

GREENLEE COUNTY  
MERIT SYSTEM RULES  
1 THROUGH 16

GREENLEE COUNTY  
MERIT SYSTEM RULES  
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RESOLUTION 91-09-01

Greenlee County Employee Merit System

WHEREAS, the Board of Supervisors is empowered to adopt a Merit System pursuant to Arizona Revised Statutes 11-351, et. seq.,

NOW, THEREFORE, upon motion duly made, seconded and carried, be it resolved by the Board of Supervisors of Greenlee County, Arizona that,

I. DEFINITIONS

WHEREVER USED HEREIN, Commission means the Merit System Commission and Board means the Greenlee County Board of Supervisors.

WHEREVER USED HEREIN, Department Head means an Appointing Authority or the Department Head authorized by an Appointing Authority to make appointments to County employment.

II. MERIT PRINCIPLES

The Merit System Rules shall be based upon the "Standards for a Merit System of Personnel Administration" issued by the U.S. Office of Personnel Management.

III. MERIT SYSTEM COMMISSION

- A. The Merit System Commission shall consist of five (5) members, appointed by the Board, each of whom shall hold office for a term of four (4) years and until a successor is appointed and qualified. Of the members first appointed, two (2) shall serve for a two-year term, two (2) for a three-year term and one (1) shall serve a four year term, and such members shall determine by lot of length of their terms. Appointment to fill a vacancy caused by other than expiration of term shall be for the unexpired portion of the term.
- B. Members of the Commission shall be selected from among the qualified electors of the County. No more than three (3) of such members shall be from the same political party. At least two (2) members shall be selected from names provided by non-exempt county employees.
- C. A member of the Commission may be removed by the Board for good cause.
- D. Any one (1) of the following may constitute the resignation of a member of the Commission and may authorized the Board to appoint a new member to fill the unexpired term:

1. Absence from three (3) consecutive meetings.
  2. Becoming a candidate for any elective public office.
- E. The Commission shall elect one (1) of its members as Chairpersons.
- F. A majority of the members shall constitute a quorum.

IV. POWERS AND DUTIES OF THE COMMISSION

- A. The Commission shall perform such duties and exercise such powers as are necessary to carry out the provisions of A.R.S. § 11-351 et. seq. In addition to the duties imposed upon it elsewhere it shall be the duty of the Commission:
1. To prepare such rules as it may find necessary or appropriate to carry out its duties;
  2. To advised the Board and County Administrator of problems concerning personnel administration;
  3. To make such special reports to the Board as it considers desirable.
- B. The Commission may recommend to the Board of Supervisors, rules for the administration of the Merit System.

V. APPLICATION AND EXEMPTIONS

The Merit System shall apply to all positions and employees of Greenlee 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 board, commissions, and committees appointed by the Board.
- D. Elected Officials.
- E. County Administrator.
- F. Clerk of the Board of Supervisors.

- G. Chief Deputies to Elected Officials.
- H. Department Heads.
- I. An administrative position declared exempt after the effective date of this section. The number of positions declared exempt under this paragraph shall not exceed five percent (5%) of the total number of County Appointive Officers and employees.
- J. Employees of the Superior Court.

VI. STATUS OF PRESENT EMPLOYEES

All County employees holding positions on the effective date of this Resolution shall be continued in their positions in accordance with Merit System Rules as they are now or are hereafter amended.

VII. COMPLIANCE

All officials and other County employees shall conform to, comply with, and aid in the administration of the provisions of this Resolution. Each of the separate provisions of this resolution is to be read and interpreted separately. A question regarding the legality, constitutionality, compliance with U.S. Office of Personnel Administration "Standards for a Merit System of Personnel Administration" or lack of approved position descriptions or pay plan of any one paragraph or part thereof shall not affect any other paragraph or part, and if determined unconstitutional illegal, unlawful, or otherwise incapable of application, the specific paragraph or part shall be severed from this resolution and the balance of the resolution shall remain in full force and effect.

VIII. REPEAL AND EFFECTIVE DATE

All Ordinances, parts of ordinances, and resolutions in conflict with this Resolution are hereby repealed to the extent that they are inconsistent with any provisions contained herein. This resolution shall be in full force and effective:

PASSED AND ADOPTED BY THE GREENLEE COUNTY BOARD OF SUPERVISORS THIS 9TH DAY OF SEPTEMBER, 1991.

APPROVED: /s/ Fred L. Zumwalt, Chairman

ATTEST: /s/ Deborah K. Gale, Clerk of the Board

APPROVED AS TO FORM: /s/ Charles E. Fletcher, County Attorney

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EFFECTIVE DATE: 9-10-91

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## RULE 1 - DEFINITIONS

The following words and terms as used in these Rules shall have the meaning indicated unless the context clearly indicates otherwise:

- 1.01 ADMINISTRATIVE SUSPENSION: An involuntary leave in the best interest of the County imposed upon an employee who is under investigatory or judicial proceedings.
- 1.02 ALLOCATION: The assignment of a position to a classification on the basis of the duties and responsibilities assigned to the position.
- 1.03 APPEAL: A request of the Merit System Commission to investigate a complaint alleging improper suspension, demotion, reduction in pay or dismissal.
- 1.04 APPELLANT: A permanent employee who files an appeal with the Merit System Commission.
- 1.05 APPLICANT: A person seeking County employment or an employee seeking a lateral reappointment, detail, promotion, or demotion within County employment who has completed and returned, on a timely basis, an official Greenlee County Application Form, according to instructions.
- 1.06 APPOINTING AUTHORITY: Board of Supervisors, Sheriff, Recorder, Treasurer, Superintendent of Schools, County Attorney, Assessor, Constables, Justices of the Peace, and appointed heads of departments.
- 1.07 APPOINTMENT: The official offer of employment and acceptance by an eligible in accordance with these Rules.
- 1.08 A.R.S. §: Arizona Revised Statutes.
- 1.09 AUDIT: A review of the duties and responsibilities of a position in order to determine proper allocation.
- 1.10 BOARD: The Greenlee County Board of Supervisors.
- 1.11 CANDIDATE: An applicant approved for participation in an examination process.
- 1.12 CERTIFICATE OF ELIGIBLES: An official list of eligibles placed in order of suitability for a particular position.

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**RULE 1 - DEFINITIONS**

- 1.13 CLASS SPECIFICATION: The official description of positions assigned to a classification defining the type and level of duties and responsibilities and the minimum qualifications necessary for successful performance.
- 1.14 CLASSIFICATION: A title assigned to a position or group of positions with similar duties and responsibilities which require like training, experience, knowledge, and skills.
- 1.15 CLASSIFICATION PLAN: The orderly assignment of positions under separate and distinct classifications on the basis of current duties and responsibilities.
- 1.16 COMMISSION: The Greenlee County Merit System Commission.
- 1.17 COMMISSIONER: A member of the Greenlee County Merit System Commission.
- 1.18 COMPENSATION: The salary, wage, allowances, and other forms of valuable consideration earned by or paid to an employee except reimbursement for necessary expenses which have been authorized and incurred.
- 1.19 CONVERSION: The noncompetitive movement of an employee from an intermittent appointment to a permanent position.
- 1.20 COUNTY: Greenlee County Government
- 1.21 COUNTY-WIDE ANNOUNCEMENT: The official notice to County employees of employment opportunity in the County.
- 1.22 DEMOTION: A change in the assignment of an employee from a position in one classification to a position of another classification having a lower salary grade.
- 1.23 DEPARTMENT: A County governmental unit under the control of a Department Head/Elected Official which has a separate operating budget approved by the Board.
- 1.24 DEPARTMENT HEAD: An elected appointing authority or the appointed head of a department authorized to make appointments.
- 1.25 DETAIL: The assignment of an employee to temporary duty which exceeds fifteen (15) working days to a position other than the position to which regularly assigned.
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**RULE 1 - DEFINITIONS**

- 1.26 **DISMISSAL**: The involuntarily termination of a person from County employment for a disciplinary reason.
- 1.27 **ELIGIBLE**: An applicant who has successfully completed the examination process and has been placed on a register for a specific classification.
- 1.28 **EMPLOYEE**: A person who has been appointed to and is currently filling a budgeted position within Greenlee County.
- 1.29 **EXAMINATION**: The evaluation procedures used to determine the relative excellence of applicants.
- 1.30 **FULL-TIME POSITION**: A position which provides employment for forty (40) hours a work period.
- 1.31 **GRIEVANCE**: A complaint alleging misinterpretation, misapplication, or unequal enforcement of Personnel Policies, Merit System Rules, or Administrative Procedures or alleging unlawful discrimination.
- 1.32 **HANDICAP**: A physical impairment that substantially restricts or limits an individual's general ability to secure, retain, or advance in employment except:
1. an impairment caused by current or recent use of alcohol or drugs; or
  2. an impairment or condition to which A.R.S. § 23-1044 or A.R.S. § 23-1045, subsection A applies.
- 1.33 **INTERMITTENT EMPLOYEE**: An eligible who has been hired for seasonal, on-call, or as-needed employment that does not exceed one thousand forty (1,040) paid hours per fiscal year.
- 1.34 **INTERNAL REGISTER**: The official file containing applications of eligibles, for a specific classification, who are current employees or employees who have been laid off for less than one (1) year.
- 1.35 **LAYOFF**: The conditional termination of a permanent employee due to lack of funds, lack of work, abolition of position, or other reasons specified in these Rules.
- 1.36 **MANIFEST ERROR**: The act or failure to act which is or clearly has caused a mistake or omission to occur.
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EFFECTIVE DATE: 9-10-91

