



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 5/3/2022

*= 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 8-112
Proposed Changes to Board of Supervisors Policy C 2.4

***Introduction/Background:**

Proposed revisions to Personnel Policy 8-112; Retirement System Participation
Proposed revisions to Board of Supervisors Policy C 2.4; Non-Interference in Administrative Affairs.

***Discussion:**

Per County Administration direction, Personnel Policy 8-112 modifications are being proposed to align with Board of Supervisor action taken on March 19, 2022, regarding retirement and return-to-work policy and procedure. Adding language to identify State Retirement Systems and the requirements for notification and approval for employees who retire from a State Retirement System and either return to work or continue to work.

Modifications to BOS Policy C 2.4 to remove "Manager" and replace with "Administrator" reflected throughout the policy. Removed language referencing a Sunset Provision

***Conclusion:**

The revision are required to align policy with procedure/practice, provide guidance and clarification.

***Recommendation:**

That the Board of Supervisors approve the Personnel Policy 8-112 and Board of Supervisors Policy C 2.4 modifications as outlined to become effective upon approval.

***Fiscal Impact:**

None

***Board of Supervisor District:**

1 2 3 4 5 All

Department: Human Resources

Telephone: 520-724-2732

Contact: Cathy Bohland

Telephone: 520-724-8672

Department Director Signature: _____

Date: _____

4/27/2022

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: _____

Date: _____

4/27/2022

A. DEFINITIONS

1. **ARIZONA STATE RETIREMENT SYSTEM (ASRS) IS A DEFINED BENEFIT PLAN PROVIDING RETIREMENT AND OTHER BENEFITS FOR EMPLOYEES OF POLITICAL SUBDIVISIONS.**
2. **CORRECTIONS OFFICER RETIREMENT PLAN (CORP) IS A DEFINED BENEFIT PLAN PROVIDING RETIREMENT AND OTHER BENEFITS FOR SPECIFIC DESIGNATED POSITIONS SUCH AS CORRECTIONAL OFFICERS, DISPATCHERS, PROBATION OFFICERS AND SURVEILLANCE OFFICERS.**
3. **DEFINED BENEFIT PLAN IS A RETIREMENT PLAN THAT PROVIDES A FIXED, PRE-ESTABLISHED BENEFIT FOR EMPLOYEES CALCULATED ON FACTORS SUCH AS SALARY HISTORY AND DURATION OF EMPLOYMENT.**
4. **ELECTED OFFICIALS' RETIREMENT PLAN (EORP) IS A DEFINED BENEFIT PLAN PROVIDING RETIREMENT AND OTHER BENEFITS FOR ELECTED OFFICIALS AND JUDGES.**
5. **MEMBER IS AN EMPLOYEE WHO IS A MEMBER OF ASRS, CORP, EORP, OR PSPRS.**
6. **NORMAL RETIREMENT DATE IS THE DATE DEFINED BY STATUTE FOR EACH STATE RETIREMENT SYSTEM IN WHICH A MEMBER MEETS THE CRITERIA FOR RECEIVING THEIR RETIREMENT BENEFITS.**
7. **PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) IS A DEFINED BENEFIT PLAN PROVIDING RETIREMENT AND OTHER BENEFITS FOR COUNTY SHERIFFS AND DEPUTIES WHO ARE CERTIFIED PEACE OFFICERS AND COUNTY ATTORNEY INVESTIGATORS WHO ARE CERTIFIED PEACE OFFICERS.**
8. **RETIRED EMPLOYEE IS AN EMPLOYEE WHO INDICATES THAT THEIR SEPARATION FROM COUNTY EMPLOYMENT IS DUE TO RETIREMENT.**
9. **RETIRED MEMBER IS A MEMBER OF ASRS, CORP, EORP, OR PSPRS WHO IS RECEIVING RETIREMENT BENEFITS FROM THE SYSTEM IN WHICH THEY ARE A MEMBER.**
10. **RETIREMENT REFERS TO AN EMPLOYEE WHO RETIRES FROM A STATE RETIREMENT SYSTEM.**

11. **STATE RETIREMENT SYSTEM CONSISTS OF ASRS, CORP, EORP, OR PSPRS.**

B. PARTICIPATION

1. **ARIZONA STATE RETIREMENT SYSTEM MEMBERSHIP IS MANDATORY FOR ALL COUNTY EMPLOYEES WHO DO NOT PARTICIPATE IN AN ALTERNATE STATE RETIREMENT SYSTEM AS MANDATED BY STATUTE AND WHO MEET ONE OF THE FOLLOWING CRITERIA:**
 - a. Employees who are hired to work at least twenty (20) weeks in a fiscal year and twenty (20) or more hours per week become members of the Arizona State Retirement System upon employment.
 - b. If an employee is hired to work part-time, sometimes working twenty (20) or more hours in a week and sometimes working less, that employee becomes eligible at the start of the twentieth (20th) week of working twenty (20) or more hours in a fiscal year. Once an employee meets eligibility in a fiscal year, ~~he or she~~ **THEY** remain eligible until the end of the fiscal year.

