



## **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

**Requested Board Meeting Date:** April 19, 2016

**Title:** Revisions to Board Policy and Merit System Rules in order incorporate changes to include gender identity, gender expression and sexual orientation as a protected class.

### **Introduction/Background:**

Proposed Revisions to Board of Supervisor Policy D 21.1 Equal Employment Opportunity and Affirmative Action  
Proposed Revisions to Board of Supervisor Policy D 21.3 Prevention of Workplace Harassment  
Proposed Revisions to Merit System Rule 13  
Proposed Revisions to Personnel Policy 8-119

### **Discussion:**

#### **Board of Supervisor Policy D 21.1 - Equal Employment Opportunity and Affirmative Action Policy**

Aligns and modifies protected class language to include pregnancy, gender identity and gender expression as protected classes.

#### **Board of Supervisor Policy D 21.3 - Prevention of Workplace Harassment**

Aligns and modifies protected class language to include pregnancy, gender identity and gender expression as protected classes.

#### **Merit System Rule 13 - Grievance System**

MSR 13.3 A Aligns and modifies protected class language with Board of Supervisors policies.

#### **Personnel Policy 8-119 - Rules of Conduct**

PP 8-119 R Aligns and modifies protected class language with Board of Supervisors policies and Merit System Rules.

### **Conclusion:**

The Pima County Board of Supervisors met in regular session on Tuesday, December 15, 2015, and unanimously voted to approve the revised Meet and Confer Memorandum of Understanding with Service Employees International Union (SEIU), Arizona Local 48, for Fiscal Years 2015-2017; to include gender identity, gender expression and sexual orientation as protected classes. The modifications to the Board Policies D21.1 and D21.3, Merit System Rule 13 and Personnel Policy 8-119 are proposed to implement the language as contained in the MOU.

### **Recommendation:**

That the Board of Supervisors approve the Policy, Merit System Rule and Personnel Policy modifications as outlined above to become effective upon adoption.

**Fiscal Impact:**

None

**Board of Supervisor District:**

☐ 1      ☐ 2      ☐ 3      ☐ 4      ☐ 5      ☒ All

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Department: Human Resources

Telephone: 724-8672

Department Director Signature/Date: \_\_\_\_\_

*M. B. Jones*      *3/18/16*

Deputy County Administrator Signature/Date: \_\_\_\_\_

*John Burke*      *3-30-16*

County Administrator Signature/Date: \_\_\_\_\_

*C. Brubaker*      *3/31/16*

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## PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

**Subject:**

**EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

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**D 21.1**

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### **PURPOSE**

The purpose of this document is to describe Pima County's Equal Opportunity and Affirmative Action Policy.

### **POLICY**

Pima County is committed to an equal employment opportunity policy and will take affirmative action to promote this policy. Public accountability requires that equal opportunity and diversity be our standard. Equal opportunity employment practices provide the best of government ideals. The following is confirmation of this commitment:

#### **I. EQUAL EMPLOYMENT OPPORTUNITY**

- A. Pima County shall recruit, hire, train, promote, discipline and discharge persons without discrimination on the basis of race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR** sexual orientation ~~or results of a genetic test received by the County, when applicable~~. Pima County will conform to the spirit as well as the letter of all applicable laws and regulations.
- B. The County shall review employment demographics bi-annually to assess the utilization level of protected groups and ensure fair consideration in all aspects of employment including recruitment, compensation, selection, training, promotion, benefits, and layoff.

#### **II. AFFIRMATIVE ACTION**

- A. The County will take steps to enlarge the pool of qualified candidates from which employment decisions are made. These steps will include searching for qualified minority and women candidates and ensuring that they are considered for available positions. In addition, the County will identify and remove barriers or practices that may be discriminatory in intent or effect.
- B. The goal of Affirmative Action is to eliminate artificial barriers to employment and promotion, and to achieve a work force, in each department and throughout all levels of employment, which is reflective of the County's external labor force.
- C. Pima County requires its contractors to comply with the affirmative action and equal employment opportunity laws and guidelines in employment practices.

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**III. COUNTY ADMINISTRATOR RESPONSIBILITY**

- A. The County Administrator shall report Pima County's equal employment opportunity status to the Board of Supervisors at least annually.
- B. Said report may reflect areas of advancement and deficiencies from the previous reporting period and may contain proposed corrective action.