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**RULE 1 - DEFINITIONS**

- 1.37 **LIMITED APPOINTMENT**: An appointment to a position which is funded for at least six (6) months, but not more than thirty-six (36) months.
- 1.38 **MERIT SYSTEM**: The uniform and equitable system of personnel administration under the federal guidelines and rules.
- 1.39 **PART-TIME POSITION**: A position which provides employment for less than forty (40) hours within a work period.
- 1.40 **PERMANENT EMPLOYEE**: A regular employee who has successfully completed the initial probationary period.
- 1.41 **PERSONNEL OFFICER**: Person appointed by the Board of Supervisors to administer the Merit System and Personnel Policies.
- 1.42 **POSITION**: A group of duties and responsibilities normally performed by one employee in order to provide a necessary service as identified by a Department Head and authorized by an approved budget.
- 1.43 **PROBATION**: A specified period of employment following initial appointment, re-employment, reinstatement, lateral reappointment, promotion, or demotion, which is the final step in the examining process during which the work performance of an employee is evaluated.
- 1.44 **PROBATIONARY PROBATION**: An employee serving an initial probation.
- 1.45 **PRODUCTIVITY IMPROVEMENT**: Any change in policy, procedure, technology, or program resulting in a cost savings directly tied to upgrading the quality or quantity of a county service of operation.
- 1.46 **PROMOTION**: A change in the assignment of an employee from a position in one classification to a position in another classification having a higher salary grade.
- 1.47 **PROMOTIONAL PROBATION**: The specified period of employment following promotion for evaluation of the employee's work.
- 1.48 **PROVISIONAL APPOINTMENT**: An appointment of a qualified individual to fill a vacancy in a class for which there are less than three candidates available, and for which no related registers can be used.
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EFFECTIVE DATE: 9-10-91

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**RULE 1 - DEFINITION**

- 1.49 **PUBLIC ANNOUNCEMENT**: The official notice to the public of employment opportunity with Greenlee County.
- 1.50 **QUALIFIED**: Meeting the minimum qualifications for a class as defined in the class specification plus any special requirements that may be published for a position in that class.
- 1.51 **REALLOCATION**: A change in the classification for an existing position.
- 1.52 **REAPPOINTMENT**: An appointment of an employee by a competitive or noncompetitive process.
- 1.53 **REASSIGNMENT**: A noncompetitive change in the assignment of an employee from one position to another of the same classification and salary grade within the employee's department.
- 1.54 **RECLASSIFICATION**: A change in the classification of an employee when his/her position has been reallocated.
- 1.55 **REEMPLOYMENT**: The appointment of a laid-off employee to a classification other than the classification from which laid off in any department, or to the same classification in a department other than the department from which laid off.
- 1.56 **REGISTER**: An official list of eligibles for a particular class or group of classes, placed in order of excellence according to results of the examination, which shall be used by the appointing authority for selection of appointments.
- 1.57 **REGULAR EMPLOYEE**: An employee who is employed full-time, part-time, or variable time on a continuous and continuing basis.
- 1.58 **REINSTATEMENT**: The appointment of a laid-off employee to a position of the same classification in the same department from which laid off, or the returning of an employee as ordered by the Merit System Commission.
- 1.59 **SUSPENSION**: An involuntarily imposed leave.
- 1.60 **TEMPORARY EMPLOYEE**: An employee who has been appointed on a full-time, part-time, or variable-time basis for a time-limited period not exceeding eighteen (18) months.
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EFFECTIVE DATE: 9-10-91

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RULE 1 - DEFINITIONS

- 1.61 TERMINATION: Separation of an employee from Greenlee County employment.
  - 1.62 VACANT POSITION: A position currently under recruitment or available to be filled.
  - 1.63 VARIABLE-TIME POSITION: A position which provides employment for an as-needed number of hours per week.
  - 1.64 WORK PERIOD: A work period begins at 5:01 p.m. Friday and ends 5:00 p.m. the second Friday thereafter.
  - 1.65 WORK WEEK: All time within a seven (7) day period which an employee is required to be on the employer's premises for the performance of prescribed duties, at a prescribed work place or on duty.
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RULE 2 - GENERAL PROVISIONS

2.1 BASIC OBJECTIVES

The purpose of these Rules is to establish a system of personnel administration that is based on merit principles and designed to insure the following:

- A. That recruitment, selection, and promotion be competitive with final appointment predicated on job-related ability and qualifications;
- B. That compensation and classification reflect the responsibility and difficulty of the work and a competitive position with respect to the labor market;
- C. That involuntary separation from County service be for a disciplinary reason as defined herein, or for other reasons as specifically provided in these Rules and Greenlee County Personnel Policies;
- D. That disciplinary action be taken only for a disciplinary reason as defined herein;
- E. That no unlawful discrimination or illegal labor practices be permitted.

2.2 REPRISALS

A department shall take no disciplinary or punitive action against any employee to impede or interfere with the legitimate exercise by any employee of his/her rights.

2.3 SERVING OF NOTICE

Unless otherwise provided by law or these Rules, whenever any notice, paper, or document is to be given to or served upon any person or Department by the Commission or the Personnel Officer, such notice, paper, or document may be personally served, or it may be served by mailing it to the last known residence or business address of the addressee. Service is complete when personally served or five (5) days after mailing to the last known address.

2.4 DELEGATION OF RESPONSIBILITY

Where the Personnel Officer and Department Head have agreed in writing to delegate certain responsibilities covered in these Rules to a County department in order to increase the efficiency of the organization, the Department Head has the responsibility of applying all Merit System Rules to the delegated actions and for conducting them in the same manner as would the Personnel Officer.

EFFECTIVE DATE: 9-10-91

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RULE 2 - GENERAL PROVISIONS

2.5 SEVERABILITY

If any provisions of these Rules or their application to any person or circumstances is held invalid, the remainder of the Rules or the applications of such provisions to other persons or circumstances, shall not be affected.

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EFFECTIVE DATE: 9-10-91

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## RULE 3 - MERIT SYSTEM COMMISSION PROCEDURES

3.1 MEETINGS

The time and location of each meeting of the Commission shall be fixed by the Commission not less than one (1) week preceding the date of the meeting. The meeting shall not be held without at least twenty-four (24) hours notice to the members of the Commission and to the general public. The notice shall be posted in at least one (1) public place in the County buildings. In case of an actual emergency as determined by the Commission or its chairperson, a meeting may be held upon such lesser or other notice as is appropriate under the circumstances. Notice required under this section shall include an agenda of the matters to be discussed or decided at the meeting or information on how the public may obtain a copy of such agenda. Such agenda must be available to the public at least twenty-four (24) hours prior to the meeting.

3.2 AGENDA

All matters to be presented for consideration by the Commission at any meeting shall be placed upon the Commission's agenda without undue delay. The agenda shall be mailed to each member of the Commission not less than five (5) working days prior to such meeting. Matters which have not been placed upon the agenda shall not be considered by the Commission except in the case of an actual emergency, in which case a statement setting forth the reasons necessitating such emergency discussion, consideration, or decision shall be placed in the minutes of the meeting, and, at the public meeting, shall be publicly announced.

3.3 NOTICE

The Personnel Officer shall, at least five (5) working days prior to the meeting, mail or cause to be mailed to each interested Department Head and to each interested party, a copy of the notice of each meeting of the Commission, and either an agenda for the meeting or information as to how an agenda may be obtained. Failure of a department or Department Head or interested party to receive the notice and/or agenda shall not affect the validity of the meeting or of any action taken by the Commission at said meeting, if notice was properly posted pursuant to Rule 3.1 herein.

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RULE 3 - MERIT SYSTEM COMMISSION PROCEDURES

3.4 MINUTES

The Personnel Officer shall provide for the recording of the official actions of the Commission in the minutes of its meetings. The time and location of each meeting of the Commission, the names of the Commissioners present, all official acts of the Commission, the votes of each Commissioner except when the acts are unanimous, and when requested, a Commissioner's dissent with his/her reasons shall be recorded in the minutes. The Personnel Officer shall cause the minutes to be transcribed and presented for approval or amendment at the next meeting. The minutes, a true copy thereof certified by a majority of the Commission, or a recording of the occurrences at said meeting, shall be open to public inspection three (3) working days after the meeting, except as otherwise provided by law.

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RULE 4 - ANNOUNCEMENTS, APPLICATIONS AND EXAMINATIONS

4.1 ANNOUNCEMENTS OF JOB OPENINGS

A. Public Announcements

Public Announcements shall be by public notice and/or publication in the official paper of the County for a minimum of five (5) working days before closing dates for applications. Open-continuous announcements shall be open for a minimum of five (5) working days before certification may occur. Copies of public announcements shall be distributed to County departments and such other individuals and organizations as the Personnel Officer deems appropriate.

B. Internal Announcements

An internal announcement shall be open for a minimum of five (5) working days.

1. County-wide: Internal Announcements open county-wide shall be distributed to County departments and reasonable efforts shall be made to communicate with County employees concerning promotional opportunities.
2. Intra-departmental: At the determination of the Department Head, recruitment may be limited to employees of the department having the vacancy.

C. Content of Announcements

An announcement shall specify the official classification title, salary grade, classification code number, description of work to be performed or where this information may be obtained, the minimum qualifications and any special qualifications, the final date for receipt of applications or statement of open-continuous recruitment, the nature of the examination process and how to apply.

