



Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

Responsible Department: Human Resources

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Signed: SS//

Ron Walker , County Manager

Table of Contents

PURPOSE	2
BACKGROUND	2
IMPELMENTATION.....	2
APPLICABILITY	2
POLICY	2
I. CLASSIFICATION AND COMPENSATION.....	2
1. CLASSIFICATION	2
2. REALLOCATION/RECLASSIFICATION.....	5
3. GENERAL COMPENSATION PROVISIONS	7
4. STEP DETERMINATION GUIDELINES	13
5. PREMIUM PAY	14
6. ORGANIZATIONAL PAYROLL DEDUCTIONS	23
7. GARNISHMENTS	23
II. BENEFIT AND LEAVE.....	24
1. GROUP INSURANCE.....	24
2. PAID TIME OFF	25
3. EMPLOYEE ILLNESS BANK.....	29
4. WORKERS' COMPENSATION	32
5. CIVIC DUTY AND UNIFORM SERVICE LEAVE.....	35
6. SPECIAL LEAVES OF ABSENCE WITH PAY	39
7. LEAVES OF ABSENCE WITHOUT PAY	41
8. ABSENCES WITHOUT LEAVE	43
9. RETIREMENT	44
10. FAMILY AND MEDICAL LEAVES OF ABSENCE.....	44
11. BEREAVEMENT LEAVE	48
12. EDUCATIONAL ASSISTANCE AND REQUIRED EDUCATION.....	49
13. DEPARTMENTAL RECOGNITION AWARDS.....	50
14. DEFINITIONS.....	51

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

PURPOSE

This policy is to define Mohave County's Classification and Compensation Plan, Benefits and Leave Programs, and Education Assistance Program.

BACKGROUND

Traditionally Classifications and Compensation, Benefits and Leave Programs were included within the Mohave County and Superior Courts Merit Rules. Since the Merit Rules only apply to classified employees, classification and compensation, benefits and leave programs apply to all regular employees, classified or unclassified, the decision was made to move all rules, policies and procedures relating to classification and compensation, benefits and leaves programs out of the Merit Rules and into the Administrative Procedures.

IMPLEMENTATION

The Clerk of the Board upon approval by the Mohave County Board of Supervisors (B.O.S.) shall distribute this Policy to all departments.

APPLICABILITY

This Policy applies to all Mohave County departments, divisions, and employees, including the Superior Court.

POLICY

Mohave County Business Goal number 3 as adopted by the Mohave County Board of Supervisors is to "continue to advance our processes to Attract and Retain Quality Managers and Employees". In support of this goal we have revised our compensation plan.

I. CLASSIFICATION AND COMPENSATION

1. CLASSIFICATION

- A. **NATURE OF PLAN**: The County's classification plan, as approved by the Board of Supervisors, is a system that provides an inventory of County positions. The system standardizes job titles and descriptions, each of which indicates a range of duties and responsibilities. The Human Resources Director shall maintain the official classification specifications in the Classification Plan. Upon recommendation of the Human Resources Director, the Board of Supervisors may establish new classifications and divide, combine, alter or abolish existing classifications. Revisions to a classification specification or job description may be approved by the Human Resources Director.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

B. INTERPRETATION OF CLASSIFICATION SPECIFICATIONS:

1. **NATURE AND INTERPRETATION OF CLASSIFICATION SPECIFICATIONS:**

Classification specifications are descriptive and explanatory and are not restrictive. The language of classification 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 of a material and lasting nature in the duties and responsibilities of a position which are not within the general guidelines of the classification must be reported by the Department Head and approved by the Human Resources Director.

2. **CLASSIFICATION TITLE:** The classification title of a position shall be used in all financial and personnel documents.

3. **ACCEPTABLE QUALIFICATIONS:**

- a. Acceptable qualifications are statements of the acceptable background as to education, experience, and other qualifications which may be required in all cases as evidence of an appointee's potential to perform the work properly.
- b. When acceptable qualifications are increased, the educational requirements for such classification may not act against incumbents in the classification as to their eligibility for continued employment in the class. All subsequent applicants for the classification must qualify under the changed acceptable qualifications.
- c. Although not expressed in the classification specifications, all persons applying for or holding any position in the classified service shall be required to meet the following general qualifications: integrity, honesty, sobriety, dependability, industry, thoroughness, accuracy, good judgment, resourcefulness, courtesy, ability to work cooperatively with others, willingness and ability to assume and fulfill the responsibilities for employment, good health and physical and mental abilities compatible with the work assignment. The foregoing general qualifications shall be deemed to be part of the acceptable qualifications of each classification specification and need not be specifically set forth therein.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- d. Where the position requires the driving of a motor vehicle, an applicant or employee is expected to, within a reasonable time after appointment, obtain and maintain an appropriate and valid Arizona Driver's License. Applicants selected for hire will provide written documentation of satisfactory driving history. An employee is also expected to operate any motor vehicle safely. The foregoing qualifications shall be deemed to be part of the acceptable qualifications of the classification specification and need not be specifically set forth therein.

C. CLASSIFICATION ADMINISTRATION:

1. **ALLOCATION FACTORS:** Every position in the classified service shall be allocated by the Human Resources Director, after consultation with the Department Head, to the appropriate classification in the Classification Plan. 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:

- a. Sufficient similarity with respect to duties and responsibilities;
- b. Substantially the same requirements as to training and experience, knowledge and ability;
- c. Substantially the same test of fitness; and
- d. Same schedule of compensation.

2. **OFFICIAL POSITION AUDIT REQUESTS:**

An employee who thinks he or 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 Human Resources Director or designated representative 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 that there is sufficient justification, he/she may request an official position audit by the Human Resource Department. Documentation supporting the request shall be forwarded to the Human Resources Director.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- c. Provided it is determined that an employee is working out of their classification through a job audit, implementation of any recommended changes will be in accordance with the adoption of the annual budget.

3. **POSITION AUDITS AND REALLOCATION OF EXISTING POSITIONS:**

- a. Upon a written request from a Department Head for an official position audit, the Human Resources Director shall review the request to determine whether a material and lasting change in the duties or responsibilities of a budgeted position has occurred. The Human Resources Director may schedule and conduct an official position audit. The Human Resources Director shall determine whether to reallocate a budgeted position and then shall take appropriate action.
 - b. A position shall have been allocated to a specific classification before an appointment, transfer, promotion, demotion or change in compensation rate or payment in salary with respect to that position can be made.
 - c. Upon formal action of a reallocation request, additional official audit requests on the same position may not be submitted for at least a six (6) month period from the date of action.
4. **EFFECTIVE DATE:** The effective date of all classification actions shall be the first day of the pay period following the approval of the final budget by the Board of Supervisors.

2. REALLOCATION/RECLASSIFICATION

A. TYPES OF REALLOCATIONS:

1. **REALLOCATION TO HIGHER SALARY RANGE:** If the official position audit results in the recommendation of reallocation to a classification paid at a higher salary range, the Human Resources Director shall select from the following actions:
 - a. Recommend the reallocation of the budgeted position upward through the annual budget process or by means of a budget adjustment;
 - b. Recommend that the Department Head modify the duties and/or responsibilities of the position to maintain its classification.
 - c. Provide a copy of the recommendation and/or notice to the Department Head.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

2. **REALLOCATION TO LOWER SALARY RANGE:** If the official position audit results in the recommendation of reallocation to a classification paid at a lower salary range, the Human Resources Director shall provide written notice to the Department Head.
3. **NO CHANGE IN ALLOCATION:** If the official position audit results in a recommendation of the classification being maintained, no action is required except for the Human Resources Director to notify the Department Head of the determination.
4. **REALLOCATION TO DIFFERENT CLASS, SAME PAY RANGE:** If the official position audit results in a recommendation that the position be changed and the position be reallocated to a different classification paid at the same salary range, the Human Resources Director shall provide written notice to the Department Head.

B. RECLASSIFICATION ACTIONS:

1. **RECLASSIFICATION OF INCUMBENT—HIGHER SALARY RANGE:** If an official position audit results in the existing position being reallocated to a classification paid at a higher salary range, and if the incumbent employee has been performing the duties of the higher classification as determined by the Department Head, then the employee shall be certified by the Human Resources Director that the employee meets the acceptable qualifications of the higher classification.
2. **RECLASSIFICATION OF INCUMBENT—LOWER SALARY RANGE:** If the official position audit results in the budgeted position being reallocated to a classification paid at a lower salary range, and if the incumbent employee has been performing the duties of the lower classification as determined by the Department Head, then the employee shall be certified by the Human Resources Director that the employee meets the acceptable qualifications of the lower classification.
3. **RECLASSIFICATION OF INCUMBENT—DIFFERENT CLASSIFICATION, SAME SALARY RANGE:** If an official position audit results in the existing position being reallocated to a different classification paid at the same range, and if the incumbent employee has been performing the duties of the different classification as determined by the Department Head, then the employee shall be certified by the Human Resources Director that the employee meets the acceptable qualifications of the different classification.
4. **REALLOCATED POSITIONS DUE TO ORGANIZATIONAL REDESIGN:** A position resulting from approved reorganization may be reclassified non-competitively with the approval of the Human Resources Director and the County Manager.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

5. **NOTIFICATION TO EMPLOYEE:** Human Resources will inform the Department Head and the employee of the final results of an official position audit.