**IV. HUMAN RESOURCES DEPARTMENT (HR) RESPONSIBILITY**

- A. HR will promote the full realization of equal employment opportunities in Pima County through the monitoring of employment practices and affirmative action programs throughout Pima County.
- B. HR will report Pima County's equal employment opportunity and affirmative action status to the County Administrator on a bi-annual basis.
- C. HR shall additionally submit a bi-annual Equal Employment Opportunity Plan (EEOP) to the County Administrator. The EEOP shall contain statistical analysis of the Pima County workforce on the basis of race/ethnicity, gender, EEO job categories, and salary comparisons. The EEOP may contain annual updated EEO/AA objectives for Pima County. The EEOP shall be posted on the internet and made accessible to the Pima County workforce and the public.

**V. MANAGEMENT RESPONSIBILITY**

- A. Each appointing authority, manager and supervisor within Pima County is responsible and accountable for practicing equal opportunity in all work activities and for promoting a high quality diverse work force which is reflective of the community we serve.
- B. To enable the County to achieve the goals of this policy, HR shall have access to all relevant and necessary information.

**RESPONSIBLE DEPARTMENTS**

- 1. The Board of Supervisors
- 2. The County Administrator
- 3. The Human Resources Department
- 4. All Appointing Authorities
- 5. All Elected Officials

Effective Date: June 7, 1994  
Revised Date:



## PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

### Subject:

**PREVENTION OF WORKPLACE HARASSMENT**

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### PURPOSE

This policy prohibits workplace harassment based on race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR** sexual orientation ~~or results of a genetic test received by the County, when applicable~~, and provides direction designed to foster a positive work environment.

### BACKGROUND

Workplace harassment based on race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR** sexual orientation ~~or results of a genetic test received by the County, when applicable~~, demeans and offends individuals who are subject to it. Such harassment interferes with County functions and operations. It can create unnecessary and unacceptable stress and impose significant costs, including decline in morale and decreased work effectiveness.

### POLICY

#### **I. DECLARATION**

It is Pima County's policy to establish and maintain a workplace environment free from all forms of illegal discrimination and from harassing, hostile and offensive conduct. Thus, Pima County prohibits workplace harassment based on race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR** sexual orientation ~~or results of a genetic test received by the County, when applicable~~.

A. Specifically, the County prohibits verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR** sexual orientation ~~or results of a genetic test received by the County, when applicable~~, and that:

1. has the purpose or effect of creating an intimidating, hostile or offensive work environment;
2. has the purpose or effect of unreasonably interfering with an individual's work performance, employment opportunities or conditions of employment.

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B. Prohibited conduct includes but is not limited to the following:

1. epithets, jokes, slurs, stereotypes, threats (subtle or blatant), unwanted touching and other hostile acts that relate to race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR sexual orientation or results of a genetic test received by the County, when applicable.**
2. written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR sexual orientation or results of a genetic test received by the County, when applicable,** and that is placed on walls, bulletin boards, or elsewhere on the employer's premises, or circulated in the workplace, including use of the County's e-mail system.

**II. GUIDELINES**

- A. The determination of whether alleged conduct violates this policy is made upon a review of the totality of the circumstances, which includes an assessment of the nature and severity of the conduct and the context in which the conduct occurred.
- B. It is Pima County's intent to comply with existing federal and state discrimination laws. Accordingly, in response to any incident of alleged harassment, the County will consult and rely on the guidance provided by federal and state discrimination statutes, guidelines and policy guidance promulgated by the Equal Employment Opportunity Commission and relevant judicial decisions.

**III. COVERAGE**

This policy extends to all employees, applicants for employment and others in the workplace environment, including members of the public. Harassment may be directed toward an employee by a manager, co-worker, subordinate, appointing authority, elected official, vendor, contractor or member of the public. Harassing conduct may be challenged even if the complaining party is not the intended target of the conduct.

**IV. RESPONSIBILITY**

- A. Management is responsible for taking prompt and effective action against acts of prohibited harassment, regardless of the manner in which the County becomes aware of the conduct.
- B. Any employee of Pima County violating this policy is subject to **TERMINATION OR** disciplinary action, up to and including dismissal.

