



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 12/21/2021

**= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

Proposed Changes to Personnel Policy 8-107

***Introduction/Background:**

Proposed revisions to Personnel Policy 8-107, Special Leaves of Absence With Pay – As related to Parental Leave.

***Discussion:**

Modification to Personnel Policy in order to provide Parental Leave paid at 100% of the employee's regular rate of pay.

***Conclusion:**

8-107 F.1 Change parental leave from 66 2/3% of employee's regular rate of pay to 100% of employee's regular rate of pay.

***Recommendation:**

That the Board of Supervisors approve the modification to Personnel policy 8-107 as outlined above to become effective upon adoption.

***Fiscal Impact:**

Increased cost of approximately \$250,000/year (calculation based on previous 5 years and 4 months of parental leave usage County-wide).

***Board of Supervisor District:**

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ All

Department: Human Resources

Telephone: 520-724-8028

Contact: Cathy Bohland

Telephone: 520-724-8672

Department Director Signature: _____

Jason D. Smith for CEO

Date: 11/30/2021

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: _____

David

Date: 11/30/2021

A. Administrative Leave

Administrative leave with pay may be initiated for any one of the following four events:

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 their 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 their 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 with unique administrative circumstances that may require additional flexibility that are 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 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. 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

All employees except Elected Officials, intermittent employees as defined in Merit System Rule 1 and temporary employees with less than six (6) months of service are eligible for 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" is defined as 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 24 hours per occurrence for the death of an eligible family member occurring within the State of Arizona, or up to 40 hours per occurrence for the death of an eligible family member where the death or services occur out of state. Employees must take bereavement leave within the first six (6) months following the death of an eligible family member. Hours need not be taken consecutively. Hours not taken within six (6) months of the death of an eligible family member shall be forfeited.
3. 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 their sick leave, annual leave, compensatory time or unpaid leave under 8-108.F, when additional bereavement time is needed.
5. 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 in pay status during the pay period when bereavement leave is requested.
6. 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.
7. The Appointing Authority or designee may require a death certificate, obituary, or documentation from the funeral home.
8. Bereavement leave shall not be counted as hours worked for the purpose of computing overtime

F. Parental Leave

1. Upon approval of the Human Resources Department, eligible employees may be granted up to six (6) continuous work weeks of parental leave within the first twelve (12) weeks after the birth or adoption of a child. Parental leave will be paid at **ONE HUNDRED (100)**~~sixty-six and two thirds (66 $\frac{2}{3}$)~~ percent of the employee's regular rate of pay in effect at the time the leave commences. Employees may request additional leave (beyond the six (6) weeks of parental leave) by applying earned sick leave, compensatory time, or annual leave in accordance with Family and Medical Leave policy guidelines.
2. Employees who currently serve in a position that is eligible for benefits and have been employed by the County for at least twelve (12) months prior to the birth or adoption of a child and commencement of the requested leave are eligible for parental leave. Intermittent employees, as defined in Merit System Rule 1, are not eligible for parental leave.
3. Requests for parental leave must be submitted to Human Resources-Leave Administration on the form specified by HR-Leave Administration at least thirty (30) days before the leave is expected to begin or as soon thereafter as possible.
4. When both parents are County employees who meet eligibility guidelines, each is entitled to six weeks of parental leave.
5. Appointing Authorities may not detail another employee into the position of an employee on parental leave and may not otherwise temporarily fill the position of an employee on parental leave. Departments are not authorized to approve overtime costs for another employee to do the work of an employee on parental leave. In exceptional circumstances, an Appointing Authority may request County Administrator approval to temporarily fill the position of an employee on parental leave.
6. Payback provision: Employees who fail to return to work for at least ninety (90) calendar days following the end of their approved parental leave agree to reimburse the County for the salary and benefits paid by the County for the period of parental leave. This reimbursement requirement will be excused if the employee's failure to return to work is related to the onset, recurrence, or continuation of a serious health condition of the employee or the child.
7. Parental leave is set out by Administrative Procedures which comply with this policy.

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2. Employees who currently serve in a position that is eligible for benefits and have been employed by the County for at least twelve (12) months prior to the birth or adoption of a child and commencement of the requested leave are eligible for parental leave. Intermittent employees, as defined in Merit System Rule 1, are not eligible for parental leave.
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