3. GENERAL COMPENSATION PROVISIONS

- A. **PAY PLAN:** The basic pay plan consists of numbered salary ranges. Each classification in the Classification Plan is assigned a range. The range designation is determined by taking into consideration the relative level of duties and responsibilities of various classifications of positions, rate paid for comparable positions elsewhere, the County's financial resources, and other relevant factors. Periodic changes or adjustments may be necessary to maintain the pay plan.
- B. **PAY PERIOD:** A pay period (26 per year) shall be two (2) weeks in length. Each pay period begins at 12:01 a.m., Saturday and ends 12:00 midnight the second (2nd) Friday thereafter. Payday shall normally be on the Friday following the end of each pay period.
- C. **SALARY:** Every County employee shall be paid in the pay range to which the employee's classification is allocated except as otherwise specified by these procedures.
- D. **SALARY ADMINISTRATION:** The salary used to compute any adjustments covered in this section shall be the employee's current pay minus overtime pay and/or other differentials.
- E. **SALARY RANGE EXCEPTION:** The salary of each County employee shall fall within the salary range of the range in which the employee's classification is allocated, except the salary of underfills, employees upon detail to special duty to a lower range, and the salary of an employee whose position is reallocated to a classification in a lower range.
- F. **ADMINISTRATIVE ADJUSTMENT:** The Human Resources Director may resolve a manifest error or clear an inequity by approving an adjustment.
- G. **CLASSIFICATION CHANGES:**
1. The salary of an employee in a position that is reclassified to a lower class, or in a classification that is changed to a lower range, and that is within the salary range of the new pay range, may remain the same.
 2. The salary of an employee in a position that is reclassified to a lower classification or in a classification that is changed to a lower range, and that is higher than the maximum of the new pay range, may remain the same from the date of reclassification until such time as the pay range encompasses the employee's salary. During such period, the employee shall not be eligible for any type of salary increase.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- H. DISCIPLINARY DEMOTION:** When an employee is involuntarily demoted for disciplinary reasons, he or she shall be placed at a lower classification and his/her salary shall be reduced.
1. **Movement of 1 to 3 Pay Ranges:** If an employee is demoted for a disciplinary reason to a position that is 1 to 3 pay ranges below their current position, the employee shall receive a 5% pay decrease. Should the salary of the demoted employee remain above the maximum limit of the pay range to which the employee was demoted following the percent decrease, the employee's salary will be further reduced to the maximum of the pay range to which the employee has been demoted.
 2. **Movement of 4 to 6 Pay Ranges:** If an employee is demoted for a disciplinary reason to a position that is 4 to 6 pay ranges below their current position, the employee shall receive a 10% pay decrease. Should the salary of the demoted employee remain above the maximum limit of the pay range to which the employee was demoted following the percent decrease, the employee's salary will be further reduced to the maximum of the pay range to which the employee has been demoted.
 3. **Movement of 7 to 9 Pay Ranges:** If an employee is demoted for a disciplinary reason to a position that is 7 to 9 pay ranges below their current position, the employee shall receive a 15% pay decrease. Should the salary of the demoted employee remain above the maximum limit of the pay range to which the employee was demoted following the percent decrease, the employee's salary will be further reduced to the maximum of the pay range to which the employee has been demoted.
 4. **Movement of 10 or More Pay Ranges:** If an employee is demoted for a disciplinary reason to a position that is 10 or more pay ranges below their current position, the employee shall receive a 20% pay decrease. Should the salary of the demoted employee remain above the maximum limit of the pay range to which the employee was demoted following the percent decrease, the employee's salary will be further reduced to the maximum of the pay range to which the employee has been demoted.
- I. PROMOTION AND REAPPOINTMENT TO A CLASSIFICATION WITH HIGHER SALARY RANGE:** A promoted or reappointed employee may accept a lower salary in the new pay range than is otherwise authorized, if fiscal constraints prohibit the granting of the normal promotional or reappointed salary increase and the new salary level is not lower than the entrance salary of the range. A Department Head, under no circumstances, shall offer a salary that is less than the entrance salary of the new pay range (except for underfill positions).

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

J. VOLUNTARY RANGE DECREASE (VOLUNTARY DEMOTION):

1. The salary of a regular status employee who is voluntarily demoted shall be established by the Department Head in conjunction with the Human Resources Director and may result in a salary reduction. A downward adjustment requires written concurrence by the employee prior to implementation. Said voluntary demotion and any salary reduction connected therewith may not be appealed.
2. The salary of an original probationary employee who volunteers for a range decrease shall be the entrance salary of the new pay range and the probationary employee will begin a new original probationary period.

K. STEP ADJUSTMENTS:

1. ADJUSTMENTS:

- a. Full and part-time regular status, benefits-eligible employees who have completed a minimum of one year of service and who have demonstrated fully successful job performance may receive a one-half (1/2) step 2.5% within range pay adjustment effective the first full pay period of the next fiscal year in accordance with the provisions specified below:
 - i. An employee must have been hired on or before July 1st of the current fiscal year.
 - ii. An employee must receive an overall rating of “Satisfactory Contributor” or better on a performance evaluation completed for an annual review period ending between July 1 and June 30 of the current fiscal year; or
 - iii. An employee who was promoted or who was reappointed on or after July 1 of the current fiscal year must receive an overall rating of “Satisfactory Contributor” or better on a performance evaluation for a six (6) month review in the job they were promoted or reappointed to; or
 - iv. An employee who was promoted or who was reappointed on or after January 1 of the current fiscal year must receive an overall rating of “Satisfactory Contributor” or better on a performance evaluation for a six (6) month review in the job they held prior to their promotion or reappointment.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- v. The intent is to allow all employees who are promoted or reappointed and are rated as “Satisfactory Contributor” or above to receive the step increase. If the Human Resources Director determines that valid circumstances preclude an employee who was promoted or who was reappointed on or after January 1 of the current fiscal year from receiving a performance evaluation for a six (6) month review in the job they held prior to their promotion or reappointment, the Human Resources Director may allow the use of the prior year’s evaluation rating in determining eligibility for the next fiscal year’s step increase.
- vi. All performance evaluations must be completed and received by the Human Resources Department prior to 5:00 p.m. on June 30th of the current fiscal year. If June 30th falls on a weekend, the performance evaluations are due at 5:00 p.m. the last Friday in June.
- b. An employee who receives an overall rating below “Satisfactory Contributor” on an annual performance evaluation is not eligible for the one-half (1/2) step 2.5% within range pay adjustment.
- c. In no event will the 2.5% within range pay adjustment result in an employee exceeding the maximum step of the pay range for the classification in which employed.

2. PERFORMANCE APPRAISALS:

- a. In conjunction with Department Heads, the Human Resource Director shall develop and maintain a system of employee performance appraisal by which employees shall be evaluated at established intervals.
- b. Performance appraisals may be considered in determining training needs, individual salary adjustments, order of layoff, transfers, reinstatement, re-employment, and as a means for identifying employees who should be promoted, demoted or dismissed.
- c. Probationary employees are to receive an end of probation performance evaluation. It is recommended that interim monitoring be completed on probationary employees prior to the end of the probationary period.
- d. Regular status employees are to be evaluated annually. It is recommended that interim monitoring be completed at least once during the annual evaluation period for regular status employees.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

L. PAY DETERMINATION GUIDELINES

1. **PAY SCHEDULE:** The Board of Supervisors has adopted a 5 x 5 pay schedule, effective June 29, 2002. The 5 X 5 pay schedule is established as 5% between each step and 5% between each pay range. The classification listing maintained by the Human Resources Department identifies the associated range to each classification. An employee’s salary must be at least the minimum and shall not exceed the maximum of the position’s assigned salary range except the salary of underfills, employees upon detail to special duty to a lower range, and the salary of an employee whose position is reallocated to a classification in a lower range.

2. **PLACEMENT AUTHORIZATION GUIDELINES:**
 - a. **Full and part-time regular status employees:** All full and part-time regular status employees shall be hired onto a step within the pay range of the assigned position. The placement may be authorized as follows in conjunction with the Step Determination Guidelines.

