Salary placement for employees into classifications having an approved salary matrix (salary administration plan) shall be made in accordance with the approved salary matrix. This shall include placement for actions described in 8-117 H, I, J and K above.

P. Anniversary Increases

When the Board of Supervisors appropriates funds for an anniversary increase, the Appointing Authority may grant an employee a two and one-half percent (2.5%) anniversary increase based upon an official performance review with the majority of the ratings being successful or above, provided no formal disciplinary action has occurred during the performance rating period. In no case shall an anniversary increase raise an employee's salary above the maximum salary of the salary grade/open range unless approved by the Board of Supervisors.

Q. Compensation Effective Date

1. The effective date for compensation actions defined in 8-117 F, G, and K above shall be the first day of the pay period following the County Administrator's approval, unless otherwise addressed in policy or by the Board of Supervisors directive. In all cases stated above, the County Administrator's approval shall be required.
2. The effective date for compensation actions defined in 8-117 H, I and J not requiring County Administrator approval, shall be the first day of a pay period.

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 the 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

- B. 3. 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 within the scheduled enrollment period or wait until the next open 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 Enrollment

1. Open 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 or change medical/dental insurance plans, cancel medical/dental insurance, add eligible dependents, cancel dependents, or enroll in supplemental life insurance (with restrictions).
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

1. An employee may enroll in or cancel insurance coverage and/or add or delete dependents only during the regularly scheduled open enrollment, unless a family status change has occurred. A family status change 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;

- E.
 - 1.
 - 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;
 - 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. An employee may not change from one plan to another except during the scheduled open 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 has occurred, an employee whose coverage has been canceled in the current plan year may re-enroll for insurance coverage only during the next regularly scheduled open enrollment.
 - 6. Reinstatement of coverage following cancellation for non-payment of premium and outside of the open 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.
- 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 ~~date of termination~~ **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.

- F. 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 paycheck.
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.
2. An employee starting an FMLA 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 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 FMLA 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.

A. Obligations Employees Have to the County Upon Termination

1. A resigning employee shall submit a written resignation to an appropriate supervisor at least ten (10) business days before planning to leave County service, unless the time frame has been modified or waived by the Appointing Authority. If written notice is not received, oral notice of resignation becomes effective on the date stated by the employee and must be witnessed and documented by the Appointing Authority or designee. A written confirmation of the resignation shall be sent to the employee within two (2) business days of the employee's oral notification. Failure to provide such timely notice could jeopardize consideration for future employment with the County.
2. The employee shall adhere to checkout procedures as outlined by the Appointing Authority. Checkout procedures to be completed by a terminating employee shall include but not be limited to:
 - a. Return of all equipment and supplies to the designated unit charged with their maintenance. This includes keys, identification cards, clothing, etc.;
 - b. Payback of any outstanding financial obligations such as educational reimbursement, travel advances, personal telephone expenses, etc.;
 - c. Arrangement for final paycheck from the departmental payroll section;
ARS § 23-353 provides:
 - (1) Employees who are dismissed shall be paid wages due within seven (7) business days or at the end of the next regular pay period, whichever is sooner.
 - (2) Employees who resign shall be paid in the usual manner all wages due no later than the regular payday for the pay period during which the termination occurred.
 - d. Exit interviews, when offered.
3. An employee who voluntarily terminates employment with the County within six (6) months of receipt of uniform allowance shall return fifty percent (50%) of monies received for the uniforms or have that amount withheld from one or more of the employee's paycheck(s) provided the amount withheld does not bring the employee's pay below the required minimum wage or overtime levels.

- A. 4. An employee who voluntarily terminates employment with the County within six (6) months of receipt of educational reimbursement shall return fifty percent (50%) of monies received or arrange with the department to have that amount withheld from one or more of the employee's paycheck(s) provided the amount withheld does not cause the employee's pay to fall below the required minimum wage or overtime levels.
5. Training Reimbursement
- a. Corrections Officers and Deputy Sheriffs who voluntarily terminate employment with Pima County and who accept a position with another Law Enforcement Agency within one (1) year of completing their basic training shall return one hundred percent (100%) of the cost of their basic training or make arrangements with the department to have that amount withheld from one or more of the employee's paycheck(s) provided such return does not bring the employee's pay below the required minimum wage or overtime levels.
- b. Except to the extent it conflicts with Federal minimum wage and overtime requirements, Corrections Officers who otherwise voluntarily terminate employment with Pima County within three (3) months of being hired shall return seventy-five percent (75%) of the cost of their basic training or make arrangements with the department to have that amount withheld from one or more of the employee's paycheck(s). Corrections Officers who otherwise voluntarily terminate employment with Pima County after three (3) months of being hired and prior to the end of their initial hire probation shall return fifty percent (50%) of the cost of their basic training or make arrangements with the department to have that amount withheld from one or more of the employee's paycheck(s) to the extent it does not reduce the wages of the employee below the minimum required by Federal law.
- c. Except to the extent it conflicts with Federal minimum wage and overtime requirements, Deputy Sheriffs who otherwise voluntarily terminate employment with Pima County within five (5) months of being hired shall return seventy-five percent (75%) of the cost of their basic training or make arrangements with the department to have that amount withheld from one or more of the employee's paycheck(s). Deputy Sheriffs who otherwise voluntarily terminate employment with Pima County after five (5) months of being hired and prior to the end of their initial hire probation shall return fifty percent (50%) of the cost of their basic training or make arrangements with the department to have that amount withheld from one or more of the employee's paycheck(s) provided the amount withheld does not bring the employee's pay below the required minimum wage or overtime levels.