4.2 APPLICATIONS

A. Official Forms

All applications shall be on forms provided by the Personnel Officer.

RULE 4 - ANNOUNCEMENTS, APPLICATIONS AND EXAMINATIONS

4.2 B. Filing Applications

1. All county employees, may apply for any classification at any time.
2. Applications for other than open continuous recruitment classifications must be complete and received in the office of the Personnel Officer as designed in the announcement before 5:00 p.m. on the final filing date specified. Applications for open continuous recruitment classifications may be filed at any time.
3. Applicants shall submit such documents or supplemental information as required by the Personnel Officer in order to verify and accurately evaluate the applicant's qualifications and background.
4. Acceptance and/or issuance of an application form shall not be construed as incurring an obligation by the County.

C. Disqualification of Applicants

The Personnel Officer may refuse to examine an applicant, or, after the examination process, may disqualify a candidate or remove an eligible's name from the register or refuse to certify an eligible on a register if it is found that the individual:

1. Does not meet the minimum qualifications established for the classification or position;
2. Is determined to be physically or mentally unable to efficiently or safely perform the work of the classification applied for;
3. Is addicted to the use of narcotics or abuse of narcotics or other substances in a manner which would affect the ability to safely, effectively and dependably perform the duties of the classification applied for;
4. Has made a false statement of material fact in the application process;
5. Has used, or attempted to use, political pressure or bribery to secure an advantage in the examination process or in the appointment to a position in county employment;

RULE 4 - ANNOUNCEMENTS, APPLICATIONS AND EXAMINATIONS

- 4.2 C. 6. Has obtained information regarding any examination to which the candidate is not entitled.
7. Has failed to submit the completed application correctly or within the prescribed time limits;
8. Has taken part in the completion, administration, or any part of the examination process in which he/she is competing;
9. Has previously been dismissed for disciplinary reason from a position in County employment;
10. Has been convicted of a crime or has a record of convictions, the nature of which would affect the applicant's suitability for employment;
11. Has failed to appear for a scheduled examination or interview.
12. Has failed any phase of the examination process;
13. Has an application that has been on file for more than six (6) months;
14. Has a record of unsatisfactory performance on previous jobs.
15. Has been determined by the Personnel Officer to be unsuitable for employment for any other job-related reason;
16. Or otherwise has violated the provisions for the Arizona Revised Statutes (A.R.S. §), these rules, or Greenlee County Personnel Policies.

4.3 NATURE OF THE PRE-CERTIFICATION EXAMINATION PROCESS

A. Applicants may be examined to determine if they possess the minimum qualifications and skills to appear on an employment register. In no case shall selection of an applicant as a candidate or admittance to the examination process constitute assurance of a passing rating on any aspect of the examination process.

B. Content and Nature of Examination

1. Examination used in the process shall be job-related.
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RULE 4 - ANNOUNCEMENTS, APPLICATIONS AND EXAMINATIONS

4.3 B. 2. In compliance with laws and regulations governing sound examination procedures, examinations shall be designed to evaluate minimum qualifications for a classification and/or to determine relative suitability among those qualified.

3. All examinations, evaluations, ratings, and other selection devices or items shall be rated impartially.

C. Conduct of Examinations

1. Examinations shall be conducted in such locations in the County as necessary and required by law.

2. The Personnel Officer may designate proctors or examiners.

3. The Personnel Officer may limit admittance to an examination or any portion thereof.

4. When an oral board examination is used as part or all of the examination process, the oral board examination shall be conducted and a proposed rating made by a panel of three (3) or more qualified individuals selected by the Personnel Officer. Any member of an oral examination panel who is a relative of a candidate being interviewed, or who has any possible conflict of interest with the candidate, shall be disqualified.

4.4 EVALUATING RESULTS AND RATING EXAMINATIONS

A. The Personnel Officer shall utilize professionally accepted principles and methods to ensure that final scores meet acceptable standards of validity and reliability.

B. Register scores may be based upon a single examination or a composite of scored examinations.

C. The Personnel Office shall determine the minimum rating which must be attained by a candidate in order to be placed in the register or to compete in the next phase of the examination process.

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RULE 4 - ANNOUNCEMENTS, APPLICATIONS AND EXAMINATIONS

4.5 RETAKING EXAMINATIONS AND TEST SECURITY

- A. The Personnel Officer shall establish procedures and standards relating to the retaking of examinations.
- B. A written test shall not be retaken by a candidate for a period of ninety (90) days from the date of the last examination. In each case of a repeated test, the most recent test score achieved shall be used to determine the eligibility of the candidate.
- C. The Personnel Officer shall establish procedures and take such precautions as necessary to safeguard the security and confidentiality of examination materials.

4.6 INSPECTION OF WRITTEN TESTS

- A. Examination answer sheets shall be open to inspection only as provided by these Rules.
- B. Request by a candidate to inspect his/her examination results must be made in writing to the Personnel Officer within one (1) month after date of the examination.
- C. A candidate may compare his/her answer sheets for any written test with the scoring key at such location and with such security procedures as may be designated by the Personnel Officer for the purpose of determining whether the answers have been accurately scored. Such inspection shall be under supervision of the Personnel Officer or authorized representative.
- D. Any candidate who reviews his/her answer sheets with a score key must wait three (3) months from the date of review before retaking a written test where the same test materials are to be used.

4.7 SPECIAL EXAMINATIONS

Except in the case of a manifest error affecting the applicant, or in the case of placement of the handicapped, no candidate shall be given a special examination in any manner not afforded all candidates for the same classification.

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RULE 4 - ANNOUNCEMENTS, APPLICATIONS AND EXAMINATIONS

4.8 ADMINISTRATIVE REVIEW

Within seven (7) calendar days of receipt of a notice of disqualification, a candidate may request in writing an administrative review of his/her disqualification.

4.9 EXAMINATION RECORDS

The Personnel Officer shall be responsible for the maintenance of all records pertaining to applications and examination processes. Applications and other records shall be kept as long as may be required by law.

4.10 VETERAN'S PREFERENCE AND HANDICAPPED PREFERENCE

Veteran's preference and handicap preference shall be accorded in compliance with state law.

4.11 MANIFEST ERROR

The Personnel Officer, after appropriate review, may adjust the status of an applicant, candidate, or eligible in order to correct a manifest error. Such adjustment shall not, however, invalidate any certification or appointment action already taken.

4.12 FINAL SELECTION EXAMINATIONS

- A. Interviews and other examinations conducted by Appointing Officers for the purpose of making final selection decisions from among certified eligibles shall be job-related.
  - B. For purposes of judicial or other review, Appointing Officers shall keep records of candidates examined, dates, ratings, and other documentation of the results of final selection examinations for the period required by law.
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EFFECTIVE DATE: 9-10-91

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## RULE 5 - REGISTERS

5.1 RESPONSIBILITY FOR MAINTENANCE OF REGISTERS

Applicants who have successfully demonstrated that they possess minimum qualifications and skills shall be placed on an employment register for that classification for six (6) months. The Personnel Officer shall be responsible for the establishment and maintenance of appropriate registers of eligibles for all classifications and for determination of the adequacy of existing registers.

5.2 DEVELOPMENT OF REGISTERSA. Public Register

After each examination process the Personnel Officer may prepare a register or merge the names of the new eligibles with those on an existing register.

B. Internal Register

1. An employee who applies and meets the minimum qualifications shall be placed on an internal register as an eligible.
2. An employee who has been laid off shall be placed on an internal register for which a written application is received by the Personnel Officer within one (1) month of the effective date of the layoff. A laid-off employee shall remain on an internal register for a period of one (1) year from the date of the layoff.
3. A laid-off employee who has been placed on an internal register in accordance with paragraph 5.2 B.2 shall be considered an employee of the department from which layoff occurred for purpose of intra-departmental certification.

C. Reinstatement Register

1. An employee who is laid off from County-funded position may apply for reinstatement within one (1) month after the effective date of the layoff. The employee shall be placed on the reinstatement register for the classification of the position from which laid off.
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EFFECTIVE DATE: 9-10-91

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**RULE 5 - REGISTERS**

- 5.2 C. 2. A laid-off employee placed on the reinstatement register shall remain on the reinstatement register for one (1) year from the effective date of the layoff.
3. It shall be the laid-off employee's responsibility to verify with the Personnel Officer his/her current address and phone number, and to notify the Personnel Officer of any changes of address or phone number.

**5.3 USE OF RELATED REGISTERS**

If a vacancy exists in a classification for which there is no appropriate register, the Personnel Officer may prepare a register for the classification from one (1) or more existing related registers. The Personnel Officer shall select names of eligibles from registers which have equal or greater minimum qualifications in relationship to those of the classification for which the vacancy exists.

**5.4 REMOVAL OF NAMES FROM A REGISTER**

- A. The Personnel Officer may remove the name of an eligible from a register at any time for the following reasons:
1. Any of the reasons specified in Rule 4;
  2. When the eligible cannot be located, despite reasonable efforts by the Department Head or the Personnel Officer;
  3. Receipt by the Personnel Officer or the Department Head of any written communication from the eligible that consideration for a position in the classification is no longer desired, or that the eligible is no longer available for appointment;
  4. Refusal or rejection by the eligible of an offer of appointment;
  5. Failure to respond to a reinstatement notice;
  6. Upon initial appointment of an eligible all applications for classifications of the same or lower salary grade;
  7. Upon promotional appointment, all applications for classifications of the same or lower salary grade;

RULE 5 - REGISTERS

- 5.4 A. 8. The abolishment of a register.
- B. When an eligible is removed from a register for a reason other than the expiration of an application, the eligible affected shall be so notified.