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<p>C. It is a violation of this policy for a member of management who knows or reasonably should have known of the inappropriate conduct which constitutes prohibited harassment to fail to take prompt and effective corrective action, provided that if the management member does not have supervisory authority over the employee whose conduct is at issue, the management member shall report the relevant information to the Human Resources Department and to a management member with supervisory authority over the employee.</p> <p>D. In addition to taking prompt and effective corrective action, supervisory and management staff are required to:</p> <ol style="list-style-type: none"> <li>1. report all instances of alleged harassment to the Human Resources Department; and</li> <li>2. consult with and advise the Human Resources Department of any disciplinary action to be taken.</li> </ol>		
<b>V. TRAINING/EDUCATION</b>		
<p>A. All supervisor and management personnel shall participate in specialized <del>tri-annual</del> <b>TRIENNIAL</b> training/education activities on the prevention of workplace harassment – which includes mandatory sexual harassment prevention training.</p> <p>B. All new supervisors and managers shall receive training on the prevention of workplace harassment which is contained in the Level 1 Mandatory Management Training curriculum.</p> <p>C. Individual managers or supervisors named in a cause finding workplace harassment investigation shall be referred to Human Resources' Training Officer for one-on-one coaching.</p> <p>D. Departments with three or more cause findings within a two-year period will receive specialized training on the prevention of workplace harassment for all designated employees.</p> <p>E. All employees will <del>sign for and receive a pocket</del> <b>READ AND ACKNOWLEDGE A</b> guide on the subject of prohibited workplace harassment which gives notice of and contains information about this policy and the County's internal grievance process<b>ES</b> pursuant to Merit System Rules <b>AND THIS POLICY</b>.</p> <p>F. All newly-hired employees will receive educational information about the County's Workplace Harassment Prevention policy and the County's internal grievance <del>system</del> <b>PROCESSES</b> during New Employee Orientation.</p> <p>G. On-site workshops addressing Workplace Harassment Prevention will be made available for non-supervisory employees upon request of the Appointing Authority to the Director of Human Resources.</p>		



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**VI. CONFIDENTIALITY**

To the extent feasible, information provided in the complaint and investigation process at both the informal and formal level will be treated as confidential; however, the County will disclose information if deemed reasonably necessary to investigate and take appropriate corrective action and/or if required by law.

**VII. PROCEDURE**

- A. Pima County is committed to the timely and effective resolution of complaints and the protection of the rights and safety of all parties involved. Any employee violating this policy is subject to **TERMINATION OR** disciplinary action, up to and including dismissal.
- B. Pima County employees who feel they may be targets of workplace harassment should report any and all incidents immediately to either their supervisor, division manager, appointing authority, elected official, the supervisor of the alleged harasser, or to Human Resources Employment Rights.
1. Employees who believe they are the target of harassment are not required to confront the alleged harasser.
  2. Any supervisory or management employee who becomes aware of any act that constitutes workplace harassment must take prompt and effective corrective action, including but not limited to:
    - (a) eliminating any discriminating, hostile or intimidating conduct from the workplace; and
    - (b) protecting the rights and safety of the affected employee; and
    - (c) protecting the rights of the alleged harasser by giving notice of the allegations which constitute the complaint; and
    - (d) carrying out or causing a prompt, thorough and impartial investigation; and
    - (e) notifying the affected employee and the alleged harasser of the outcome of the investigation and implementing corrective measures, if necessary; and
    - (f) reporting to the appropriate management member and to the Human Resources Department as described in Section IV. (C) and (D) above; and
    - (g) following up with the affected employee to ensure that the workplace remains free of harassment.
- C. Employees may file a grievance alleging discrimination on the grounds of harassment per Pima County Merit System Rules **OR THIS POLICY**.



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# **VIII. MANDATORY COOPERATION**

All employees, supervisors, managers, appointing authorities, elected officials, or agents of Pima County shall cooperate with any investigation, grievance process or resolution, whether informal or formal. Any County employee who fails to cooperate and/or attempts to undermine or discourage use of or participation in an investigation or grievance process will be subject to **TERMINATION OR** discipline, up to and including dismissal. To enable the County to achieve the goals of this policy, the Human Resources Department shall have access to all relevant and necessary information.

# **IX. NON-RETALIATION**

This policy prohibits retaliation against employees who bring discrimination charges or assist in the investigation of charges. Any employee bringing a complaint under this policy, or assisting in the investigation of such a complaint, will not be adversely affected in terms and conditions of employment, nor discriminated against or discharged because of the complaint. Anyone who engages in retaliatory action will be subject to **TERMINATION OR** discipline, up to and including dismissal.

Effective Date: June 7, 1994  
Revised Date:

13.1 GENERAL PROVISIONS

- A. An informal resolution to a complaint or problem is the most appropriate manner of resolution. Departments shall attempt and employees are encouraged to resolve disputes through informal means, including the County mediation process, Personnel Policy 8-115.
- B. Except for grievances pertaining to Letters of Reprimand and allegations of sexual harassment or workplace harassment, prior to filing a formal grievance, an employee must attempt to use the County mediation process within ten (10) business days of the date the grievant knew or should have known of the grievable incident(s). If mediation is not successful and the dispute remains unresolved, the employee may proceed with the formal grievance process.
- C. All employees are required to cooperate in grievance proceedings and/or investigations whether as grievant, witness, or Respondent and shall maintain information obtained during grievance proceedings and/or investigations in strict confidence. Any violations of confidentiality may result in disciplinary action.
- D. Employees are to be given work release time, separate from the three (3) hour limit allowed under Personnel Policy 8-107 B.1., when called to testify in a Human Resources grievance proceeding.