PAY DETERMINATION GUIDLINES	
Step 01 and Step 02	Placement is at the discretion of the Department Head
Step 03 and Step 04	Requires written justification for placement based on the requirements of the Range Placement Guidelines. The Department Head must submit the request and justification for consideration and determination by the Human Resources Director
Step 05 and Step 06	Requires written justification for placement based on the requirements of the Range Placement Guidelines. The Department Head must submit the request and justification for consideration and determination by the Human Resources Director and County Manager
Step 07 and Step 08	Requires written justification for placement based on the requirements of the Range Placement Guidelines. The Department Head must submit the request and justification for consideration and determination by the Human Resources Director and County Manager. Upon approval of both Human Resources Director and County Manager, the Department Head must agendize the request and provide the supporting justification for consideration and determination by the Board of Supervisors
Step 09 and Step 10	Incumbents should not be hired in at greater than Step 08; however, it is recognized that isolated circumstances may exist that warrant hiring in at greater than Step 08. If such occurs, approvals would be considered as applicable to hiring in at Step 07 and Step 08 as defined above

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- b. Appointees of an elected official: The salary of the appointee to an elected official shall occur as follows:
 - i. Administrative Assistant/Personal Secretary – Placement will occur as outlined above in the process for hire-in of Full and Part-Time Regular status employees.
 - ii. Chief Deputy – The Elected Official would determine appropriate placement of salary and agendize hire-in salary for Board of Supervisor’s consideration and approval in accordance with A.R.S. § 11-419.C.. A.R.S. § 11-419.C. states, “Each of the officers named in subsections A and B, other than the board of supervisors and the county attorney, may appoint a chief deputy who shall receive an annual salary agreed upon by the board of supervisors and the officer appointing the deputy.” The Officers named in subsections A and B includes Attorney, Assessor, Recorder, Sheriff, Superintendent of Schools, Supervisor and Treasurer. ARS 11-419.E states, “In any county included under subsection B, a chief deputy county attorney shall not be appointed unless authorized by the board of supervisors.”
- c. Department Heads: The salary of the appointed Department Head shall be negotiated between the incumbent and the County Manager, or Presiding Judge where applicable, with the assistance of the Human Resources Director or his/her designee as needed. The County Manager shall cause the salary offer to be agendized for consideration and affirmation by the Board of Supervisors. The salary of the appointed Department Head shall be maintained within the assigned salary range for the position to which they will be filling.
- d. Special Detail: Special Details are temporary assignments which exceed thirty (30) working days to a position other than the position to which they are regularly assigned. An employee detailed to a position in a higher classification shall receive a within range salary increase equivalent to the entry of the salary range to which detailed or five percent (5%), whichever is greater, provided the appropriate funding exists and is confirmed in writing by the Financial Services Director or his/her designee.

Additional pay increases above five percent (5%) or the pay range minimum may be approved by the Human Resources Director and the County Manager. The complexity, responsibility, and potential increased workload requirements may be considered in the pay determination process.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- e. At the request of the Department Head and upon recommendation of the Human Resources Director, the County Manager may recommend an upward salary adjustment to the Board of Supervisors in unusual circumstances and in the best interest of the County provided no other pay policy applies.
- f. No salary increase as provided for by this section shall have the effect of causing an employee to exceed the maximum compensation level for the classification in which employed.

4. STEP DETERMINATION GUIDELINES

A. POLICY: In order to establish an objective, equitable system for determining where an employee shall be placed within a range, the county shall in each instance look at the requirements of each individual job as documented in the job description and the experience of the individual to be hired into the job. The step placement will then be subject to authorization requirements detailed in the Placement Authorization Guidelines.

B. STEP DETERMINATION:

1. **STEP PLACEMENT:** The following process shall be used by the Human Resources Department in determining the appropriate within range step placement for each individual case:
 - a. Review job description for minimum requirements.
 - b. Review application and other documentation for relevant experience beyond minimum requirements.
 - c. Review application and other documentation for relevant education beyond minimum requirements.
 - d. Review Job Class Analysis to see where incumbents are placed for potential compression issues.
 - e. Place as follows based on conclusions from above review:

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

PLACEMENT AUTHORIZATION GUIDELINES	
Experience	Placement
Meets minimum requirements	Step 01 or 02
Relevant Experience BEYOND Minimum requirements:	
1-2 Years	Step 03
3-4 Years	Step 04
5-6 Years	Step 05
7-8 Years	Step 06
9-11 Years	Step 07
12-15 Years	Step 08
> 15 Years	Step 09
Education	
Bachelors Degree in relevant field beyond minimum requirements:	Add 1 Step
Masters or advanced Degree in relevant field beyond minimum requirements:--hiring manager can make recommendation on certificate/relevant education	Add 1 Step

5. PREMIUM PAY

A. OVERTIME:

Time actually worked in excess of forty (40) hours per week unless a different definition is required by law. For purposes of computing overtime hours, used Paid Time Off (P.T.O.) leave, compensatory time, used Employee Illness Bank (E.I.B.) leave, and accrued holiday leave, shall be excluded.

1. **COVERAGE:** This section extends coverage to those employees in the classified non-exempt and unclassified non-exempt services as defined by the Fair Labor Standards Act (F.L.S.A.) and Merit Rules without regard to regular, temporary, emergency or intermittent status. Employees in the classified exempt and unclassified exempt service are not eligible for overtime compensation.

2. **OVERTIME ALLOCATION:** Overtime shall be allocated as evenly as possible among all employees qualified to do the work. While preference may be given to those employees who wish to volunteer for the work, all employees are required to work overtime when directed to do so. A non-exempt status employee who is required to work overtime shall be compensated for such overtime by either one of the following methods at the discretion of the Department Head:
 - a. By payment at one and one-half (1 ½) times the employee's current hourly rate.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- b. Compensatory time at a rate of one and one-half (1 ½) hours off for each hour of overtime worked and not paid, not to exceed 60 hours. Compensatory time shall be used within the next two (2) pay periods, otherwise, the time worked will be paid as overtime. Exceptions may be made by the Department Head.
3. **DEPARTMENTAL REPOSIBILITY:** It shall be the responsibility of each County Department Head to:
 - a. schedule time among employees in such a manner as to require little or no overtime; and
 - b. monitor the reporting of time by subordinate personnel to ensure accuracy of time claimed.
4. **EMPLOYEE RESPONSIBILITY:** It shall be the responsibility of each County employee to:
 - a. accurately record all hours worked and used leave on his/her time card; and
 - b. not work overtime hours except as may be authorized and approved in advance by his/her supervisor.
5. **MODIFICATION OF WORK WEEK:** Modifications to the work week established by this section may only be made upon formal action of the Board of Supervisors (See definition of work week in Definitions).
6. **OFFICIAL RECORDS:** For purposes of recordkeeping and determination of eligibility for compensation for hours worked, time cards (as established by the County Financial Services Department) shall be the official and only document of the County.
7. **DISCIPLINARY ACTIONS:** Failure of any employee to follow the guidelines established by this section may result in disciplinary action up to and including dismissal.

B. COMPENSATORY TIME:

1. An employee in a non-exempt position who works in excess of 40 hours in a work week shall be compensated by either:
 - a. Additional pay at the rate of one and (1 ½) times the employee's regular hourly rate for each excess hour worked; or

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- b. Compensatory leave at the rate of one and (1 ½) hours for each excess hour worked over forty (40) hours within a work week.
 2. Compensatory time can only be taken within the next two (2) pay periods in which the overtime was worked; otherwise, the time worked will be paid as overtime.
 3. Compensatory time must be used prior to using P.T.O. hours.
 4. The Department Head shall determine if the excess hours are to be compensated by overtime pay or compensatory leave which must be taken within the next two (2) pay periods.
 5. Departments and employees are not allowed to maintain separate logs indicating the working of compensatory hours. Employees are required to report **all** compensatory time worked during a work week on timecards (as established by the County Finance Department). Failure of any employee to follow the guidelines established by this section may result in disciplinary action up to and including dismissal.
 6. Nothing in this section shall be interpreted to circumscribe, modify or otherwise impinge on the authority of Department Heads to modify work schedules as needed for efficient operation of the Department within the scope of the F.L.S.A.
- C. MANAGEMENT LEAVE:** An exempt employee who is required to work extraordinary hours in unusual circumstances may be authorized to receive management leave time. Authorization of this time may be granted up to a maximum of three (3) working days at any one time at the discretion of the Department Head. Management leave for County Department Heads requires approval of the County Manager. Management leave for Superior court Division Heads requires approval of the Presiding Judge or his/her designee. Under no circumstances, is an exempt employee to be granted management leave time on an hour-for-hour basis or greater than hour-for-hour basis for extra hours worked.
- D. CALL-BACK PAY:**
1. **COVERAGE:** This section extends coverage to all employees occupying either probationary or regular positions in the classified non-exempt and unclassified non-exempt services.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

2. **CALL-BACK PERIOD AND PAY:**

- a. An eligible employee who is called-back to work in a non-scheduled or emergency situation on any given day and who returns to work after having left the place of work and after having otherwise completed his/her shift whether that shift was of an extended duration or not, shall be compensated at the rate of one and one-half (1 1/2) times that employee's regular hourly rate for whatever time is worked during such call-back.
- b. Employees who are called-back to work on a scheduled day off shall also be compensated as provided in section I. 5.A.2.a.
- c. In no case shall an employee who responds to such call-back receive compensation for less than one (1) hour of time worked at the rate established in section I. 5.A.2.a.
- d. The provisions of this section shall apply without regard for whether or not the called-back employee has worked hours in excess of the maximum hours stipulated by the Fair Labor Standards Act and County Rules after which overtime is required to be paid.
- e. Time credited for call-back shall include any such time during which a called-back employee is actively engaged in compensable activity and reasonable travel time to the work site to which called-back.