5.5 MANIFEST ERROR

After appropriate review, the Personnel Officer may approve an adjustment to the status of a candidate or eligible to rectify a manifest error.

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RULE 6 - CERTIFICATION OF AND SELECTION FROM ELIGIBLES

6.1 REQUEST FOR CERTIFICATE OF ELIGIBLES

A. Request Procedure

Upon receipt of an official request for Certificate of Eligibles, the Personnel Officer shall prepare a Certificate of Eligibles. In preparing Certificate of Eligibles, the following shall be observed:

1. If the request is to fill a position in a classification for which there is a Reinstatement Register of employees laid off from the requesting department, the Certificate shall contain only the employees laid off from that department and the Department Head must appoint from the Certificate.
2. If all instances other than that described in A.1, the requesting department shall indicate on its request one of the following competition sources and Certificates shall be prepared as follows:
  - a. If "Department Promotion Only" is specified, the Certificate shall be prepared from the Internal Register and shall show only eligibles of the requesting department.
  - b. If "County Promotion Only" is specified, the Certificate shall be prepared from the Internal Register. Anyone on the Reinstatement Register for the classification who was laid off from another department shall be added to the Certificate of Eligibles.
  - c. If "Open Competitive" is specified, the Certificate of Eligibles shall be prepared from all registers. Anyone on the Reinstatement Register for the classification who was laid off from another department shall be added to the Certificate of Eligibles.

B. Number of Names on a Certificate of Eligibles

1. Single Vacancy

For one (1) vacancy, the Personnel Officer shall certify from the appropriate register(s) the names of five (5) eligibles with the highest final ratings or any lesser number of eligibles if less than five (5) names are contained on the register(s). Any certification for one (1) vacancy which contains at least

RULE 6 - CERTIFICATION OF AND SELECTION FROM ELIGIBLES

6.1 B. 1. three (3) names shall constitute a complete certification. If less than three (3) eligibles are available for certification, those available may be certified with the concurrence of the Department Head.

2. Multiple Vacancies

If a request is received to fill more than one (1) vacancy from the same register, the Personnel Officer shall establish procedures for certifying additional names.

C. Availability of Eligibles

An eligible shall be certified on the basis of indicated availability for employment consideration. It shall be the responsibility of the eligible to notify the Personnel Officer in writing of any change affecting availability for appointment.

6.2 SELECTIVE CERTIFICATION

The Personnel Officer may make a selective certification of eligibles to a Department Head from the appropriate register(s) when the vacant position requires specialized knowledge and/or experience or special background or qualification within the particular classification or within a particular geographic area.

6.3 BREAKING TIES FOR CERTIFICATION

When two (2) or more composite scores are identical, all such candidates shall occupy the same ranking on the certification.

6.4 LIFE OF CERTIFICATE OF ELIGIBLES

A. The life of a Certificate of Eligibles during which action may be taken shall be fixed by the Personnel Officer giving consideration to the area, type of position, and other factors, and may be extended by the Personnel Officer.

B. A change in a register shall not affect the content of an existing Certificate of Eligibles.

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RULE 6 - CERTIFICATION OF AND SELECTION FROM ELIGIBLES

6.5 SELECTION FROM ELIGIBLES

- A. If an appointment is made, the Department Head shall select one (1) of the eligibles certified.
- B. All eligibles certified shall be contacted, if possible, by the Department Head in order to make the best selection and offer equal opportunity to each eligible.

The Department Head shall indicate the action taken on each eligible certified on the forms prescribed by the Personnel Officer.

6.6 MANIFEST ERROR

After appropriate review, the Personnel Officer may approve an adjustment to the status of an eligible to rectify a manifest error.

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RULE 7 - APPOINTMENTS

- 7.1 Except as otherwise provided in these Rules, all appointments shall be made from a Certificate of Eligibles prepared in accordance with these Rules.
  - 7.2 A temporary appointment may be made for six (6) months or less.
  - 7.3 An intermittent appointment shall not exceed one thousand forty (1,040) hours worked per fiscal year. An intermittent employment may be continued from year to year without further certification.
  - 7.4 A reinstatement appointment may be made for a laid-off employee into a position of the same classification in the same department from which laid off, or the returning of an employee as ordered by the Merit System Commission.
  - 7.5 Conversion of appointment: An intermittent or temporary employee who was appointed competitively and who has been employed may be transferred by conversion to a permanent or limited position in the same class. A converted employee is required to serve an original probationary period in the permanent or limited position.
  - 7.6 Provisional appointment: No provisional appointment shall continue beyond the reporting date of any candidate selected from a hiring list, beyond the expiration date of any valid hiring list, or for more than six (6) months.  
  
Successive provisional appointment of the same person to the same class in the same department shall not be made.
  - 7.7 Emergency appointment: An emergency appointment shall not exceed thirty (30) working days.
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EFFECTIVE DATE: 9-10-91

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**RULE 8 - PROMOTION, DEMOTION, REAPPOINTMENT, REASSIGNMENT AND DETAIL****8.1 PROMOTION**

- A. Vacancies in County employment may be filled by promotion.
- B. Promotions shall be competitive and the selection made from a Certificate of Eligibles.

**8.2 DEMOTION****A. Involuntary**

1. An employee who fails to successfully complete the promotional probationary period may be involuntarily demoted to a position with the same classification and to the same salary step previously held. If a vacant position of that classification exists in the employee's present department, the Department Head may place the employee in that vacant position and may require a probationary period. If no such vacancy exists in the present department, the demoted employee will return to the position previously occupied. If the vacancy is filled and there is no vacancy at the same level in the department or any other county department, the incumbent shall be laid off with no right to appeal. The Personnel Officer, with concurrence of the Department Head, may dual encumber the position, for up to sixty (60) days. The Department Head of the previous department, (if applicable), may place the employee in his/her previous position if vacant. If such a placement action is not made, the employee shall be laid off from the classification to which demoted and within the present department. An employee demoted under this section shall have no right of appeal.
  2. An employee may be involuntarily demoted for a disciplinary reason upon certification by the Personnel Officer that the employee meets the minimum qualifications. The Department Head shall furnish the employee with a Notice of Demotion.
    - a. The Notice of Demotion must be delivered to the employee no later than five (5) working days after the effective date of the demotion. The date of receipt must be documented. Copies of the Notice of Demotion shall be provided to the Personnel Officer and the Clerk of the Board.
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EFFECTIVE DATE: 9-10-91

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**RULE 8 - PROMOTION, DEMOTION, REAPPOINTMENT, REASSIGNMENT AND DETAIL**

8.2 A. 2. b. The Notice of Demotion shall contain specific reason(s) for the demotion in sufficient detail to inform the employee of the reason(s) for the action and shall advise the employee of the right to appeal the demotion to the Commission within ten (10) calendar days of presentation of notice. If all attempt to deliver the Notice of Demotion fail, the right to appeal expires seventeen (17) calendar days from the date of demotion.

B. Voluntary

1. If an employee makes a written request for a voluntary demotion within his/her current department, the Department Head may make the demotion non-competitively upon certification by the Personnel Officer that the employee meets the minimum qualifications. A copy of the employee's written request shall be provided to the Personnel Officer. An employee demoted under this section shall have no right of appeal.
2. An employee may voluntarily demote through the competitive process. The employee shall have no right of appeal.

If an employee sustains a job-related injury or illness which precludes working in the current classification, the Department Head may grant the employee a demotion non-competitively upon the request of the employee and certification by the Personnel Officer that the employee meets the qualifications. The employee must also meet the minimum medical requirements for the new position as determined by the County Physician.

8.3 REAPPOINTMENT

- A. An employee may be reappointed by a competitive process within the same department to a position of another classification with the same grade as the classification currently held; or to a position in another department of any classification with the same grade as the classification currently held.
  - B. An employee may be reappointed non-competitively within the County system to a position of the same classification or another classification with the same or lower grade if the employee has sustained a permanently disabling work-related injury precluding the employee from work in the current assignment. The County Physician shall determine if the employee meets the minimum medical requirements for new position.
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EFFECTIVE DATE: 9-10-91

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## RULE 8 - PROMOTION, DEMOTION, REAPPOINTMENT, REASSIGNMENT, AND DETAIL

8.4 REASSIGNMENT

A Department Head has the authority to make non-competitive reassignments within his/her department. Reassignments shall be reported to the Personnel Officer.

8.5 DETAILS

- A. When the services of an employee are needed temporarily for more than thirty (30) working days in a budgeted position within County employment other than the position to which regularly assigned, upon prior approval of the Personnel Officer the employee may be detailed to that position for a period up to one (1) year. A competitive process shall be used to fill any detail which exceeds thirty (30) working days.
  - B. When the services of an employee are needed temporarily for sixteen (16) days to thirty (30) working days in a budgeted position, the Department Head may detail an employee non-competitively to the special duty assignment.
  - C. An employee is eligible for detail only if that employee meets the minimum qualifications of the classification as determined by the Personnel Officer upon detailing or upon completion of the detail assignment.
  - D. A detail to a budgeted position exempt from the Merit System shall not result in abridgement of any rights the employee may have prior to detail.
  - E. Exceptions to the conditions of a special detail may be authorized by the Personnel Officer.
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## RULE 9 - CLASSIFICATION PLAN

### 9.1 NATURE OF PLAN

The Classification Plan, as approved and adopted by the Board of Supervisors, shall include for each class of positions an appropriate title and a class specification. The Personnel Officer shall maintain the official class specifications in the Classification Plan. The Board of Supervisors may establish new classifications and divide, combine, alter, or abolish existing classifications. Revisions to a class specification may be approved by the Personnel Officer.