13.2 GRIEVANCES NOT ALLEGING DISCRIMINATION

- A. Permanent Employees May Grieve:
  - 1. Misinterpretation, misapplication, or unequal enforcement of Merit System Rules, Personnel Policies, or Administrative Procedures;
  - 2. A Letter of Reprimand.
- B. Employees May Not Grieve:
  - 1. Compensation issues and/or any related actions;
  - 2. Classification issues and/or any related actions;
  - 3. Informal disciplinary actions;
  - 4. Performance Plans and Performance Appraisals.

- 13.2 C. An employee may respond in writing to informal disciplinary action, except for an undocumented verbal counseling. The response shall be placed in the employee's department personnel file. An employee may respond in writing to a performance appraisal. The response shall be attached to the performance appraisal and filed accordingly.

D. Grievance Procedure

The grievance must be filed within ten (10) business days of the date of receipt of a Letter of Reprimand, or for grievable matters other than a Letter of Reprimand, within ten (10) business days of the date the grievant knew or should have known that mediation was not successful. The grievant shall complete a Pima County Grievance Form and submit it to the Appointing Authority. The Appointing Authority shall respond to the employee in writing within ten (10) business days of receipt. The employee has the right to submit the grievance and the response to the County Administrator for further review within five (5) business days of receipt of response.

- E. The County Administrator, upon receipt of the grievance, shall make a determination concerning jurisdiction and, if appropriate, direct Human Resources to conduct grievance committee proceedings in accordance with this Rule.

1. No member of the grievance committee convened under this Rule shall be:
  - a. An employee of the County Administrator's Office, Human Resources, or the County Attorney's Office;
  - b. An employee who has received formal disciplinary action within the past twelve (12) months;
  - c. A relative of the grievant; or
  - d. An employee who has a definite personal and/or professional conflict of interest with the grievant or the department, as determined by the County Administrator.
2. A grievance committee shall consist of three randomly selected County employees who act on behalf of the County Administrator, with ample investigative power.
3. Prior to grievance committee proceedings, the grievant shall be given the option of designating committee selection to be either a) three (3) randomly selected non-departmental members or b) three (3) randomly selected departmental members.

- 13.2 E. 4. For grievances with non-departmental representation, two pools of employees will be computer generated on a quarterly basis, with one group representing exempt employees and the other group representing non-exempt employees. For grievances with departmental representation, two pools of departmental employees will be computer generated at the time of committee selection, with one group representing exempt employees and the other group representing non-exempt employees.
5. For each committee, Human Resources will randomly select one member from each pool. The third member will then be randomly selected by Human Resources from the total combined pool. Human Resources shall ensure that each committee is composed of at least one (1) non-management employee and one (1) management employee who has completed the first level of Mandatory Management Training offered by the County.
6. Training will be conducted by Human Resources at the time the grievance committee is convened. Training will constitute the first meeting of the committee and will be held prior to the investigation.
7. The grievance committee members shall maintain information obtained during the proceedings in the strictest confidence. Each member will be required to sign a confidentiality agreement at the time of training. Any violation of the agreement may result in disciplinary action.
8. Grievance committee meetings are conducted informally and not in an adversarial manner. Grievance committee members are required to attend all scheduled meetings.
9. The grievance investigation shall be by group process and no member may provide information obtained outside of the grievance process. The committee members are to remain objective and neutral throughout the investigation. The following individuals will be scheduled for an interview: grievant, department representative or immediate supervisor, and, if appropriate, any employee directly involved with the incident(s) cited in the grievance. The grievance committee may request Human Resources to obtain any relevant documents. If any discriminatory action is identified, the grievance committee must refer this issue to Human Resources for a separate investigation.
10. Either the grievant or the department may be accompanied by a representative when meeting with a grievance committee.



- 13.2 E. 11. Within forty-five (45) business days of the first committee meeting, the grievance committee, with assistance from Human Resources, shall draft a grievance report. The report shall contain findings of fact and recommendation(s) for action. It shall be noted in the report if consensus is not reached and the reason(s) justifying the dissenting vote shall be documented.

The committee may recommend that the County Administrator uphold or deny the grievance. Recommendations may address concerns regarding other violations of Rules/Policies, working conditions, management issues and/or departmental procedures relevant to the grievance. In addition, the committee may elect to draft a separate, confidential, report to the County Administrator concerning issues identified in the course of the investigation that are not directly related to the grievance.