E. **ON-CALL PAY:**

1. The determination as to whether or not the time an employee is on-call need be counted as compensable working time depends upon the employee's freedom while on-call. If employees must remain on the employer's premises or so near that they cannot use the time freely, the time is compensable. But if employees can come and go freely, even though they must leave a telephone number where they can be reached or carry a cell-phone or pager, the time can be excluded from hours worked. On-call pay is not the same as call-back pay which requires an eligible employee to be called-back to work in a non-scheduled or emergency situation as provided in section I. 5. D.
2. An employee who is eligible for overtime compensation and has been designated by the Department Head and who has been notified to be on-call and immediately available for a specific period of time and particular purpose shall be eligible to receive on-call pay at the rate of time and one-half (1 ½) the employee's regular rate of pay. On-call pay may not be coincident with any other pay except for paid holidays. Location of the employee for on-call duty shall be at the employee's discretion with the stipulation that immediate contact can be made, and that the employee must be able to report fit for duty within one (1) hour unless other conditions require a shorter period.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

3. Department exceptions can be made by the Human Resources Director and approval by the County Manager to modify work schedules as needed for efficient operation of the Department, within the scope of the Fair Labor Standards Act (F.L.S.A). Changes shall not interfere with the County office hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

F. HOLIDAYS:

1. Employees occupying regular positions shall be allowed time off with pay as provided for by County Rules for those holidays observed/recognized by Mohave County. The holidays observed by the County are as follows:

	DATE	HOLIDAY
a.	January 1	New Year's Day
b.	Third Monday in January	Martin Luther King Jr. Day
c.	Third Monday in February	President's Day
d.	Last Monday in May	Memorial Day
e.	July 4	Independence Day
f.	First Monday in September	Labor Day
g.	Second Monday in October	Columbus Day
h.	November 11	Veteran's Day
i.	Fourth Thursday in November	Thanksgiving Day
j.	December 25	Christmas Day

2. Unless otherwise necessary due to circumstances, County offices shall be closed on each of the 10 observed holidays listed above. If holidays a, e, h or j fall on a Sunday, the holiday shall be observed on the following Monday. If holidays a, e, h or j fall on a Saturday, the holiday shall be observed on the preceding Friday. "Observed" means that County offices shall be closed.
3. Mohave County recognizes an additional holiday wherein employees may be scheduled to take off and receive holiday pay.
 - a. The Day after Thanksgiving (the fourth Friday in November) or
 - b. Christmas Eve, which is recognized as the day preceding the Christmas Day holiday (if Christmas Day falls on a Saturday, Sunday or Monday, the holiday shall be recognized on the preceding Friday) or
 - c. New Year's Eve, which is recognized as the day preceding the New Year's holiday (if New Year's Day falls on a Saturday, Sunday or Monday, the holiday shall be recognized on the preceding Friday).

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

4. It is the responsibility of each Department Head to schedule and allow each of their employees who occupy regular positions, time off with pay as provided for by these Procedures for one of the holidays listed in section I. 5.F. 3. Each County Department Head shall insure their departments/office remains open to public access and adequate staff coverage within their departments and offices is provided during those holidays listed in section I. 5.F. 3.
5. In order to avoid disparity among employees, a day of holiday leave shall be interpreted to mean an eight-hour work day; therefore, an employee (full-time) may be granted eighty-eight (88) hours of holiday time or pay as permitted by these procedures in any calendar year as the holidays accrue. A part-time employee eligible to accrue P.T.O. shall receive a prorated proportion of the full-time employee eight (8) hour holiday pay.
6. All employees shall, if possible, be given time off with pay for each observed/ recognized holiday. This does not apply to temporary, intermittent or emergency employees.
 - a. With the exception of hourly law enforcement officers, detention officers, detention assistants, juvenile detention officers, probation officers, surveillance officers, park rangers, and dispatchers, if it is not possible to schedule an hourly full-time or part-time eligible employee's additional holiday for either of the three additional holiday choices noted in section I. 5. F. 3. due to an emergency or unusual and extraordinary circumstances affecting the department's operation that necessitates an employee to work each of the days noted in section I. 5. F. 3., the Department Head may schedule the employee's additional holiday for a mutually acceptable future date, provided the additional holiday of eight (8) hours is taken prior to April 1 of the new calendar year.
 - b. If it is not possible for an eligible full-time or part-time hourly law enforcement officer, detention officer, detention assistant, juvenile detention officers, probation officers, surveillance officers, park ranger, or dispatcher to be given time off on one of the additional holiday choices as noted in section I. 5. F. 3. and the employee has previously declared which additional holiday choice they wish to observe and is later required to work, the employee shall be paid as outlined section I. 5. F. 6. h. and i. or the Department Head may provide additional time for the employee to observe their additional holiday as noted in section I. 5. F. 6. c.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- c. If it is not possible to schedule an exempt, non-hourly, eligible employee's additional holiday for any of the three additional holiday choices noted in section I. 5. F. 3. due to an emergency or unusual and extraordinary circumstances affecting the department's operation that necessitates the employee to work each of the days noted section I. 5. F. 3., the Department Head may schedule the employee's additional holiday for a mutually acceptable future date, provided the additional holiday (a full 8-hour day) is taken prior to April 1 of the new calendar year.
- d. With the exception of hourly law enforcement officers, detention officers, detention assistants, juvenile detention officers, probation officers, surveillance officers, park rangers, and dispatchers, eligible full-time employees, who are not required to work on a holiday and who do not work on such holiday, shall be paid for the holiday at the employee's regular hourly rate for eight (8) hours for such holiday.
- e. With the exception of hourly law enforcement officers, detention officers, detention assistants, juvenile detention officers, probation officers, surveillance officers, park rangers, and dispatchers, eligible part-time employees not required to work on a holiday and who do not work on such holiday, shall be paid wages at the employee's regular hourly rate for those hours normally worked per pay period.
- f. No work shall be scheduled by an employee on a holiday unless approved in advance by the Department Head. Work on a holiday shall only be scheduled as a result of emergency or unusual and extraordinary circumstances or in cases where the nature of the County's operation cannot be interrupted by the observance of the holiday.
- g. With exception of hourly law enforcement officers, detention officers, detention assistants, juvenile detention officers, probation officers, surveillance officers, park rangers, and dispatchers, if it is not possible for an eligible full-time or part-time employee to be given time off on a holiday and the employee is required to work, the employee shall:
 - i. Receive regular wages at the employee's regular hourly rate for all hours worked on the holiday.
 - ii. All hours actually worked, to include those worked on the holiday, will be used to determine overtime in accordance with I. 5. A. and B.
 - iii. The employee shall have added to the their P.T.O. accruals, in the form of accrued holiday leave, the number of hours actually worked on the holiday, up to a maximum number of hours normally worked per pay period.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- h. Eligible full-time and part-time, hourly law enforcement officers, detention officers, detention assistants, juvenile detention officers, probation officers, surveillance officers, park rangers, and dispatchers, who are not required to work on a holiday and who do not work on such holiday, shall be paid:
 - i. Wages at the employee's regular hourly rate for the hours normally worked per pay period.
 - ii. Hours paid while on holiday leave will not be counted towards the determination of overtime in accordance with section I.5.A. and B.
 - iii. The employee shall not have any holiday leave hours added to the employee's P.T.O. accruals in the form of accrued holiday leave.
- i. If it is not possible for an eligible full-time or part-time law enforcement officer, detention officer, detention assistant, juvenile detention officers, probation officers, surveillance officers, park ranger, or dispatcher to be given time off on a holiday and the employee is required to work, the employee shall be paid as follows:
 - i. Premium holiday wages, at a rate of one and one-half (1 ½) times the employee's regular hourly rate, for each hour actually worked on the holiday.
 - ii. All hours paid at the premium holiday rate will be subtracted from the total hours actually worked during the regularly scheduled work week to determine overtime.
 - iii. Following the subtraction of all hours paid at the premium holiday rate, overtime shall be determined in accordance with section I. 5. B. of these procedures.
 - iv. The employee shall not have holiday leave hours added to the employee's P.T.O. accruals in the form of accrued holiday leave.
- j. Use of accrued holiday leave hours provided for under this section may be scheduled and used as any other accrued P.T.O. leave.