### 9.2 INTERPRETATION OF CLASS SPECIFICATIONS

#### A. Nature and Interpretation of Class Specifications

Class specifications are descriptive and explanatory and are not restrictive. The language of class specifications is not all inclusive and shall not be construed as limiting or modifying the authority which Department Heads have to add or delete duties and responsibilities, so long as such changes fall within the general guidelines of the classification of the position involved. Changes in the duties and responsibilities of a position which are not within the general guidelines of the classification must be reported to the Personnel Officer by the Department Head.

#### B. Title of Position

The class specification title of a position shall be used in all financial and personnel documents.

#### C. Minimum Qualifications

Minimum qualifications are statements of the minimum background as to education, experience, and other qualifications which will be required in all cases as evidence of an appointee's potential to perform the work properly.

### 9.3 CLASSIFICATION ADMINISTRATION

#### A. Allocation Factors

Every position in the classified service shall be allocated by the Personnel Officer, after consultation with the Department Head, to the appropriate classification in the Classification Plan.

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EFFECTIVE DATE: 9-10-91

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## RULE 9 - CLASSIFICATION PLAN

- 9.3 A. The allocation of a position to a classification shall be determined by the duties and responsibilities of the position. Positions shall be allocated to the same classification if they meet the following requirements:
1. Sufficient similarity with respect to duties and responsibilities;
  2. Substantially the same requirements as to training and experience, knowledge and ability;
  3. Substantially the same test of fitness; and
  4. The same schedule of compensation.
- B. Official Position Audit Request
1. An employee who thinks he/she is being worked out of classification may file a written request for a review with his/her Department Head who shall investigate the situation and take the following action:
    - a. Resolve the concern through informal discussion with the employee and document the material resolution. Consultation with the Personnel Officer may be necessary for clarification of the classification. It is the responsibility of the Department Head to consider all possible options to resolve the situation without working the employee out of classification.
    - b. If the Department Head believes there is sufficient justification, he/she may request an official position audit by the Personnel Officer. Documentation supporting the request shall be forwarded to the Personnel Officer.
  2. If the employee disagrees with action taken by the Department Head, the employee may file a written request with the Personnel Officer for a review of the position by official position audit. Such request shall be routed through the Department Head who shall attach the documentation describing the department resolution.
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RULE 9 - CLASSIFICATION PLAN

9.3 C. Reallocation of Existing Positions

1. Upon a written request from a Department Head or employee for an official position audit, the Personnel Officer shall determine whether a material and permanent change in the duties or responsibilities of a budgeted position has occurred. The Personnel Officer may schedule and conduct an official position audit. The Personnel Officer shall determine whether to reallocate a budgeted position and then shall take appropriate action. Approval of the Board of Supervisors is required prior to implementation if the reallocation results in a classification of a higher salary grade.

D. Effective Date

The effective date of all classification and compensation actions shall be the first day of the pay period following Board of Supervisors approval unless otherwise specified by Board action.

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**RULE 10 - PROBATIONARY PERIOD****10.1 PURPOSE**

- A. A probationary period within County employment shall be six (6) months. However, prior to the end of the probationary period, the Department Head may extend any type of probationary period up to six (6) months from the original completion date.
- B. The probationary period for any employee shall be adjusted for a corresponding period equal to the number of hours of leave taken during the probationary period when more than eighty (80) consecutive working hours in this status are involved.
- C. An employee who fails any type of probationary period has no right of appeal.

**10.2 TYPES OF PROBATIONARY PERIODS****A. Initial Appointment**

All employees shall serve a probationary period following their initial appointment as a regular employee. Upon completion of the initial probationary period, the employee shall automatically achieve permanent status in County employment unless otherwise notified by the Department Head.

**B. Promotion**

- 1. An employee who is promoted shall be required to serve a promotion probationary period.
- 2. The permanent status of an employee shall not be affected by serving a promotion probationary period, and the employee shall be eligible for any type of action during the probationary period.
- 3. A promoted employee who fails a promotion probationary period shall be subject to involuntary demotion to his or her previous position.

**C. Demotion**

- 1. A demoted employee may be required to serve a probationary period in the position to which demoted. The employee may grieve placement on probation in accordance with Rule 13.
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EFFECTIVE DATE: 9-10-91

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## RULE 10 - PROBATIONARY PERIOD

- 10.2 C. 2. The permanent status of an employee shall not be affected by serving a demotion probationary period, except that an employee demoted for a disciplinary reason who fails a demotion probationary period shall be dismissed.
3. An employee demoted for a non-disciplinary reason who fails a demotion probation period shall be laid off from the present position to which demoted. In such circumstances the laid off employee is not eligible for reinstatement to the position from which laid off.

D. Re-employment

Any laid off employee who is re-employed shall be required to serve an initial probationary period and shall not become permanent until the probationary period is successfully completed.

E. Reappointment

1. A reappointed employees may be required to serve a probationary period in the position to which reappointed.
2. The permanent status of the employee shall not be affected by serving a reappointment probationary period and the employee shall be eligible for any other type of action during the probationary period.
3. A reappointed employee who fails to successfully complete a reappointment probationary period may revert to a position with the same classification and to the same salary step previously held. If a vacant position of that classification exists in the employee's present department, the Department Head may place the employee in that vacant position and may require a probationary period. Failure to complete this probation shall result in layoff. If no such vacancy exist in the present department, the Department Head of the previous department (if applicable) may place the employee in his/her previous position if vacant. If no placement action is made, the employee shall be laid off from the classification to which he/she reverted and within the present department. An employee reappointed under this section shall have no right of appeal.
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RULE 10 - PROBATIONARY PERIOD

10.2 F. Reinstatement

1. Any laid off employee who is reinstated may be required to serve a probationary period, but pursuant to Rule 10.1 A. the reinstated employee shall otherwise regain rights of permanent status.
2. A reinstated employee who fails a reinstatement probationary period shall return to the reinstatement register for the duration of the reinstatement period.
3. A terminated employee reinstated by order of the Merit System Commission shall not be required to serve a probationary period.

10.3 PROBATIONARY PERIOD CREDIT

A. Eligibility

Probationary period credit shall only be granted for contiguous service in the classification to which appointed. In no case shall the probationary period credit received exceed the number of hours worked in that classification.

B. Detail

When an employee is detailed into a position of a higher classification, the time served may be applied to the required promotion probationary period upon a competitive appointment into that position or classification.

C. Temporary/Intermittent

When a temporary or intermittent employee is competitively appointed as a regular employee, any portion of service as a temporary employee in the same classification may be applied to the required initial probationary period if no break in service results from the change of status.

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RULE 11 - TERMINATIONS

11.1 RESIGNATION

- A. An employee who desires to resign from County employment shall submit a written resignation to the Department Head at least ten (10) working days prior to the effective date of the resignation.
- B. Failure of an employee who resigns to give proper notice could jeopardize consideration for future employment with the County.
- C. Any employee may withdraw a written resignation no later than the end of the employee's next working day after the resignation is tendered. Thereafter, any such resignation may be withdrawn by the employee only with the written consent of the Department Head, but in no event later than ten (10) working days after the effective date of the resignation.

11.2 DISMISSAL

A dismissal is the involuntary termination for a disciplinary reason of an employee from County employment. The provisions involved in a dismissal for a disciplinary reason are covered in Rule 12, Disciplinary Actions.

11.3 TERMINATION DURING INITIAL PROBATION

An employee may be terminated, without the right of appeal, at any time during the initial probationary period.

11.4 LAYOFF

- A. An employee may be laid off from his or her department due to lack of work, lack of funds, abolition of position or other reasons as specified in these Rules.
  - B. The decision as to which classification shall be affected by layoff and when layoff shall be effective shall be made by the Department Head. The Department Head shall prepare a layoff plan which shall be approved by the Personnel Officer before it is effective.
  - C. When any classification is subjected to layoff, non-permanent status employees in that classification in the same department shall be terminated before any permanent status employee is laid off, unless exempted by the Board of Supervisors.
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EFFECTIVE DATE: 9-10-91

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**RULE 11 - TERMINATIONS**

- 11.4 D. When permanent employees in a classification become subject to layoff, the Department Head shall determine which employee(s) shall be laid off based on the performance, conduct, qualifications, and seniority of all permanent employees in that classification in the same department. The weighting of the criteria shall be stated on the approval plan.
- E. When an employee fails promotion probationary, and no vacancy in the former classification exists in the present department, the employee failing probation shall be laid off as provided in Rule 8.
- F. The Personnel Officer shall notify employees to be laid off, in writing, as soon as possible but no later than ten (10) working days prior to the effective date of layoff. The written notice shall be hand delivered or sent by registered mail. A copy shall be sent to the Department Head. The notice shall inform the employee of the effective date of layoff and of the pre-layoff reappointment and reinstatement procedures.
- G. In each instance the layoff plan shall state, based on circumstances within the department, whether or not grant funded employees shall be grouped with other employees for layoff purposes.
- H. Pre-Layoff Reappointment
1. Following receipt of notice of layoff, and before the effective day of layoff, an employee subject to layoff may be considered by any Department Head in the County having a vacant position of the same or lower salary grade for which the employee meets the minimum qualifications.
  2. If the employee wishes to seek a pre-layoff reappointment, the employee shall submit a written request with a completed application to the Personnel Officer.
  3. The Personnel Officer shall send the name of the employee to the Department Head who has a vacancy for which the employee qualifies. The Department Head shall promptly interview the employee. An offer of reappointment is at the discretion of the Department Head.
  4. Upon a pre-layoff reappointment, the new salary of the employee shall be set in the same manner as for entrance salary.
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RULE 11 - TERMINATIONS

- 11.4 H. 5. A pre-layoff reappointment shall be effective on or before the date on which the layoff would have been effective, so that a break in services does not occur.
6. Upon pre-layoff reappointment the employee shall serve a six (6) month probationary period.
7. The employee shall retain all accrued sick leave, annual leave, and compensatory time.
8. If the employee subject to layoff is offered and accepts a pre-layoff reappointment, then the employee forfeits the right to be placed on the Reinstatement Register.
9. If the employee is not offered or does not accept an offer of pre-layoff reappointment, on or before the effective date of the layoff, then the employee shall be laid off.