- F. Within thirty (30) calendar days after receipt of the grievance committee report, the County Administrator shall accept, reject, or modify the remedy recommended by the grievance committee and issue a final decision. Should the County Administrator fail to issue a final decision within the above time frame, the majority opinion of the grievance committee will stand.

1. The County Administrator may reconvene the committee for further investigation or to provide an explanation of the issues and recommendation(s) in the report.
2. The grievance committee report shall be held confidential until it is distributed with the final decision. Human Resources shall distribute a copy of the County Administrator's decision and the grievance committee report to the grievant and the department for filing. A copy of the grievance report and the County Administrator's decision, when filed based on a Letter of Reprimand, shall also be placed in the grievant's official personnel file.
3. The grievant and/or department may report objections to the County Administrator within three (3) business days of receipt of the final determination. The County Administrator will determine what further action, if any, is warranted.

- G. All time requirements must be met unless exceptions are granted by the County Administrator. If the Appointing Authority fails to meet the time requirements, the grievant has the right to take the grievance to the next step. If the grievant fails to meet the time requirements, the grievance shall be considered withdrawn.



**13.3 GRIEVANCES ALLEGING DISCRIMINATION**

- A. Any employee may file a grievance alleging unlawful discrimination under County Personnel Policies, Merit System Rules, or Administrative Procedures based on race, color, religion, national origin, age, ~~sex~~, disability, veteran's status, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR** sexual orientation ~~or results of a genetic test received by the County, when applicable~~. Subsequent retaliation and/or harassment based on the above are also grievable issues.
- B. The grievance must be filed within ten (10) business days of the date the grievant knew or should have known that mediation was not successful. However, grievants alleging sexual harassment or workplace harassment need not attempt mediation prior to filing a grievance. The grievant shall complete a Pima County Discrimination Grievance Form and submit it to the Appointing Authority, who shall respond to the employee in writing within ten (10) business days of receipt. The employee has the right to submit the grievance and the response to the County Administrator for further review within five (5) business days of receipt of response.
- C. The County Administrator, upon receipt of the grievance, shall make a determination concerning jurisdiction and, if appropriate, direct Human Resources to conduct an investigation in accordance with this Rule.
  - 1. Human Resources will schedule interviews with the following individuals: grievant, department representative or immediate supervisor, and, if appropriate, any employee directly involved with the incident(s) cited in the grievance. Human Resources may request that the Appointing Authority provide any relevant documents.
  - 2. Human Resources shall maintain information obtained during the grievance proceedings in the strictest confidence, to the extent possible. Any violation of this confidentiality requirement may result in disciplinary action.
  - 3. Within forty-five (45) business days of receipt of the grievance, Human Resources shall submit a report to the County Administrator. The report shall contain findings of fact and recommendation(s) for action.

Human Resources may recommend that the County Administrator uphold or deny the grievance. Recommendations may address concerns regarding other violations of Rules/Policies, working conditions, management issues, and/or departmental procedures relevant to the grievance. In addition, Human Resources may elect to draft a separate, confidential, report to the County Administrator

concerning issues identified in the course of the investigation that are not directly related to the grievance.

- D. Within thirty (30) calendar days after receipt of the report, the County Administrator shall accept, reject, or modify the remedy recommended by Human Resources and issue a final decision.
  - 1. The County Administrator may require Human Resources to conduct further investigation or to provide an explanation of the issues and recommendation(s) in the report.
  - 2. The report shall be held confidential until it is distributed with the final decision. Human Resources shall distribute a copy of the County Administrator's decision and the report to the grievant and the department.
  - 3. The grievant and/or department may report objections to the County Administrator within three (3) business days of receipt of the final determination. The County Administrator will determine what further action, if any, is warranted.
- E. All time requirements must be met unless exceptions are granted by the County Administrator. If the Appointing Authority fails to meet the time requirements, the grievant has the right to take the grievance to the next step. If the grievant fails to meet the time requirements, the grievance shall be considered withdrawn.

#### 13.4 RIGHT TO REPRESENTATION

The affected employee is entitled to be assisted by a willing person of the employee's choosing in grievance meetings when the employee who is the subject of the grievance is in attendance. The employee's assistant may participate in the discussions with the employee during such meetings. The employee must be given notice of this meeting at least three (3) full work days from the date of written notification. If the employee has not obtained an assistant within that period of time, the meeting may proceed without further delay.

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, **GENETIC INFORMATION, PREGNANCY, SEX, GENDER IDENTITY, GENDER EXPRESSION OR** 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.

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.

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 vendor-related gift policies 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.