C. RETIREMENT

1. **AN EMPLOYEE IS ELIGIBLE FOR RETIREMENT WHEN THEY REACH THEIR NORMAL RETIREMENT DATE. EACH STATE RETIREMENT SYSTEM HAS DIFFERENT CRITERIA FOR AN EMPLOYEE'S NORMAL RETIREMENT DATE. IT IS THE EMPLOYEE'S RESPONSIBILITY TO CONTACT THEIR RESPECTIVE STATE RETIREMENT SYSTEM TO DETERMINE WHETHER THEY MEET THEIR NORMAL RETIREMENT DATE AND ITS LISTED ELIGIBILITY REQUIREMENTS.**
2. **AN EMPLOYEE WHO IS A RETIRED MEMBER OF A STATE RETIREMENT SYSTEM CAN RETAIN EMPLOYMENT BY FOLLOWING THE RULES FOR RETURN TO WORK AS PROVIDED BELOW.**
3. **RETIRED EMPLOYEES CAN RETURN TO WORK AS PROVIDED BELOW.**

D. RETURN TO WORK

1. **ANY RETIRED EMPLOYEE OR PROSPECTIVE EMPLOYEE WHO IS A RETIRED MEMBER OF A STATE RETIREMENT SYSTEM AND IS HIRED OR REHIRED TO WORK IN A COUNTY POSITION, IS REQUIRED TO NOTIFY THE COUNTY OF THEIR RETIREMENT STATUS WITHIN 15 DAYS OF HIRE BY SUBMITTING A NOTIFICATION OF RETIREMENT**

FROM A STATE RETIREMENT SYSTEM FORM TO HUMAN RESOURCES.

2. **ANY RETIRED EMPLOYEE OR PROSPECTIVE EMPLOYEE WHO IS A RETIRED MEMBER OF A STATE RETIREMENT SYSTEM AND IS HIRED OR REHIRED TO WORK IN A COUNTY POSITION WITHIN 365 DAYS OF THEIR RETIREMENT FROM A STATE RETIREMENT SYSTEM, IS REQUIRED TO:**
 - a. **OBTAIN APPROVAL FROM THE APPOINTING AUTHORITY, HUMAN RESOURCES, AND COUNTY ADMINISTRATION, BY SUBMITTING A NOTIFICATION OF RETIREMENT FROM A STATE RETIREMENT SYSTEM FORM, PRIOR TO THEIR RETURN TO WORK.**
 - b. **OBTAIN APPROVAL FROM THE APPOINTING AUTHORITY AND COUNTY ADMINISTRATION IF REQUESTING A REDUCED WORK SCHEDULE OF FEWER THAN 40 HOURS PER WEEK.**
 - c. **SUBMIT A RETURN TO WORK FORM TO THEIR RESPECTIVE STATE RETIREMENT SYSTEM, UPON THEIR RETURN TO WORK OR AT ANY TIME IN WHICH THERE IS A CHANGE IN THEIR REGULAR WEEKLY WORK HOURS, AS WARRANTED BY THEIR RESPECTIVE STATE RETIREMENT SYSTEM.**
 - d. **COMPLY WITH THE STATUTES AND RULES OF THEIR RESPECTIVE STATE RETIREMENT SYSTEM.**

3. **ANY CURRENT EMPLOYEE WHO INTENDS TO RETIRE FROM A STATE RETIREMENT SYSTEM AND NOT TERMINATE THEIR EMPLOYMENT WITH THE COUNTY IS REQUIRED TO:**
 - a. **OBTAIN APPROVAL FROM THE APPOINTING AUTHORITY, HUMAN RESOURCES, AND COUNTY ADMINISTRATION BY SUBMITTING A NOTIFICATION OF RETIREMENT FROM A STATE RETIREMENT SYSTEM FORM, PRIOR TO THEIR RETIREMENT DATE.**
 - b. **OBTAIN APPROVAL FROM THE APPOINTING AUTHORITY AND COUNTY ADMINISTRATION IF REQUESTING A REDUCED WORK SCHEDULE OF LESS THAN 40 HOURS PER WEEK.**
 - c. **APPLY FOR RETIREMENT WITH THEIR RESPECTIVE STATE RETIREMENT SYSTEM.**

