



MEMORANDUM

Administration Services

Date: August 31, 2017

To: Julie Castaneda
Clerk of the Board

From: Tom Burke
Deputy County Administrator

A handwritten signature in black ink, appearing to read "Tom Burke".

Re: **Agenda Item No. 23, Revision to Merit System Rules and Personnel Policies**

Please remove the proposed changes to Merit System Rule 12.1.C.13 and Personnel Policy 8-119 from the agenda. The remainder of the items should remain on the agenda.

TB/sp

Attachments

c: C.H. Huckelberry, County Administrator
Allyn Bulzomi, Director – Human Resources Department

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BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 5, 2017

Title: Revisions to Merit System Rules and Personnel Policies

Introduction/Background:

Proposed Revisions to Merit System Rules 1, 8, 9, 10, 11, 12 and 13 and Personnel Policies 8-107, 8-108, 8-109, 8-117, 8-119 and 8-122.

Discussion:

Merit System Rule 1 - Definitions

- MSR 1.09 - Deletes the definition of Assignment Pay, an obsolete term.
 - MSR 1.34 - Adds summer youth and paid interns to the definition of Intermittent Employee.
 - MSR 1.39 - Verbiage added/deleted for clarification.
 - MSR 1.40 - Verbiage added/deleted for clarification.
 - MSR 1.41 - Verbiage added/deleted for clarification.
 - MSR 1.57 - Adds a definition for Regular Classified Employee.
 - MSR 1.61 - Adds a definition for Salary Grade.
 - MSR 1.69 - Adds a definition for Unauthorized Absence.
- Renumbers definitions appropriately.

Merit System Rule 8 - Promotion, Demotion, Reappointment, Open Range Reappointment, Reassignment and Detail

- MSR 8.6 B - Adds unclassified employee to the list of employees not eligible to serve detail assignments.
- MSR 8.7 - Clarifies the effective date for actions resulting from probation failure, aligning language with practice.

Merit System Rule 9 - Classification System

- MSR 9.5 - Paragraph deleted in its entirety as it is redundant.

Merit System Rule 10 - Probation

- MSR 10.1 E. - Language added to match practice, clarifying when the notice of probation failure may be issued and clarifying the effective date for actions resulting from probation failure.

Merit System Rule 11 - Terminations

- MSR 11.5 C. - Verbiage added for clarification.

Merit System Rule 12 - Disciplinary and Other Personnel Actions

- ~~MSR 12.1.C.13 - Verbiage added regarding use of personal electronic equipment for County business.~~
- MSR 12.2.A.1. and 2. - Language deleted to comply with State General Records Retention Schedule 20705.

Merit System Rule 13 - Grievance System

MSR 13.2 A.1. and 13.3 A. - Board of Supervisors Policies added to align policy with practice.

Personnel Policy 8-107 - Special Leaves of Absence With Pay

PP 8-107 A. Language added for clarification.
PP 8-107 E. Language rearranged for clarification.
PP 8-107 E.2. Language added for clarification.
PP 8-107 E.5. Language moved to 8-107 E and subsequent subsections renumbered.

Personnel Policy 8-108 - Leaves of Absence Without Pay

PP 8-108 D. Language expanded and detail added for clarification.

Personnel Policy 8-109 - Absences Without Leave

PP 8-109 A. Language added for clarification.
PP 8-109 B. Termination added to cover corrective action for unclassified employees.

Personnel Policy 8-117 - Pay Plan

PP 8-117 A., C., D., F., H., I., J., K., L., M., N., O., P. - Minor verbiage changes for clarification and consistency.
PP 8-117 N.1. Paragraph deleted in its entirety as it is redundant and subsections renumbered.
PP 8-117 R.2. and 3. Language added to match practice, clarifying when the notice of probation failure may be issued and clarifying the effective date for actions resulting from probation failure.
PP 8-117 R.4. Language added to mirror revisions approved by the Law Enforcement Merit System Council to Law Enforcement Merit System Rule VIII-6, effective June 13, 2017.

~~Personnel Policy 8-119 - Rules of Conduct~~

~~8-119 Z.10. Adds language that employees are prohibited from using private electronic devices or systems for any activity that would become a public record.~~

Personnel Policy 8-122 - Group Insurance

PP 8-122 A.1. Removes unnecessary language.
PP 8-122 A.2. Adds language detailing the two (2) benefit premiums paid in full by the County.
PP 8-122 B.1. Clarifies "eligible employee" and adds requirements defined by the Affordable Care Act (ACA).
PP 8-122 B.2. Grammatical modification.
PP 8-122 B.3. Grammatical modification.
PP 8-122 C.4. Adds details of the 13 week rehire period in alignment with federal guidelines.
PP 8-122 H. Grammatical correction to language.

Conclusion:

The revisions are required to align policy with practice, provide clarification, remove unnecessary language, and provide grammatical correction to language.

Recommendation:

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

3. Inefficiency;
4. Neglect of duty;
5. Insubordination, including, but not limited to, conduct which is unruly;
6. Dishonesty;
7. Possessing, dispensing, or being under the influence of alcohol, or any unlawful controlled substance such as a narcotic, barbiturate, marijuana, methamphetamine, or a tranquilizing or hallucinogenic drug, while on duty, except in accordance with medical authorization, or in the lawful performance of the employee's regular assigned duties. Under the influence of alcohol means either obvious impairment due to alcohol or a test result reflecting a blood alcohol content of .04 or greater;
8. Absence without leave without reasonable cause;
9. Commission or conviction of a felony or of a misdemeanor involving moral turpitude, either of which would affect the employee's suitability for continued employment;
10. Discourteous treatment of the public;
11. Willful disobedience, i.e. a specific violation of a command or prohibition;
12. Engaging in prohibited political activity;
13. Misuse of County computers, County internet access, County email systems, or any other County electronic communication devices; **AND/OR USING A PERSONAL ELECTRONIC DEVICE FOR ANY OFFICIAL COUNTY BUSINESS FOR THE PURPOSE OF AVOIDING THE CREATION OF A PUBLIC RECORD;**
14. Misuse of any County property and/or systems;
15. Seeking to obtain financial, sexual, or political benefit from another employee with or without his/her consent, induced by wrongful use of force or fear, or under color of official right;
16. Violation of the Rules of Conduct, Personnel Policy 8-119;

10. USE PRIVATE ELECTRONIC DEVICES OR SYSTEMS SUCH AS PRIVATE EMAIL ACCOUNTS OR OTHER PRIVATE COMMUNICATION DEVICES FOR ANY ACTIVITY THAT WOULD BECOME A PUBLIC RECORD AS DEFINED BY ARIZONA PUBLIC RECORDS LAWS.

ALL COUNTY BUSINESS RELATED CORRESPONDENCE (WHETHER EMAIL, TEXT MESSAGE OR WRITTEN COMMUNICATION) SHALL BE CONDUCTED ON A COUNTY AUTHORIZED AUTOMATED INFORMATION SYSTEM, WHICH HAS THE PROPER LEVEL OF SECURITY CONTROL TO PROVIDE NONREPUDIATION, AUTHENTICATION AND ENCRYPTION, TO ENSURE CONFIDENTIALITY, INTEGRITY, AND AVAILABILITY OF THE RESIDENT INFORMATION.