



MEMORANDUM

Date: June 22, 2021

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Pima County Code Chapter 2.24.070 Application and Exemptions from Pima County Merit System Rules**

Merit System Rule 1.17 defines Classified Service as "County positions included in the Merit System and not exempt from the Merit System as provided in Pima County Code, Chapter 2.24." As approved by the Board of Supervisors, the Code explicitly identifies several different categories of employees who do not count as Classified Service, i.e. County, Deputy and Assistant County Administrators, Department and Deputy Department Directors, Chief Deputies to Elected Officials, Employees in positions allocated as Attorney – Unclassified, etc. (Ordinance No. 2017-30) Chapter 2.24.070 of the Pima County Code also provides for an additional number of positions that can be declared exempt from our Merit System, with a cap at 10 percent of the total number of County appointive officers and employees. Prior to 2010, the statute limited the positions that a County could exclude from its merit system to 5 percent; in 2010, this was raised to 10 percent. (A.R.S § 11-352). In 2015, any limitation on the number of positions that a County could exclude from its merit system was removed from the statute; however, the County has continued to follow the 10 percent limit.

The County has been creating and utilizing a high amount of unclassified positions due to the need to quickly hire employees for various temporary positions responsive to the COVID-19 pandemic. As a result, we are approaching the 10 percent limit for positions excluded from our Merit System as imposed by the Pima County Code and continue to expect that we will hire various temporary positions to fill this need. These positions are expected to last anywhere from one (1) to three (3) years, dependent upon the grant that supports them.

To resolve the pending issue with approaching the 10 percent cap and with the goal of maintaining our current Merit System and the organizational efficiencies, protections and due process our Merit System provides for the vast majority of County employees, I have directed our Human Resources Department to draft a proposed change to Pima County Code Chapter 2.24. This change will add positions that are intermittent or temporary, as well as internship positions, to the categories of positions that are exempted from the 10 percent limit imposed on unclassified positions. Adding these job classifications to the list of employee job classifications and categories which are exempted from the 10 percent cap will allow

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June 22, 2021

Page 2

sufficient room under the cap, while we continue to provide much needed services to the community specifically related to the pandemic.

CHH/anc

Attachment

c: Jan Leshar, Chief Deputy County Administrator
Cathy Bohland, Director, Human Resources

ORDINANCE NO. ~~2017-30~~ 2021-_____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY,
ARIZONA, RELATING TO HUMAN SERVICES; AMENDING CHAPTER 2.24
OF THE PIMA COUNTY CODE.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY,
ARIZONA**

SECTION 1. Pima County Code Section 2.24.070 is amended to read as follows:

2.24.070 - Application and exemptions.

The merit system shall apply to all positions and employees of the county government except the following:

- A. Persons who perform services for which payment is made on a fee, contract or claim basis;
- B. Volunteers;
- C. Members of boards, commissions and committees appointed by the board;
- D. Elected officials;
- E. County administrator;
- F. Chief deputy county administrator;
- G. Deputy county administrator;
- H. Assistant county administrator;
- I. Chief deputies to elected officials;
- J. Department directors;
- K. Deputy department directors not to exceed three in each department;
- L. Employees in positions allocated as Attorney - Unclassified or Administrative Attorney - Unclassified
- M. One position in each department that reports directly to the director or deputy director as designated by the director and deputy director;
- N. An administrative position declared exempt after August 8, 1985. The number of positions declared exempt under this paragraph shall not exceed ten percent of the total number of county appointive officers and employees.

O. Employees of the superior court, justice courts and clerk of superior court who are covered by the judicial merit system and juvenile court who are covered by the juvenile court merit system;

P. Employees of the sheriff's department who are covered by the law enforcement merit system.

Q. EMPLOYEES HIRED INTO UNCLASSIFIED POSITIONS ON AN INTERMITTENT OR TEMPORARY BASIS, AND DESIGNATED AS EMPLOYEE CLASS F OR G.

R. EMPLOYEES HIRED INTO POSITIONS ALLOCATED AS 7007/INTERN – UNCLASSIFIED.

SECTION 2. This Ordinance is effective 30 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona this _____ day of _____, 2021.

Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

Deputy County Attorney