- d. **SUBMIT A RETURN TO WORK FORM TO THEIR RESPECTIVE STATE RETIREMENT SYSTEM, UPON THEIR RETURN TO WORK OR AT ANY TIME IN WHICH THERE IS A CHANGE IN THEIR REGULAR WEEKLY WORK HOURS, AS WARRANTED BY THEIR RESPECTIVE STATE RETIREMENT SYSTEM.**
 - e. **COMPLY WITH THE STATUTES AND RULES OF THEIR RESPECTIVE STATE RETIREMENT SYSTEM.**
4. **SPECIFIC TO APPROVALS FOR RETURN TO WORK FOR DEPUTY COUNTY ADMINISTRATORS, ASSISTANT COUNTY ADMINISTRATORS, DEPARTMENT DIRECTORS, DEPUTY DEPARTMENT DIRECTORS, OR CHIEF DEPUTIES OF ELECTED OFFICES, THE COUNTY ADMINISTRATOR MUST PROVIDE NOTICE OF SUCH APPROVAL OF RETURN TO WORK TO THE BOARD OF SUPERVISORS.**
- a. **NOTICE TO THE BOARD OF SUPERVISORS SHALL INCLUDE THE REASONS FOR THE PERSONNEL ACTION, THE PROJECTED LENGTH OF SERVICE, AND CRITICAL OBJECTIVES TO BE ACHIEVED BY THE EMPLOYEE.**
5. **SPECIFIC TO THE COUNTY ADMINISTRATOR OR CLERK OF THE BOARD, THE BOARD OF SUPERVISORS MUST APPROVE AT A PROPERLY NOTICED PUBLIC MEETING OF THE BOARD OF SUPERVISORS, ANY RETURN TO WORK THAT IS A RESULT OF A RETIREMENT FROM ASRS.**
- a. **THE COUNTY ADMINISTRATOR OR CLERK OF THE BOARD IS REQUIRED TO PROVIDE NOTICE TO THE BOARD OF SUPERVISORS OF THEIR INTENTION TO RETIRE FROM ASRS AT LEAST 90 DAYS PRIOR TO THE DESIRED DATE OF THE CHANGE.**
 - b. **SPECIFIC TO THE COUNTY ADMINISTRATOR, ANY APPROVAL OF RETIREMENT AND RETURN TO WORK REQUIRES A NEW CONTRACT.**

A. Definitions

1. Arizona State Retirement System (ASRS) is a defined benefit plan providing retirement and other benefits for employees of political subdivisions.
2. Corrections Officer Retirement Plan (CORP) is a defined benefit plan providing retirement and other benefits for specific designated positions such as Correctional Officers, Dispatchers, Probation Officers and Surveillance Officers.
3. Defined Benefit Plan is a Retirement Plan that provides a fixed, pre-established benefit for employees calculated on factors such as salary history and duration of employment.
4. Elected Officials' Retirement Plan (EORP) is a defined Benefit Plan Providing Retirement and other benefits for Elected Officials and Judges.
5. Member is an employee who is a member of ASRS, CORP, EORP, or PSPRS.
6. Normal retirement date is the date defined by statute for each State Retirement System in which a Member meets the criteria for receiving their retirement benefits.
7. Public Safety Personnel Retirement System (PSPRS) is a defined benefit plan providing retirement and other benefits for County Sheriffs and Deputies who are Certified Peace Officers and County Attorney Investigators who are Certified Peace Officers.
8. Retired Employee is an employee who indicates that their separation from county employment is due to retirement.
9. Retired Member is a member of ASRS, CORP, EORP, or PSPRS who is receiving retirement benefits from the system in which they are a member.
10. Retirement refers to an employee who retires from a State Retirement System.
11. State Retirement System consists of ASRS, CORP, EORP, or PSPRS.

B. Participation

1. Arizona State Retirement System membership is mandatory for all county employees who do not participate in an alternate State Retirement System as mandated by statute and who meet one of the following criteria:

- a. Employees who are hired to work at least twenty (20) weeks in a fiscal year and twenty (20) or more hours per week become members of the Arizona State Retirement System upon employment.
- b. If an employee is hired to work part-time, sometimes working twenty (20) or more hours in a week and sometimes working less, that employee becomes eligible at the start of the twentieth (20th) week of working twenty (20) or more hours in a fiscal year. Once an employee meets eligibility in a fiscal year, they remain eligible until the end of the fiscal year.

C. Retirement

1. An employee is eligible for retirement when they reach their normal retirement date. Each State Retirement System has different criteria for an employee's normal retirement date. It is the employee's responsibility to contact their respective State Retirement System to determine whether they meet their normal retirement date and its listed eligibility requirements.
2. An employee who is a retired member of a State Retirement System can retain employment by following the rules for return to work as provided below.
3. Retired employees can return to work as provided below.