G. TRAVEL TIME It shall be the policy of the County to comply with applicable provisions of the Fair Labor Standards Act (F.L.S.A) as it relates to the compensation of employees during business related travel.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

1. **COMMUTE TIME**: The Portal-to-Portal Act (Code of Federal Regulation (C.F.R) Title 29 Vol. 3, Chapter 5, 790. 4 (a) specifically excludes from compensation, “time spent walking, riding, or traveling to and from the actual place of performance of principal activity of an employee, and time spent in activities which are preliminary or postliminary to the principal activity.” Travel time at the beginning or end of the workday, therefore is not compensable.
2. **TRAVEL DURING THE WORK DAY**: Time spent by an employee in travel as part of the employer’s principal activity must be counted as hours worked (C.F.R Title 29, Vol. 3, Chapter 5, 785.38). The key to identify whether travel time during the day is compensable is in determining whether the employee is engaged in travel as part of the County’s principal activity.
3. If an employee is directed to stop at a location while en route to and from work and performs work-related activities or picks up or drops off employees or materials, the time spent traveling from that location to the worksite or from the worksite to that location will be compensated.
4. If a group of employees attending a meeting or training is required to travel from home to a common location where they all get in a county vehicle and travel to an offsite location, only the travel from home to the common location is non-compensable, the travel from the common location to the offsite location will be compensated.
5. It is generally recognized that travel time is compensable work time when the travel occurs during an employee’s regular work hours (C.F.R. Title 29, Vol 3, Chapter 5, 785.39). This is true whether the employee actually performs work or not, since the employee is simply substituting travel for other duties. In addition, if the travel occurs during normal working hours on non-working days (Saturday and Sunday for an employee who normally works Monday through Friday), the time will be compensated for non-exempt employees.
6. **OVERNIGHT TRAVEL**: The County does not count overnight travel as working time that occurs outside of regular working hours while the employee is a passenger on an airplane, bus, car, train, boat, or travel terminal where the employee is free to relax (C.F.R Title 29, Vol. 3, Chapter 5, 785.39). However, employees who perform work while traveling will be compensated (C.F.R. Title 29, Vol. 3, Chapter 5, 785.41).

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

6. ORGANIZATIONAL PAYROLL DEDUCTIONS

A. POLICY:

1. With approval of the Board of Supervisor's, voluntary payroll deductions may be made for an organization provided that the organization maintains payroll deduction authorizations for not less than two hundred (200) County employees.
2. Voluntary payroll deductions may be terminated when organization membership falls below two hundred (200) participants for three (3) months or employee requests discontinuance.
3. Voluntary payroll deductions may be made for County approved charitable organizations.

B. GENERAL:

1. **WAGE & PAY DEDUCTION AUTHORIZATION:** Employees shall complete the necessary approved forms to begin, change or terminate deductions.
2. **NO CHARGE FOR WAGE AND PAY DEDUCTION SERVICES:** County sponsored programs or benefits have no service charges for deduction services.
3. **CHARGE FOR WAGE AND PAY DEDUCTION SERVICE:** The County may assess the employee or organization a service charge sufficient to cover the cost of this service.

7. GARNISHMENT

A. WAGE GARNISHMENT:

1. For non-payment of personal debts, federal law stipulates that the sum that may be garnished is the lesser amount computed by the two (2) following methods:
 - a. Twenty-five percent (25%) of the individual's disposable earnings for the work week; or

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- b. The amount by which disposable earnings for that week exceeds thirty (30) times the minimum wage under section 6.A. (1) of the F.L.S.A. of 1938, as amended, (29 U.S.C. 206 [a,1]).
 2. For non-payment of federal or state taxes (levy), child or other court ordered support payments, and/or payments ordered by the bankruptcy court, the employee's entire earned wage can be garnished until the debt is satisfied.
 3. The law prohibits an employer from discharging any employee because his/her earnings have been subjected to garnishment for any one indebtedness. The term "one indebtedness" refers to a single debt regardless of the number of levies made or creditors seeking satisfaction. Whoever willfully violates the discharge provisions of this law may be prosecuted criminally and fined up to \$1,000, or imprisoned for not more than one (1) year, or both.
 4. A service charge will be assessed by the County for processing the garnishment.
- B. WAGE ASSIGNMENT:** A County employee cannot make an assignment of future wages not yet earned (Byers vs. Comer, 50 Arizona 9, 68-P 2d-671).

II. BENEFIT AND LEAVE PROGRAMS

1. GROUP INSURANCE

- A. APPLICATION:** Eligible employees are provided benefits, including leave, by Mohave County based on the County's financial ability to provide. Benefits therefore, shall vary from time to time. These benefits include those which are elective. This category includes all group insurances without regard to employee contributions. None of the benefits or leaves are intended by reason of their publication to confer any rights, privileges or entitlements to employees. Certain of the benefits or leaves in this section may apply to contractual and/or temporary hires as determined by the terms of hire with Mohave County. For information contact the Mohave County Human Resources Department, or refer to the Mohave County Benefits Plan document for coverage, eligibility, enrollment and effective dates. This document may change every year.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- B. LEAVE WITHOUT PAY:** Except as provided for in section II. 10., Family and Medical Leaves of Absence, the following pertain:
1. An employee starting a leave of absence without pay who wishes to continue coverage under any of the County's group insurance programs must submit a leave of absence insurance form, prior to such leave, to the Human Resource Department which arranges for the employee to pay the full cost of the benefit premiums (COBRA rates); that is, both the employee's and employer's shares.
 2. An employee on a leave of absence without pay who terminates prior to the end of such leave shall be responsible for payment of insurance premiums up to the date of termination.
 3. An employee starting a leave of absence without pay who does not wish to continue insurance coverage during such leave may cancel the coverage. A waiver to that effect must be provided to the Human Resource Department prior to taking the leave. The employee shall not be eligible to enroll in any coverage upon return until the next regularly scheduled Open Enrollment period. The employee and/or dependents may have to submit Evidence of Insurability for approval by the insurance company at no cost to the County.
- C. RETIREMENT:** An employee retiring from County service and who is receiving a monthly income from one of the Arizona State Retirement Plans may be eligible for medical coverage through the State or through a conversion policy under the medical carrier at the full cost of premiums. Retiring employees who wish medical coverage must make arrangements with the Human Resources Department within thirty (30) calendar days prior to retirement.
- D. CONTINUATION OF GROUP MEDICAL, DENTAL AND OTHER INSURANCE COVERAGE:** Under Public Law Number 99-272, Comprehensive Omnibus Budget Reconciliation Act of 1986 (COBRA), certain employees and dependents are eligible to continue the group medical benefits. This continuation requires the eligible employee or dependent to pay the full premiums plus an administration *fee*.

2. PAID TIME OFF

- A. GENERAL:** P.T.O. provides employees flexibility and the responsibility to manage their Paid Time Off for vacations, personal illness or injury, illness, injury or death of a family member, medical and dental appointments, humanitarian/emergency relief as a volunteer, and other personal business. County and Superior Court employees, except temporary, emergency and intermittent employees, are eligible to accrue P.T.O. leave with pay from the date of appointment and may request leave after three (3) months of continuous employment.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

B. ELIGIBILITY AND ACCRUAL:

1. All full and part-time benefits-eligible, non-temporary employees who work at least twenty (20) hours per week are eligible to accrue P.T.O. leave from the date of employment provided they:
 - a. are actively at work for at least twenty hours in at least one (1) week of the pay period, including hours actually worked plus approved P.T.O., E.I.B., and or comp time; or
 - b. are on approved leave with pay (i.e. short-term military leave, bereavement leave, administrative leave.
2. Employees do not accrue P.T.O. leave if they are in a leave of absence without pay for the duration of one or more pay periods. Employees who are solely on Short Term Disability (STD) or Workers' Compensation shall not accrue P.T.O. leave.
3. P.T.O. leave shall not be advanced to an employee.

C. RATE OF ACCRUAL: Eligible employees shall accrue P.T.O. leave as follows:

1. Eligible full-time employees, using their anniversary date, shall accrue P.T.O. leave at the following rates:

Years of Continuous Service	Hours Accrued per Pay Period
Beginning on date of hire through end of 1 year	8.00
Beginning year 2 through end of year 4	9.00
Beginning year 5 through end of year 9	10.00
Beginning year 10 through end of year 14	11.00
Beginning year 15 and over	12.00

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

2. Eligible part-time employees shall accrue P.T.O. leave at 50% of the hours accrued per pay period based on their years of continuous service and their budgeted position allocation.