I. Layoff Avoidance

1. The County shall make every reasonable attempt to retain a permanent employee who would otherwise be subject to layoff whenever the conditions for layoff directly result from a productivity improvement.
2. Layoff avoidance may be handled through attrition or reassignment, preferably in the department where the productivity improvement occurs.

11.5 TERMINATION FOR OTHER REASONS

- A. An employee may be involuntarily terminated with the right of appeal when it is determined by the County Physician that the employee is unable to perform the duties of the position or meet the requirements of the medical category. The employee shall continue to receive all benefits for which he/she is eligible under Arizona State Workers' Compensation statutes.
- B. A temporary employee may be terminated at any time.
- C. Employees may be terminated in compliance with the Board's established policies on nepotism.
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RULE 11 - TERMINATIONS

- 11.5 D. An employee whose position is not County funded may be terminated for lack of funding.
- E. An employee may be terminated for inability to meet the minimum qualifications for the position currently held.

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**RULE 12 - DISCIPLINARY ACTIONS AND ADMINISTRATIVE SUSPENSION****12.1 GENERAL**

- A. A disciplinary action is an action taken to correct inappropriate performance, work-related behavior, or behavior which reflects adversely upon the County. The degree of disciplinary action shall related to the gravity of the improper performance or conduct and the past performance and conduct of the employee. Disciplinary actions may consist of:
1. Dismissal;
  2. Demotion;
  3. Suspension;
  4. Probation;
  5. Written reprimand;
  6. Formal counseling (Documented);
  7. Informal counseling (No Record).
- B. Oral counseling may be noted by the supervisor. Written counseling and other supervisory actions to improve conduct and performance should be used whenever possible before taking formal disciplinary action. All written counselings shall be documented by the supervisor and acknowledged by the employee.
- C. Any of the following constitute case for disciplinary actions:
1. Fraud in securing appointment;
  2. Incompetency;
  3. Inefficiency;
  4. Neglect of duty;
  5. Insubordination;
  6. Dishonesty;
  7. Possessing, dispensing or being under the influence, impaired by or found with the presence in his/her system, alcohol, a narcotic, barbiturate, marijuana, 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;
  8. Absence without leave;
  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;

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RULE 12 - DISCIPLINARY ACTIONS AND ADMINISTRATIVE SUSPENSION

- 12.1 C.
10. Discourteous treatment of the public;
  11. Willful disobedience;
  12. Engaging in prohibited political activity;
  13. Misuse of County government property;
  14. Seeking to obtain financial, sexual or political benefit from another employee with his/her consent induced by wrongful use of force or fear, or under color of official right;
  15. Violation of the Merit System Rules or Personnel Policies of Greenlee County;
  16. Multiple wage garnishment;
  17. Failure to maintain minimum qualifications, license, or certifications required for the position;
  18. Any other improper conduct or performance constitutes cause for disciplinary action;
- D. All pre-action meetings held in conjunction with a formal disciplinary action are to be coordinated with the Personnel Officer.

12.2 PRE-ACTION MEETINGS

- A. When it is intended that a permanent employee be disciplined by an involuntary termination, suspension, demotion, dismissal or administrative suspension without pay or with reduced pay, a pre-action meeting will be held. The affected employee is entitled to oral or written notice of the charges against him/her, an explanation of the department's evidence, and an opportunity to address an appropriate department representative concerning the charges.
- B. The Department Head or a designated department representative shall meet with the employee. The affected employee is entitled to be assisted by a person of the employees' choosing. The employee's assistant may not speak on behalf of the employee but may advise the employee throughout the duration of the meeting.
- C. This meeting should be held at a time that the employee is reasonably able to attend with due notice, and prior to effectuation of the discipline.
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**RULE 12 - DISCIPLINARY ACTIONS AND ADMINISTRATIVE SUSPENSION**

- 12.2 D. Any relevant information presented by the employee regarding the proposed action shall be considered. The department representative will make a recommendation following the meeting to support, modify, or revoke the proposed action to the Department Head. If the recommendation and final action are adverse to the employee, the employee may appeal the action using the appeals procedure specified in Rule 13.4.
- E. If a Department Head determines that it is in the best interest of the County, any permanent employee may be placed on administrative leave with pay pursuant to Personnel Policy 107.

**12.3 TYPES OF DISCIPLINARY ACTIONS****A. Letter of Reprimand**

A Department Head may issue a Letter of Reprimand to admonish an employee for serious or repetitive improper performance or conduct. The letter shall contain the specifics of the improper performance or conduct and shall be identified as a Letter of Reprimand. A copy of the Letter of Reprimand with the employee's acknowledgment of receipt shall be placed in the employee's Personnel Department record. Upon completion of five (5) years service with no disciplinary action an employee may request removal of a letter of reprimand from his file.

**B. Suspension**

1. A suspension is considered to be a significant disciplinary action and may be used by a Department Head for more serious incidents or repetitions of improper performance or conduct.
  2. A Department Head may suspend without pay a permanent employee for a disciplinary reason. The Notice of Suspension must be delivered to the employee no later than five (5) working days after the effective date of the suspension. The date of receipt must be documented. Copies of the Notice of Suspension shall be provided to the Personnel Officer and the Clerk of the Board.
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12 - DISCIPLINARY ACTIONS AND ADMINISTRATIVE SUSPENSION

- 12.3 B. 3. The Notice of Suspension shall contain the specific reason(s) for the suspension in sufficient detail to inform the employee of the reason(s) for the action and shall advise the employee of the right to appeal the suspension to the Commission within ten (10) calendar days of presentation of notice. If all attempts to deliver the Notice of Suspension fails, the right to appeal expires seventeen (17) calendar days from the date of suspension.

C. Demotion

1. A demotion for disciplinary reason is considered to be a significant disciplinary action and may be used for more serious incidents or repetitions of improper performance or conduct.
2. A Department Head may demote a permanent employee for a disciplinary reason as provided in Rule 8.

D. Dismissal

1. A dismissal for a disciplinary reason is the most significant disciplinary action and may be used for the most serious incidents or repetitions of improper performance or conduct. A Department Head may dismiss a permanent employee for a disciplinary reason.
2. The Notice of Dismissal must be delivered to the employee no later than five (5) working days after the effective date of the dismissal. The date of receipt must be documented. Copies of the Notice of Dismissal shall be provided to the Personnel Officer and the Clerk of the Board.
3. The Notice of Dismissal shall contain specific reason(s) for the dismissal in sufficient detail to inform the employee of the reason(s) for the action and shall advise the employee of the right to appeal the dismissal to the Commission within ten (10) calendar days of presentation of notice. If all attempts to deliver the Notice of Dismissal fail, the right to appeal expires seventeen (17) calendar days from the date of dismissal.

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## RULE 12 - DISCIPLINARY ACTIONS AND ADMINISTRATIVE SUSPENSION

12.4 ADMINISTRATIVE SUSPENSION

Non-disciplinary suspensions may be given to an employee without pay or with reduced pay by the Department Head under the following circumstances:

- A. In cases where an employee is charged with a felony or other crime involving moral turpitude.
- B. An employee may be suspended in cases where it is deemed to be in the best interest of the County while an inquiry is being made into the conduct of the employee.
- C. Such cases may include, but are not limited to, matters involving alleged criminal activities which are not described in subparagraph 1.a. above, serious breaches of or deficiencies in job-related conduct or performance, and serious breaches of non-job-related conduct.
- D. An employee may be administratively suspended for up to thirty (30) working days. For extensions beyond thirty (30) working days, approved by the Board of Supervisors is required.
- E. Notification shall be the same as for disciplinary suspension.
- F. The employee may be suspended until the inquiry is completed and the employee is acquitted of the charges, the charges are dismissed, or the employee is otherwise exonerated.
- G. At the conclusion of the suspension, the employee shall be returned to work with or without back pay, or advised of disciplinary or other action.

12.5 SPECIAL OBSERVATION PERIOD

- A. An employee must be placed on a Special Observation Period for the purpose of closely monitoring the employee's performance or conduct during the specified period of time. The purpose of the Special Observation Period is to officially advise the employee that the type of conduct or performance deemed unacceptable by the Department Head shall be closely monitored for a specific period of time. This need not be in conjunction with a disciplinary action.
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RULE 12 - DISCIPLINARY ACTIONS AND ADMINISTRATIVE SUSPENSION

- 12.5 B. The Notice of the Special Observation Period shall be provided to the employee in writing, upon the effective date, and shall specify the conduct involved, the purpose of the observation period, and the length of the period.
- C. At the end of the Special Observation Period, the employee's supervisor shall prepare a special Performance Evaluation Report.
- D. Unsuccessful completion of the Special Observation Period or unacceptable performance or conduct during the Special Observation Period may result in disciplinary action.