D. Return To Work

1. Any retired employee or prospective employee who is a retired member of a State Retirement System and is hired or rehired to work in a county position, is required to notify the county of their retirement status within 15 days of hire by submitting a notification of retirement from a State Retirement System Form to Human Resources.
2. Any retired employee or prospective employee who is a retired member of a State Retirement System and is hired or rehired to work in a county position within 365 days of their retirement from a State Retirement System, is required to:
 - a. Obtain approval from the Appointing Authority, Human Resources, AND County Administration, by submitting a Notification of retirement from a State Retirement System Form, prior to their return to work.
 - b. Obtain approval from the Appointing Authority and County Administration if requesting a reduced work schedule of fewer than 40 hours per week.

- c. Submit a return to work form to their respective state retirement system, upon their return to work or at any time in which there is a change in their regular weekly work hours, as warranted by their respective State Retirement System.
 - d. Comply with the Statutes and Rules of their respective State Retirement System.
 3. Any current employee who intends to retire from a State Retirement System and not terminate their employment with the county is required to:
 - a. Obtain approval from the Appointing Authority, Human Resources, and County Administration by submitting a notification of retirement from a State Retirement System Form, prior to their retirement date.
 - b. Obtain approval from the Appointing Authority and County Administration if requesting a reduced work schedule of less than 40 hours per week.
 - c. Apply for retirement with their respective State Retirement System.
 - d. Submit a return to work form to their respective State Retirement System, upon their return to work or at any time in which there is a change in their regular weekly work hours, as warranted by their respective State Retirement System.
 - e. Comply with the Statutes and Rules of their respective State Retirement System.
 4. Specific to approvals for return to work for Deputy County Administrators, Assistant County Administrators, Department Directors, Deputy Department Directors, or Chief Deputies of Elected Offices, The County Administrator must provide notice of such approval of return to work to the Board of Supervisors.
 - a. Notice to the Board of Supervisors shall include the reasons for the personnel action, the projected length of service, and critical objectives to be achieved by the employee.
 5. Specific to the County Administrator or Clerk of The Board, the Board of Supervisors must approve at a properly noticed public meeting of the Board of Supervisors, any return to work that is a result of a retirement from ASRS.
 - a. The County Administrator or Clerk of The Board is required to provide notice to the Board of Supervisors of their intention to retire from

ASRS at least 90 days prior to the desired date of the change.

- b. Specific to the County Administrator, any approval of retirement and return to work requires a new contract.



PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

<u>Subject:</u> Board Policy on Non-Interference in Administrative Affairs	Policy Number	Page
	C 2.4	1 of 1

Purpose

To establish a policy which regulates the manner in which members of the Board of Supervisors individually interact with officers and employees by or under the County **Manager ADMINISTRATOR**.

Background

The Board of Supervisors of the County of Pima is charged with the responsibility of establishing policy to guide the various functions of the County and, where necessary, to establish procedures by which functions are performed. The County **Manager ADMINISTRATOR** assists the Board in coordinating the functions and operations of the County and is responsible for carrying out all of the Board's policy decisions that pertain to the functions assigned to that officer. Recognizing that a delineation of administrative authority between the Board and County **Manager ADMINISTRATOR** is essential to effective and efficient management of the County organization, the Board of Supervisors adopts the following policy:

Policy

It is the policy of the Board of Supervisors that:

Except for the purposes of inquiry and information, neither the Board of Supervisors nor any member thereof shall deal with any administrative officer or employee appointed by or under the County **Manager ADMINISTRATOR** except through the County **Manager ADMINISTRATOR**, and neither the Board of Supervisors nor any member thereof shall give orders to the subordinates of the County **Manager ADMINISTRATOR** either publicly or privately.

Sunset Provision

~~This policy will be reviewed for continuance by 12-31-93.~~

Responsible Department

1. County **Manager ADMINISTRATOR**
2. Board of Supervisors



PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

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	C 2.4	1 of 1

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To establish a policy which regulates the manner in which members of the Board of Supervisors individually interact with officers and employees by or under the County Administrator.

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The Board of Supervisors of the County of Pima is charged with the responsibility of establishing policy to guide the various functions of the County and, where necessary, to establish procedures by which functions are performed. The County Administrator assists the Board in coordinating the functions and operations of the County and is responsible for carrying out all of the Board's policy decisions that pertain to the functions assigned to that officer. Recognizing that a delineation of administrative authority between the Board and County Administrator is essential to effective and efficient management of the County organization, the Board of Supervisors adopts the following policy:

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Responsible Department

1. County Administrator
2. Board of Supervisors

Effective Date: 10/30/1990

Revision Date: 05/02/2022