Years of Continuous Service	Hours Accrued per Pay Period
Beginning on date of hire through end of 1 year	4.0
Beginning year 2 through end of year 4	4.5
Beginning year 5 through end of year 9	5.0
Beginning year 10 through end of year 14	5.5
Beginning year 15 and over	6.0

D. USE OF P.T.O. LEAVE:

1. With exception of accrued holiday leave, an eligible employee is required to serve ninety (90) days of continuous non-interrupted benefits-eligible employment before using accrued P.T.O. leave. Employees who have a break in service shall be required to serve a new ninety (90) day period of continuous employment.
2. P.T.O. leave shall not be charged against an employee's accrued leave balance for an authorized holiday that occurs while an employee is using P.T.O. leave.
3. P.T.O. leave accrued during a paid leave of absence may not be used until the employee has returned to work from the absence and has worked at least one (1) full day.
4. The Department Head or their designee has the authority to approve or disapprove P.T.O. leave requested by an employee.
5. An employee may be denied the use of P.T.O. leave in situations involving proper staffing levels, work load levels or other reason(s) of good cause as determined by the Department Head or their designee.
6. P.T.O. leave will not be used in any manner which generates paid hours in excess of the normal work week.
7. P.T.O. leave will be allowed only to the extent that it will ensure payment for a full forty hour work week or the amount proportional to a part time employee's budgeted hours.
8. P.T.O. leave may be used to supplement Short Term Disability (STD) payments up to 100% of base salary.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

9. P.T.O. leave may be used to supplement Workers' Compensation (WC) payments up to 100% of an employee's regular bi-weekly base salary. Actual P.T.O. hours required to supplement WC must be calculated to come near approximation of the employee's regular net salary as WC payments are not subject to tax withholding.
- E. VERIFICATION OF NEED FOR SICK RELATED P.T.O. LEAVE:** The Department Head may require an employee requesting sick related P.T.O. leave or having used sick related P.T.O. leave to submit documents substantiating the need for such leave in accordance with these procedures. Such evidence may include, but is not limited to, a certificate from a designated physician or practitioner, and/or an examination by a designated physician or practitioner. The Department Head has the authority to approve or disapprove sick related P.T.O. leave requested by an employee. The Department Head may disapprove the request for sick related P.T.O. leave if such Department Head does not consider the documentation received adequate or if the designated physician determines that the request for sick related P.T.O. leave is not a valid request. In such instance, for any time taken as sick related P.T.O. leave, the employee's time shall be charged first to compensatory leave if available, or leave without pay.
- F. FORFEITURE OF P.T.O. LEAVE (Original Probationary Employees):** Original probationary employees who do not complete their probationary period shall forfeit accrued P.T.O. leave excluding accrued holiday leave hours which the employee will not forfeit.
- G. FORFEITURE OF P.T.O. LEAVE:** At the end of the calendar year, total P.T.O. leave accruals may not exceed nine hundred (900) hours. At the end of the calendar year (December 31) only nine hundred (900) total P.T.O. leave hours (including accrued holiday leave hours), will be carried forward to the new calendar year and accrued hours in excess of the aforementioned limit will be forfeited. P.T.O. exceeding the maximum limit of hours must be used or lost at the end of a calendar year. Effective date of compliance for employee's accrual of maximum P.T.O. nine hundred (900) hours is December 31, 2009.
- H. AVOIDING FORTEITURE OF P.T.O. LEAVE:** With the exception of emergencies, injuries, or illness, P.T.O. leave must be scheduled at least two (2) weeks in advance and approved by the Department Head. In all cases, a P.T.O. Request Form must be filled out by the employee and submitted for approval. In the event of emergency, injury, or illness, employees must notify their supervisor.
- I. REPORTING AND RECORDING LEAVE:** The Department Head shall be responsible for ensuring that all leave used is properly recorded on employee's timesheet form as established by the Financial Services Department.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- J. DISPOSITION OF ACCRUED LEAVE:** An employee who transfers between County departments or to or from the Mohave County Courts shall retain any accumulated P.T.O. leave. An employee who changes from one employment type to another employment type (i.e., full-time, benefits-eligible employee, to part-time, benefits-eligible employee) shall retain any accumulated P.T.O. leave and shall be eligible to use and/or accrue P.T.O. in accordance with his/her current employment type. A benefits-eligible employee, who transitions to a non-benefits-eligible employee or elected position, will receive payment of P.T.O. upon separation in accordance with the separation provision below.
- K. SEPARATION:** A regular Merit Rule-covered employee who separates from County service shall be paid up to a maximum of four hundred (400) hours of unused P.T.O. leave at the employee's current rate of pay. The regular non-Merit Rule-covered employee who separates from County service shall be paid up to a maximum of six hundred (600) hours of unused P.T.O. leave at the employee's current rate of pay (Merit Rule 103 B). Within the last three (3) months of employment, any amount of P.T.O. used in excess of half a year's accrual as defined in section II. C. 1., will be deducted from the 400/600 hours at separation. This does not include employees on approved medical leave.

L. LEAVE MANAGEMENT RESPONSIBILITIES

1. Department Heads and supervisors are responsible to proactively review employee's P.T.O. through the development of department's reasonable policies to establish standards and procedures for requesting and approving all leaves.
2. Leave management is important to enable each eligible employee to return to work physically and mentally refreshed and to comply with section II. 2. D. 6. of this procedure.
3. Employees shall plan and request leaves as far enough in advance of the dates of the desired leave to allow the employee's supervisor to schedule work around the employee's absence in order to meet the County's needs.

3. EMPLOYEE ILLNESS BANK

- A. GENERAL:** The purpose of the E.I.B. is to acknowledge an employee's accumulated sick leave hours earned before transitioning into the P.T.O. policy which was implemented on December 25, 1993. Accumulated sick leave hours were deposited into E.I.B. for employees who work 20 hours or more per week and had accrued E.I.B. leave in their individual leave accrual at the time of transitioning to the P.T.O. policy. No additional time has been deposited and no additional accruals have accrued since transitioning to the P.T.O. policy.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

B. USE OF E.I.B.:

In the following instances, E.I.B. must be used prior to P.T.O.:

1. E.I.B. may be used in the case of illness or injury suffered by an employee or as provided below for an employee's immediate family member (as defined in section 14, Definitions).
2. E.I.B. may also be used for illness, injury or death of a member of the immediate family which requires the presence of the employee for assistance or care and can be used for making arrangements, settling the estate and other related matters of an ailing or deceased immediate family member.
3. E.I.B. may be used by an employee to respond as a volunteer to participate in state/national disasters and emergencies or short term provision of pay to attend to local emergency situations where a volunteer may receive a call out to respond to an emergency situation during regular work hours, which is known as humanitarian leave.
4. E.I.B. leave may be used to supplement Short Term Disability (STD) payments up to 100% of base bi-weekly salary.
5. E.I.B. leave may be used to supplement Workers' Compensation (W.C.) payments up to 100% of base bi-weekly salary. Actual E.I.B. leave is required to supplement WC will be calculated to come near to the employee's regular net salary as WC payments are not subject to tax withholding.
6. Employees must complete a Request for E.I.B. Form in accordance with section C below.
7. E.I.B. leave shall not be charged against an employee's accrued leave balance for an authorized holiday that occurs while an employee is using E.I.B. leave.
8. E.I.B. leave will not be used in any manner which generates paid hours in excess of the normal work week.
9. E.I.B. leave will be allowed only to the extent that will ensure payment for a full forty-hour work week.
10. If an employee is placed on Family Medical Leave Act (F.M.L.A.) leave, the employee will be required to use available E.I.B. leave prior to the use of P.T.O. leave accruals.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- C. LEAVE REQUEST:** Requests for E.I.B. leave should be submitted on forms prescribed by the Human Resources Department to the employee's Department Head at least two (2) weeks in advance, or in the event of an emergency illness, injury or extended bereavement leave as soon as practicable. The Department Head may require an employee requesting E.I.B. leave to submit documents substantiating the need for such leave. The Department Head has full authority to approve or deny the request for use of E.I.B. leave.
- D. VERIFICATION OF NEED FOR E.I.B. LEAVE:** Employees requesting E.I.B. leave or having used E.I.B. leave may be required to submit documents substantiating the need for such leave. Such documentation may include, but is not limited to, a certificate from a licensed physician or practitioner, an examination by Physician, documentation substantiating need for additional bereavement leave, or notification that the employee is requested to participate as a volunteer in humanitarian/emergency leave situations. Department Heads may elect to not approve the request for E.I.B. leave if it is determined that such documentation received is not adequate or if the County physician determines that the request for E.I.B. leave is not a valid request. In such instance, for any time taken as E.I.B. leave, the employee's time shall be charged first to compensatory leave if available, then to P.T.O. leave if available, or leave without pay.
- E. REPORTING AND RECORDING LEAVE:** The Department Head shall be responsible for ensuring that all E.I.B. leave used are properly recorded as established by the Financial Services Department.
- F. DISPOSITION OF ACCRUED LEAVE:** An employee who transfers between County departments or to or from the Mohave County Courts shall retain any accumulated E.I.B. leave. An employee who changes from one employment type to another employment type (i.e., full-time, benefits-eligible employee, to part-time, benefits-eligible employee) shall retain any accumulated E.I.B. leave and shall be eligible to use such leaves in accordance with his/her current employment type. A benefits-eligible employee, who transitions to a non-benefits-eligible employee or elected position, will receive reimbursement of E.I.B. leave with a maximum of 100 hours upon transition or separation.
- G. SEPARATION:** A regular employee who separates from County service shall receive reimbursement for unused E.I.B. leave hours at a rate of three dollars (\$3.00) per hour of E.I.B. leave up to one hundred (100) hours. The granting of such reimbursement is conditioned upon the employee providing the County with ten (10) working days notice of separation. If an employee is dismissed or terminated at the discretion of the Department Head, the employee will receive payout of their unused E.I.B. leave hours as stated previously.
- H. ABUSE OF E.I.B. LEAVE:** Employees eligible for use of E.I.B. leave by these Procedures may use E.I.B. leave only as provided. E.I.B. leave is a privilege and not a right. Employees are subject to discipline for misuse or abuse of E.I.B. privileges.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

