

# COB - BOSAIR FORM

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Welcome to the Board of Supervisors Agenda Item Report (BOSAIR) Form.

This form is used to submit agenda items for Board of Supervisors consideration, including contracts, awards, grants, amendments, and other official actions.

**\*All fields are required. Enter N/A if not applicable. For number fields, enter 0 if not applicable.\***

Record Number:

Award Type:

Agenda Item

Requested Board Meeting Date:

09/16/2025

## Agenda Item Report

**\*All fields are required. Enter N/A if not applicable. For number fields, enter 0 if not applicable.\***

Record Number:

Title:

Proposed Personnel Policy 8-124, Settlement of Employee Claims

Introduction / Background:

The County requires a policy for employee claims that are negotiated to settlement.

Discussion:

The Settlement of Employee Claims is a new personnel policy under Human Resources. This policy provides a process for negotiating and/or settling claims brought by employees against the County to ensure oversight by Risk Management and the County Administrator.

Conclusion:

Personnel Policy 8-124 is necessary to ensure that any claims filed by employees that may result in settlements follow a process for review, negotiation, and settlement if applicable.

Recommendation:

Staff recommend the Board adopt Personnel Policy 8-124 as presented.

Fiscal Impact:

None

Support of Prosperity Initiative:

N/A

Provide information that explains how this activity supports the selected Prosperity Initiative

N/A

Board of Supervisor District:

- 1
- 2
- 3
- 4
- 5

Department:

Human Resources

Name:

Autumn O'Connor

Telephone:

5207242798

Department Director Signature: \_\_\_\_\_

Date:

8/26/25

Deputy County Administrator Signature: \_\_\_\_\_

Date:

8/27/25

County Administrator Signature: \_\_\_\_\_

Date:

#### A. Definitions

Employee Claim – A formal request for compensation made by an employee to an employer or third-party for damages suffered due to the negligence or fault of the County or for compensation and/or benefits related to their employment.

Settlement - A mutual agreement between parties to resolve a claim. The parties agree to dismissal of the claim and future claims that may arise in exchange for financial compensation or other agreed-upon terms.

#### B. Settlement

1. The type of settlement of claims falling under this procedure include Equal Employment Opportunity Commission Charges, Arizona Civil Rights Division Charges, Notice of Claims, Mediation, Unemployment, Workers' Compensation, Department of Labor, and Merit Commission/Law Enforcement Merit Council Settlements.
2. Settlement Agreements may include:
  - a. Payment of back pay, wages, pay out of annual, sick or compensatory leave, reinstatement of annual or sick leave accruals, or other compensation.
  - b. Reinstatement of employment, re-hire, changes to an employee's separation from employment, changes in employee's conditions of employment, or any other agreed upon employee status change relevant to the employee's claim.
  - c. Confidentiality provisions or non-disclosure agreements.
  - d. Dismissal of the claim and any future claims that may arise.

#### C. Negotiation Process

1. The negotiation process may be initiated by the County Attorney's Office, Risk Management, or Human Resources.
2. Participants in the negotiation process may include:
  - a. A Department Director or Elected Official
  - b. Human Resources
  - c. Legal representation from the County Attorney's Office or approved outside counsel as approved by the County Attorney's Office

d. Risk Management

e. An employee who has specific knowledge of the events arising from a claim

3. Human Resources, Risk Management, and County Administration must be informed of any pending claim resulting in negotiation.

D. Settlement Review

1. The County Attorney's Office and Risk Management are required to review any proposed Settlement Agreement.
2. Prior to reaching the terms of a final settlement, County Administration must be notified of the intent to settle the matter and the proposed negotiated terms, to include what funding will pay for any monetary payment.
3. Specific to Workers' Compensation settlements, these require only Risk Management review, with payment under the County's Self-Insurance Trust.

E. Settlement Authority

Requirements for signatory authority fall under Pima County Code, Title 2, Chapter 2.12, Section 2.12.070.