12.6 EFFECTIVE DATE OF DISCIPLINARY AND NON-DISCIPLINARY ACTIONS

The demotion, administrative suspension, suspension, or dismissal for a disciplinary reason of an employee shall be effective on the date stated in the notice even though the employee exercises the right of appeal.

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RULE 13 - GRIEVANCE SYSTEM AND APPEALS

13.1 GENERAL

- A. An informal resolution to a complaint or problem is the most appropriate manner of resolution. The Personnel Officer is available to assist employees/supervisors in this process.
  - B. If an employee complaint or problem is not resolved by informal consideration, then the employee may formalize the consideration by filing a grievance utilizing the formal grievance process. One of the following three procedures shall be used:
    - 1. If the complaint alleges misinterpretation, misapplication, or unequal enforcement of County Personnel Policies, Merit System Rules, or Administrative Procedures, or if an employee wishes to grieve a letter of reprimand, the Grievance Procedure shall be used.
    - 2. If the complaint alleges unlawful discrimination based on religious affiliations, race, national origins, age, sex, handicapped, or veteran's status, the Discrimination Grievance Procedures shall be used.
    - 3. If the complain alleges improper suspension, demotion, reduction in pay, or dismissal on any grounds including alleged unlawful discrimination, the Appeal Procedure shall be used.
  - C. An employee may not submit a grievance challenging the following management rights, but may submit a grievance concerning the manner of their administration, insofar as these personally affect the employee:
    - 1. A department's right to direct its employees;
    - 2. A department's right to hire, promote, transfer, assign, and retain employees;
    - 3. A department's right to maintain efficiency of government operations, and to determine the methods, means, and personnel by which these operations are to be conducted.
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## RULE 13 - GRIEVANCE SYSTEM AND APPEALS

13.2 GRIEVANCES NOT ALLEGING DISCRIMINATION

- A. Any permanent employee may file a grievance alleging misinterpretation, misapplication, or unequal enforcement of Personnel Policies or Merit System Rules, or Administrative Procedures, or a letter of reprimand.
  - B. The grievance procedure may not be used for matters involving;
    - 1. Compensation plans;
    - 2. Classification plans;
    - 3. Performance evaluations; however, the employee may respond, in writing, to a Performance Evaluation or an informal disciplinary action; such response shall become part of the appropriate personnel record;
    - 4. Informal disciplinary actions.
  - C. Grievance Procedure
    - 1. Step I: The employee states the grievance and the remedy requested on the Greenlee County Employee Grievance Form and presents it to his/her supervisor within ten (10) working days of the incident being grieved. If there is no supervisor between the grievant's immediate supervisor and his/her Department Head, the grievant may initiate the grievance procedure at Step II. The supervisor shall discuss the grievance with the employee, give consideration to the grievance and remedy requested, and record his/her response on the grievance form. In such discussions the employee may be assisted by a representative of his/her choosing. The supervisor shall complete this action and return the grievance form to the employee within ten (10) working days of receipt. The employees may then agree or disagree with the supervisor's action by so indicating in the space provided on the form. If the employee agrees, the grievance form shall be incorporated into the departmental personnel record. If he/she disagrees, the employee has the right to take the grievance to the Step II level within three (3) working days of receipt of the supervisor's response.
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RULE 13 - GRIEVANCE SYSTEM AND APPEAL

- 13.2 C. 2. Step II: The grievance form is presented by the employee to the Department Head. The Department Head shall investigate and give consideration to the grievance, and remedy requested, and the recorded action of the supervisor. Upon written request of the grievant, the Department Head shall meet with the employee to discuss the grievance within five (5) working days of receipt of the request. In such meetings, the employee may be assisted by a representative of his/her choosing. The Department Head shall then record his/her response on the grievance form. The Department Head shall return the grievance form to the employee within five (5) working days of receipt of the grievance form from the employee or the requested meeting. If the employee agrees, the grievance form shall be incorporated into the departmental personnel record. If the grieving party disagrees with the response of the Department Head, he/she has the right to take the grievance to Step III within three (3) working days of receipt of the Department Head's response.
- 3. Step III: The grievance form is presented by the employee to the County Administrator. The County Administrator shall appoint two (2) management and (2) non-management employees to investigate the complaint. This committee shall have ten (10) working days from the date of appointment to investigate and provide a report to the County Administrators. The grievant may be assisted by a representative of his/her choice. However, the grievant must be present at any meeting between committee members and the grievant's representative. The County Administrator shall consider the report and issue a final determination. The grievance form shall be filed in the official Personnel folder.
- D. The time requirements for filing, the responses and between steps must be met. If the supervisor or Department Head fails to meet the time requirements, the employee has the right to take the grievance to the next step. If the employee fails to meet the time requirements, the grievance shall be considered abandoned.

13.3 GRIEVANCE ALLEGING DISCRIMINATION HARASSMENT

- A. Any employee of Greenlee County or applicant for employment by Greenlee County may file a grievance alleging unlawful discrimination based on religion, race, national origin, age, sex, handicap, or veteran's status.
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EFFECTIVE DATE: 9-10-91

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## RULE 13 - GRIEVANCE SYSTEM AND APPEALS

13.3 B. Discrimination Grievance Procedure

1. Step I: The grievant states the grievance in detail on the Greenlee County Employee Grievance Form with the remedy requested and submits it directly to his/her Department Head within thirty (30) calendar days of the incident being grieved. However, under extenuating circumstances, the County Administrator may grant any extension to the thirty (30) calendar day filing period which shall not exceed ninety (90) calendar days. For purposes of this Rule, an applicant's Department Head is the head of the department where the unlawful discrimination is alleged to have occurred. The grievance must state in detail the facts relating to the charges of unlawful discrimination. The grievant may be assisted by a representative of his/her choice. However, the grievant must be present at any meeting between the Department Head and the grievant's representative. The Department Head shall investigate the circumstances involved in the grievance and respond to the grieving party within ten (10) working days of receipt of the Grievance Form. The grievant may then agree or disagree with the Department Head's response by so indicating in the space provided on the form. If the employee agrees, the grievance forms shall be filed in the employee's personnel file. If the employee disagrees, he/she can appeal the grievance to Step II.
2. Step II: If the grievant elects to pursue the grievance to Step II it must be filed in writing with the County Administrator within five (5) working days after receipt of the Department Head's response.
3. Within thirty (30) working days of receipt of the grievance, the County Administrator shall issue a final determination. The grievance form shall be filed in the official personnel folder.

13.4 APPEALSA. Matters Which May Be Appealed

1. A permanent employee, except as otherwise provided in these Rules, may appeal an action resulting in dismissal, demotion, reduction in pay, or suspension on any grounds including alleged unlawful discrimination, within ten (10) calendar days of presentation of the notice. Respondent may serve an amended notice of suspension, demotion, reduction in pay, or dismissal prior to the beginning of the appeal hearing.
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EFFECTIVE DATE: 9-10-91

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## RULE 13 - GRIEVANCE SYSTEM AND APPEALS

13.4 A. 2. Matters not specifically stated in this Rule can not be appealed. Employees on initial probation or employees who are exempt from the Merit System, as provided in the Merit System Resolution may not appeal.

B. Appeal Procedure

1. Filing the Appeal

Appeals to the Commission must be filed with the Personnel Officer in writing within ten (10) calendar days of presentation of notice of demotion, reduction in pay, suspension or dismissal. In the absence of good cause, failure to file a timely appeal is a jurisdictional defect. The appeal shall state in detail the facts upon which it is based, the identity of all persons or departments concerned in the matter, and the remedy requested. The Appellant's Department Head shall be considered the Respondent. The Personnel Officer shall serve a copy of the appeal on the Respondent.

2. Answer to Appeal

No answer to the appeal needs to be filed by the Respondent. If an answer is filed prior to the hearing, a copy shall be sent by the Personnel Office to the Appellant.

3. Hearing Officers

Appeals may be assigned by the Commission or its Chair to a Commission Member who shall be the Hearing Officer. When an appeal is so assigned, the Hearing Officer shall be the authorized representative of the Commission, and is fully empowered to grant or refuse extensions of time, to set the proceedings for hearings, to conduct the hearing, and to take any action in connection with the proceedings which the Commission itself is authorized to take by law or by these Rules other than making the final findings and decisions. No assignment of an appeal to a Hearing Officer shall preclude the Commission or its Chair from withdrawing it and conducting the hearing itself or from reassigning an appeal to another Hearing Officer. The Hearing Officer shall prepare and submit a Hearing Officer's report on a form to be approved by the Commission. Said report shall be submitted not less than fifteen (15) calendar days prior to the Commission meeting, during which action on the appeal is to be taken, to

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## RULE 13 - GRIEVANCE SYSTEM AND APPEALS

- 13.4 B. 3. the Personnel Officer for transmittal to the Commission. Copies of the Hearing Officer's report shall, upon receipt by the Personnel Officer, be mailed to all Members of the Commission and to the employee and the Department Head, and their respective representatives. The employee and the Department Head, and their respective representatives, may submit written objections to the Hearing Officer's report not less than five (5) working days prior to the Commission meeting. The Commission may, at its discretion, take further testimony or hear arguments at the Commission meeting.
4. Time for Hearing
- Every hearing on an appeal shall commence within twenty (20) calendar days from receipt by the Commission, unless the time is extended by the Hearing Officer, or unless the Commission is unable to hear it within the twenty (20) calendar days, or for good cause.
5. Notice of Hearing
- Written notice of the time, date, place of hearing, and the name of the Hearing Officer, shall be mailed by the Personnel Officer to the Appellant and the Respondent at least seven (7) calendar days before the date of such hearing. If this notice is delivered personally, written acknowledgment of time of receipt by the employee shall be obtained or verified.
6. Continuance of Hearing
- a. Either Respondent or Appellant may request that a hearing set pursuant to these Rules be continued. Such a request must be submitted to the Hearing Officer, in writing, five (5) working days prior to the date set for the hearing. Copies must be sent to the Personnel Officer and to all concerned parties, together with an Order for Continuance to be signed by the Hearing Officer and sent to the Personnel Officer.
- b. Failure to request a continuance in conformance with these Rules and subsequent failure by either party to appear at the time and place set for hearing may result in dismissal of the case upon motion of either party, or on motion of the Hearing Officer.