4. WORKERS' COMPENSATION

A. WORKERS' COMPENSATION BENEFITS:

1. Workers' Compensation and occupational disease benefits covering accidental injury, disability, disease or death which occurs as a result of employment and is job-related are provided for all County employees including individuals in temporary, emergency, intermittent and volunteer status, except Superior Court volunteers.
2. Medical benefits in the amount provided by law will commence on the first full day of disability. Payment of compensation will also commence on the eighth (8th) full calendar day of disability as per Rules and Regulations of the Industrial Commission of Arizona (ICA). If lost time from the injury or illness exceeds the 14th full calendar day of disability, payments will also be made for the first seven (7) calendar days of disability. Said disability can only be recognized when confirmed in writing by the Workers' Compensation physician. The amount will be sixty-six and two thirds (66-2/3) percent of the employee's gross monthly salary or wage at the time of injury but not to exceed the current statutory monetary limitation. Workers' Compensation benefits received by an employee are provided as non-taxable.
3. An eligible employee unable to work due to an on-the-job injury or illness may be granted paid or unpaid leave for a period up to ninety (90) calendar days. Such leaves are to be requested on proper forms available through the Risk Manager, and the Human Resources Department. If after ninety (90) calendar days, the employee is unable to return to full status, the County will require medical documentation to assess the employee's ability to return to work. After assessment, the County will determine continuation of employment.
4. For paid Workers' Compensation leave, upon the approval of the Risk Manager, an eligible employee may request to use E.I.B. leave in accordance with section II. 3. B.1., compensation time if available, and P.T.O. leave to supplement Workers' Compensation benefits to approximate the employee's normal take-home pay. Such request should be made through the employee's Department Head to the Risk Manager and on forms prescribed by the Risk Manager. However, in no case shall an employee be allowed to utilize this system prior to the employee's having first made arrangements with the Risk Manager concerning the administration of the Workers' Compensation checks the employee would regularly receive. During such time while on paid leave status, that portion of the employee's health and life insurance premiums borne by the County shall continue to be paid by the County; however, the employee will be required to make arrangements for payment of any supplemental insurance premiums carried by the employee with the Human Resources Department.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

5. An employee on Workers' Compensation and who meets the eligibility requirements for F.M.L.A. leave as provided for in section II. 10., will have that portion of the employee's health and life insurance premiums borne by the County continue to be paid by the County during time the employee is on F.M.L.A. leave and any available leave accruals or compensatory time the employee has available must be used during an F.M.L.A. leave. While the employee is in an unpaid F.M.L.A. status, the employee will be required to make arrangements for payment of any supplemental insurance premiums carried by the employee with the Human Resources Department.
 6. Employees who are receiving Workers' Compensation benefits only are considered to be in a non-active work status and are not eligible to accrue P.T.O. leave during the time that they are on Workers' Compensation, except for that provided for under the Family Medical Leave Act noted in section II. 10.
 7. The use of P.T.O. leave or E.I.B. leave shall not be allowed by an employee that has rejected Workers' Compensation available to him/her pursuant to the Industrial Injury and Disease Section, Title 23, Chapters 6 and 7, ARS.
 8. An employee on non-F.M.L.A. related Workers' Compensation leave may be laid off by the County if it is determined that such action is necessary for the conduct of normal business operations and provision of service to the citizenry.
 9. Claims submitted for occupational injury or illnesses are not always accepted. If a claim is denied, the employee will be notified in writing by the carrier. If the employee feels the claim should have been accepted, he/she may request a hearing by the Industrial Commission of Arizona (ICA). While awaiting a formal decision by the ICA, the following may occur:
 - a. The employee request use of E.I.B. leave or P.T.O. leave until such leave is exhausted; or
 - b. The employee may elect to be in a non-pay status awaiting the decision pursuant to section II, 1.F regarding payment of insurance premiums; or
 - c. The County may separate the employee pursuant to section II. 4. A. 8.
- B. EMPLOYEE'S RETURN TO WORK:** After an absence due to an industrial injury or illness, an employee may return to his/her regularly assigned duties with a written release by the Workers' Compensation physician provided that at the County's option, the ability of an employee to perform their full responsibilities of their job may be verified by a physician. Notification of an employee's intent to return to work should be made as soon as possible to the Department Head, Risk Manager, and the Human Resources Department.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- C. RETURN TO WORK PROGRAM:** The return to work program is provided to allow employees who are not yet able to perform their regular assignments to be assigned modified duty for a specified period of time when it is possible for the County to do so.
1. **ASSIGNMENT TO MODIFIED DUTY:** When an employee is determined to be able to perform modified duty by the Workers' Compensation physician, the employee shall notify his or her department, Risk Manager, and the Human Resources Department in writing. Upon approval of the Workers' Compensation physician for specific types of modified duty, the Department Head will determine what modified duty assignments, if any, exist and notify Risk Manager, and the Human Resources Department. If there is a need for temporary services within the employee's work unit or another department work unit, the employee shall report daily to his or her assigned supervisor for such modified duty. Modified duty generally will not exceed ninety (90) days. If there are no modified duty assignments available in the employee's department, the supervisor will work with the Risk Manager and the Human Resources Department to attempt to identify a temporary modified duty assignment in another department. The Risk Management Department shall notify the Workers' Compensation insurer of the employee's working status. Employees assigned to a department other than their own on a temporary modified duty assignment may be paid by the department in which they are regularly employed. Employees who are on modified duty assignments may be paid at the regular rate of pay for the classification to which assigned.
 2. **MEDICAL EXAMINATION REQUIREMENT WHILE ON MODIFIED DUTY:** Medical examinations may be required periodically by the County, at the County's expense, to determine the medical status of the employee.
 3. **RETURN TO REGULAR DUTY FROM MODIFIED DUTY:** Upon release from the Workers' Compensation physician with no restrictions, the employee shall return to his or her department for regular duty assignment.
 4. **DISCONTINUANCE OF MODIFIED DUTY ASSIGNMENT:** If, at any time during a modified duty assignment, it is found not to be in the best interest of the County to continue modified duty, the employee may be laid-off unless on F.M.L.A. leave status.
 5. **INABILITY TO RETURN TO REGULAR DUTY:** If an employee is no longer on F.M.L.A. leave status and is unable to perform regular duties on or before the completion of the modified duty assignment, the Department Head and the Risk Manager will consider temporary or complete reassignment to another county position in or out of the employee's current field. Such position, if available, may involve a change in job classification and pay. If no position is available for which the employee is qualified, the County will separate the employee from County service through layoff.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

5. CIVIC DUTY AND UNIFORM SERVICE LEAVE

Except in an emergency, an employee must obtain approval in advance and in writing prior to taking any leave from the department in those cases requiring such approval.

A. LEAVE FOR JURY DUTY:

An employee summoned for duty as a juror shall appear as required for such duty, and shall receive civic duty leave with pay as provided for in this section.

1. Employees must provide a copy of the jury duty summons to their supervisor within two (2) working days of receipt so the supervisor can make arrangements to accommodate the employee's absence. The Department Head or employee may request an excuse or postponement from jury duty if the County believes the employee's absence would cause serious disruption of County operations.
2. The employee on jury duty during regularly scheduled work hours shall remit the fees paid for such jury duty (except reimbursement for miles traveled, food or lodging) to the Mohave County Finance Department through the Department Head. When the employee's presence as a juror is not officially required during regular working hours, the employee shall return to work until again called. However, an employee shall not be required to return to work, if, because of the remoteness of the location of such work, the employee cannot respond to a call to return to jury duty with timeliness or the employee cannot arrive at work at least one (1) hour before the end of a regularly assigned work shift.
3. Jury duty pay will be calculated based on the employee's current rate of pay times the number of hours the employee would otherwise have worked on the day of absence.
4. Employees that are on jury duty during regularly scheduled time off or on P.T.O. leave or leave without pay may keep any monies paid by the Courts.