- A. 5. d. Any other employee who voluntarily terminates employment with the County within six (6) months of completing any job-related training session or conference, wherein the training or conference fee exceeds five hundred dollars (\$500.00), shall return fifty percent (50%) of the training/conference fee or make arrangements with the department to have that amount withheld from one or more of the employee's paycheck(s) provided the reimbursement does not result in payment to the employee of less than the amount required by applicable minimum wage and/or overtime requirements.
- 6. An employee shall work the two (2) weeks prior to resignation unless other arrangements are made with the Appointing Authority and a letter stating the arrangements is forwarded to the employee's department personnel file. The Appointing Authority shall not grant the use of sick leave during this time without verification from a medical practitioner.
 - a. An employee currently on continuous FMLA leave is exempt from Personnel Policy 8-123 A.6 above.
 - b. For an employee on intermittent FMLA leave, the work arrangement may be based on the medical certification on file and, at the discretion of the Appointing Authority, verification may not be required.

B. Pima County's Obligation to Terminating Employees

1. Annual Leave

a. Termination

While on initial probation, a terminating employee who has completed six (6) months of his/her initial probation shall receive payment for accrued annual leave in the same manner as permanent employees. Employees hired under the Pima County Trainee Program who have completed six (6) months of the program shall receive payment for accrued annual leave in the same manner as permanent employees. All permanent employees shall receive payment for annual leave hours accrued through the pay period in which the effective date of termination occurs, up to a maximum of two hundred forty (240) hours.

b. Layoff

All accrued annual leave hours shall be paid to the laid-off employee.

B. 1. c. Death

All accrued annual leave hours shall be paid to the surviving spouse or to the estate of the deceased.

d. Retirement

An eligible employee who retires from County service shall have any annual leave in excess of two hundred forty (240) hours automatically converted to sick leave and paid out pursuant to Personnel Policy 8-106 H. The unused hours of sick leave converted to annual leave for retirement payout purposes shall not be included in the calculation of the two hundred forty (240) hours annual leave payoff limit.

All annual leave hours paid to a terminating employee shall include shift differential and assignment pay in effect at the time of termination. An employee who is detailed to a higher position at the time of termination shall be returned to his/her previous position as of the effective date of termination and shall be paid for accrued annual leave hours at the rate of the previous position.

2. Sick Leave

a. Termination

Except as provided in Subsections b., c., d. and e. below, accrued sick leave shall not be paid to any terminating employee.

b. Retirement

An employee taking normal, early or permanent disability retirement shall be paid for unused, accrued sick leave pursuant to Personnel Policy 8-106 H.

c. Death

Using the conversion formula cited in Personnel Policy 8-106 H.4, unused hours of sick leave shall be converted to annual leave and paid to the surviving spouse or to the estate of the deceased. The employee need not be eligible for retirement at the time of death in order for the conversion to be calculated and the payment to be made.

B. 2. d. Layoff

A conversion of unused sick leave hours to annual leave upon layoff is available to employees upon request and prior to the date of layoff. If an employee requests and receives this payout and returns to County employment, he or she is ineligible for reinstatement of sick leave hours under Personnel Policy 8-106 F.2.

e. Unclassified Employees

Using the conversion formula cited in Personnel Policy 8-106 H.4, a conversion of unused sick leave hours to annual leave upon termination is available to an unclassified employee upon request if his/her County position is eliminated due to the employee being transitioned to a non-county entity.

3. Compensatory Time

Accrued compensatory time shall be paid to terminating employees to a maximum of one hundred twenty (120) hours. Shift differential and assignment pay in effect at the time of termination shall be included in the calculation of payment for compensatory time. An employee who is detailed to a higher position at the time of termination shall be returned to his/her previous position ~~as of the effective date of termination~~ **THE LAST DAY OF EMPLOYMENT** and shall be paid for accrued compensatory time at the rate of the previous position.