## RULE 13 - GRIEVANCE SYSTEM AND APPEALS

13.4 B. 7. Nature of Hearing

- a. Each hearing shall be held pursuant to A.R.S. § 38-431 and shall be closed unless the Appellant requests an open hearing as provided by A.R.S. § 11-356. Any party may represent him/herself, be represented by legal counsel, or anyone of his/her choosing, (except as prohibited by law). The hearing shall be informal and technical rules of evidence and "Court Procedure" shall not apply to the proceedings, except that irrelevant, immaterial, incompetent, or unduly repetitious evidence, or evidence protected by the rules of privilege recognized by law, may be excluded. All testimony at the hearings shall be recorded manually or by mechanical or electronic device. The Commission shall pay all charges incurred in connection with the presence of a court reporter or the utilization of mechanical or electronic devices, excluding, however, the costs of the preparation of all or any part of any transcript. The cost of a copy or copies of any such transcription shall be paid by the party or parties ordering the same.
- b. On any appeal hearing, in the event that there is a dispute as to the jurisdiction of the Commission to hear said case, the Hearing Officer shall first take evidence with respect to said jurisdictional question. If the Hearing Officer concludes that the Commission has jurisdiction to hear the appeal, then he/she shall proceed to take evidence on all remaining issues and to make a report as herein required. In the event that the Hearing Officer concludes that the Commission is without jurisdiction, then he/she shall terminate said hearing and take no further evidence. A report shall be made to the Commission as herein required, and if it is thereafter determined that the Commission had jurisdiction to entertain said appeal, then said Hearing Office or any other Hearing Officer or the Commission shall reconvene the hearing to hear the remainder of the evidence.

8. Power of Subpoena

The Commission may request the Chairman of the Board of Supervisors to issue subpoenas to compel attendance of any person and the production of any books, papers, or any other evidence relating to any investigation or hearing authorized by these Rules in accordance with the power of the Board pursuant to A.R.S. § 11-218.

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RULE 13 - GRIEVANCE SYSTEM AND APPEALS

9. Exclusion of Witnesses

Upon motion of any Appellant or Respondent, the Hearing Officer may exclude from the hearing room any witnesses not at the time under examination but a party to the proceedings. The Appellant, Respondent, their attorneys, or other representatives shall not be excluded.

10. Witness Fees

Witnesses, other than employees, who are subpoenaed to attend a hearing or investigation are entitled to the same fee as is allowed witnesses in civil cases of the State of Arizona. If a witness is subpoenaed by any Hearing Officer on his/her own motion, fees and mileage may be paid from funds of the Commission upon presentation of a duly executed claim. If a witness is subpoenaed upon request of the Appellant or Respondent, the fees and mileage shall be paid by the party requesting the witness. Reimbursement to County employees subpoenaed as witnesses shall be limited to payment of mileage, if appropriate, by the party requesting the witness.

11. Depositions

If a witness does not reside within Greenlee County or within one hundred (100) miles of the place where the hearing or investigation is to be held, is out of State, or is to infirm to attend the hearing or investigation, any party, at his/her own expense, may cause a deposition to be taken. If the presence of a witness cannot be procured at the time of the hearing or investigation, the deposition may be used in evidence by either party or the Commission.

12. Withdrawal of an Appeal

The Appellant may submit a written request to withdraw the appeal at any time prior to the decision by the Commission. Such request shall be sent to the Personnel Officer.

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## RULE 13 - GRIEVANCE SYSTEM AND APPEALS

13.4 B. 13. Decision by Commission

If, after the hearing, a majority of the Commission determines that the action appealed from was arbitrary or taken without reasonable cause, the order shall be revoked or modified. Otherwise the order shall be affirmed. Any decision revoking or modifying the action appealed from shall constitute a finding that the action was arbitrary or taken without reasonable cause. The Commission shall have the power to direct appropriate remedial action and shall do so after taking into consideration just and equitable relief to the employee in the best interest of the County and the public.

14. Deductions from Back Pay Award

If an employee has been dismissed or suspended without pay, and, upon appeal, the Commission revokes or modifies said disciplinary order, and said employee is ordered reinstated with back pay, any interim earnings or amounts earnable with reasonable diligence, including unemployment compensation, shall be deducted from the back pay award. The back pay award, reduced by the amounts specified herein, shall be determined at a hearing before the Merit System Commission or Hearing Officer.

15. Compliance of Department Head

Within ten (10) working days of a notice of decision by the Commission revoking or modifying any order of disciplinary action, the Department Head shall comply with the Commission's decision, and shall render a report to the Personnel Officer.

16. Administrative Review

The findings and decisions of the Commission shall be final and shall be subject only to administrative review as provided in A.R.S. § 12-901 et. seq. The decision of the Commission shall not be deemed final for purposes of initiating administrative review under the A.R.S. § 12-901 et. seq. until an order as to the amount of back pay, if any, has been duly made.

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RULE 14 - POLITICAL ACTIVITY

County Employees shall not:

1. Engage in any political activity while on duty;
2. Use any official authority or influence in any way to affect the result of any political election or nomination;
3. Coerce any County employee to do anything in support of or against any party, committee, organization, agency or person for political purposes;
4. Discriminate in favor or of against any County employee or applicant because of such employee's or applicant's political contributions or activities.

EFFECTIVE DATE: 9-10-91

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**RULE 15 - SUBSTANCE ABUSE POLICY****15.1 Purpose**

Greenlee County believes that it is the responsibility of management to provide a safe work environment for all employees free of the effects of substance abuse or abusers. Similarly, it is the responsibility of employees to maintain personal health so they are physically and mentally capable of performing in the workplace. The abuse of drugs or alcohol is an unsafe and counterproductive practice which will not be tolerated at Greenlee County.

**15.2 Policy**

Any Greenlee County employee found with the presence of alcohol or illegal drugs in his/her system, in possession of, manufacturing, using, selling, trading, or offering for sale illegal drugs or alcohol may be subject to disciplinary action up to and including discharge, even for the first offense.

- A. Substance abuse includes irresponsible or illegal use of alcohol, possession, use, manufacture, transfer, sale or attempt to sell drugs on or off company premises, including the parking lot. This policy also includes reporting to work under the influence of drugs or alcohol.
  - B. An employee reporting for work visibly impaired is unable to properly perform required duties and will not be allowed to work. If possible, the supervisor will first seek another supervisor's opinion of the employee's status. The supervisor will subsequently consult privately with the employee about the observation to rule out any problems that may have been caused by prescription drugs. If, in the sole opinion of the supervisor, the employee is considered impaired, the employee will be taken to a medical facility for testing, accompanied by the supervisor or another employee. An impaired employee shall not be allowed to drive. The County will require drug analysis following an accident involving injury or damage to equipment or property or wherever reasonable suspicion exist.
  - C. Drug analysis will be performed on a random basis on all employees who are:
    - 1. Sheriff's Deputies, Jailors, Dispatchers;
    - 2. Employee who operate or may operate motorized equipment or motor vehicles on county business.
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RULE 15 - SUBSTANCE ABUSE POLICY

- D. Prescription drugs prescribed by the employee's physician may be taking during work hours. The employee should notify the supervisor if the use of properly prescribed prescription drugs may adversely affect the employee's work performance. The abuse of prescription drug will not be tolerated.
- E. It is the responsibility of Greenlee County supervisors to counsel an employee whenever they see changes in performance that suggest an employee problem.

15.3 PRE-EMPLOYMENT DRUG TESTING POLICY

- A. All employment applicants at Greenlee County will undergo screening for the presence of illegal drugs or alcohol as a condition for employment.
- B. Applicants are require to submit to a urinalysis test at a laboratory or medical facility chosen by the county.
- C. Any applicant with a positive test results will be denied employment upon determination of substance abuse.
- D. The county will not discriminate against applicants for employment because of past use of either drugs or alcohol. It is the current use of drugs or abuse of alcohol which prevents the employees from properly performing their jobs that the county will not tolerate.

RULE 16 - EMPLOYEE PERFORMANCE APPRAISAL

16.1 PURPOSE

- A. The Personnel Officer shall develop a performance appraisal procedure which when approved by Merit System Commission, will be used for all employees of Greenlee County. All employees shall be evaluated in accordance with this procedure.
- B. The employee performance appraisal should be utilized as a means to determine merit increases, and may be used for activities such as determining promotions, demotions, dismissals, order of layoff, reemployment, reinstatement, lateral reappointment and training or staff development needs.
- C. Performance appraisals are to be used as a tool to evaluate the level of competence of an employee.