B. LEAVE FOR AN EMPLOYEE SUBPOENAED TO APPEAR AS WITNESS:

1. An employee who has been subpoenaed to appear as a witness before any court or administrative, executive or legislative tribunal when it relates to County business shall be entitled to civic duty leave with pay. The Department Head may authorize civic duty leave for an employee subpoenaed when such absence is for purposes which comply with this administrative procedure. The Department Head may require such employee to submit substantiating evidence and may disapprove the request if the evidence is not adequate.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

2. Employees must provide a copy of the subpoena to their supervisor within two (2) working days of receipt so the supervisor can make arrangements to accommodate the employee's absence. An employee provided leave under this section is expected to report to work whenever the Court schedule permits.
3. An employee who has been subpoenaed to appear as a witness before any court on administrative, executive or legislative tribunal due to a personal, commercial, business transaction or due to the employee's own actual or alleged unlawful conduct or misconduct shall not be entitled to civic duty leave with pay and all such leave will be counted against the employee's P.T.O. accrual balance.
4. An employee who is paid a fee for an appearance as an expert witness while on civic duty leave shall remit such fee to Mohave County or take P.T.O. leave.

C. LEAVE FOR SERVICE ON A PUBLIC SERVICE BOARD OR COMMISSION:

A Department Head may authorize civic duty leave to an employee to attend meetings of a public service board or commission, provided the employee is an elected or appointed member of such a board or commission.

D. TIME OFF FOR VOTING:

Every County employee is encouraged to exercise the right to vote at all public elections.

1. Temporary, emergency and intermittent employees are eligible only for leave for voting. Leave eligibility for contractual employees shall be as defined by contractual terms.
2. In accordance with Arizona Revised Statutes (ARS) 16-402.A, any employee eligible and registered to vote in any public election held within this state, may be absent on the day of the election, either one (1) hour after the start of the employee's work shift or one (1) hour before the end of the employees work shift.
3. Application for time off for voting shall be made five (5) business days prior to the day of election, and the Department Head may specify the hours during which an employee may be absent. An employee shall not be liable for any penalty nor shall any deduction be made from any salary or wages because of such absence. An employee may be required to provide evidence of eligibility to vote prior to an approval for time off.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

E. LEAVE FOR SHORT-TERM MILITARY SERVICE:

Leave for Short Term Uniformed Services will be granted in accordance with this policy and in compliance with Arizona Revised Statutes (ARS 38-610, 26-168, and 26-171).

1. An employee ordered to Uniformed Services shall be granted civic duty leave up to two hundred forty (240) hours in any two consecutive calendar years in accordance with this policy and in compliance with Arizona Revised Statutes (ARS 38-610, 26-168, and 26-171). Leave that occurs on an employee's regular scheduled days off is not to be charged against the 240 hours allotment. An employee ordered to Uniformed Service will provide their department with written notification of the leave together with a copy of the employee's military orders. The written notification shall be provided at least two weeks in advance, whenever practicable.
2. An employee shall be granted military leave without pay, or may use accrued P.T.O. or compensatory time, for required uniformed service exceeding two hundred forty (240) hours with pay cited above.

F. LEAVE FOR LONG-TERM MILITARY SERVICE:

Leave for Uniformed Services will be granted in accordance with this policy and in compliance with Federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

1. A regular full time employee inducted, ordered or enlisted into active service of the Uniformed Services shall be given the options to:
 - a. Resign from County employment and retain all reemployment rights. Pursuant to USERRA, a termination action for the purpose of military service is not considered a "Break in Service" if the employee has been separated for less than five (5) years; or
 - b. Be placed on a military leave of absence without pay for less than 5 years. At the Employee's option, the employee may use up any accrued P.T.O. leave or Military Leave prior to being placed on unpaid leave status.
2. Prior to exiting the organization, an employee called to active military status must complete out-processing through the Human Resource Department. The employee will be briefed on benefit coverage and reinstatement rights. Employee should refer to the current Mohave County Employee Benefit Handbook.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

3. While an employee is on unpaid leave status, existing employee medical coverage will be discontinued; however, existing dependent coverage may be continued under COBRA until dependent coverage becomes effective under the Civilian Health Medical Program of the Uniformed Services (CHAMPUS). While the employee is on unpaid leave, it will be the employee's responsibility to assure that the monthly COBRA dependent premium payment, in the form of a check or money order is submitted to the Benefits Division of Human Resource Department by the first of each month.
4. During unpaid leave, basic group life and accidental death and dismemberment insurance coverage provided by the county will cease.
5. All accruals towards leave and holiday time will cease until the employee returns to full-time employment.
6. It is recommended that employees review USERRA and Service Members Civil Relief Act to understand their rights before leaving on military duty.
7. A regular full time employee inducted, ordered, or enlisted into active Uniformed Services shall be reemployed in a position of like seniority, status and pay upon completion of active service if the employee:
 - a. requests such reemployment in writing within ninety (90) calendar days of separation from military duty;
 - b. possesses and submits a certificate of satisfactory completion of service (Honorable Discharge, General Discharge, or Discharge under Honorable Conditions) and DD214; and
 - c. is still qualified to perform the duties of the position.
9. Once reemployed, an employee will have the benefits they had prior to being placed on unpaid leave status reinstated to them upon his/her return to full-time county employment, unless coverage has changed for all Mohave County employees (Ref: current Mohave County Employee Benefit Handbook). Reinstatement of these coverages will be accomplished through the completion and submission of the appropriate forms to the Human Resource Department. Coverage will become effective the first of the month in which the employee returned to county employment.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

10. As mandated by ARS 38-745, an employee who is an active member of the ASRS and a member of the Arizona National Guard, or a member of the reserves of the United States military and volunteers or is ordered into military services as part of a military call-up is eligible to receive A.S.R.S. credited services time while on active duty. The employee must be honorably separated from active duty and return to the same employer within 90 days of either discharge from active duty or released from services-related hospitalization, or have died as a result of active military service. The employee can receive a maximum of 60 months of A.S.R.S. credited service. The employer must pay both the employee and employer contribution in a lump sum upon return to work or receipt of a death certificate. Public Safety Personnel Retirement System (PSPRS) ARS 38-585 and Correction Officer Retirement Plan (CORP) ARS 38-907 eligible employee can receive a maximum of 48 months of credited service.
11. An employee's reemployment rights expire after five (5) years of continuous military service, unless reemployment rights extend beyond five (5) years under USERRA.

G. LEAVE FOR HUMANITARIAN / EMERGENCY RELIEF ACTIVITIES:

Employees who volunteer to participate in local, state, or national disasters, emergencies or humanitarian efforts during regular work hours may request use of their E.I.B. hours or P.T.O. hours or may seek a leave of absence without pay.

6. SPECIAL LEAVES OF ABSENCE WITH PAY

A. ADMINISTRATIVE LEAVE:

1. At the request of the Department Head and approved by the County Manager or the Presiding Judge where applicable, an employee may be granted Administrative Leave with pay when emergency situations exist such as extreme weather conditions, fire, flood or malfunction of publicly owned or controlled machinery or buildings, making it hazardous or impossible for the employee to get to or perform at his/her workstation (providing alternate work or workstation has not been designated). Employees in essential operations may be required to work on a day or days when facilities are closed as provided for under this rule. Employees who work under these circumstances will receive regular pay.
2. An employee will be granted Administrative Leave with pay upon the declaration of the Board of Supervisors that a state of emergency, disaster or grief exists and that such leave is to be granted.
3. Non-disciplinary leaves with pay may be given to an employee by a Department Head with approval of Human Resources Director and County Manager or the Presiding Judge where applicable, under the following circumstances:

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- a. In cases where an employee is charged with a felony or other crime involving moral turpitude.
 - b. Where it is deemed in the best interests of the County while an inquiry is being made into the conduct of the employee or the employee's continued suitability for employment.
 - c. In cases which may include, but are not limited to, matters involving alleged criminal activities, which are not described in section II. 7. A. 3. a., or serious breaches or deficiencies in job related conduct or performance, and serious breaches of non-job related conduct.
 - d. Other circumstances deemed in the best interest of the County by the Human Resources Director and the County Manager.
4. A Department Head may place an employee on leave under this section for up to ten (10) working days. The Department Head shall notify the Human Resources Director at the time of said leave or, if leave occurs during off hours, the Department Head shall notify the Human Resources Director within the next regular working day. For extenuating circumstances, the Department Head may extend said leave beyond ten (10) working days upon approval by the Human Resources Director, or in his/her absence, the County Manager.
5. Notification to the employee shall be made either personally or by certified mailing. Such written notice shall contain the facts or circumstances giving rise to the proposed action, including the dates of any oral or written warnings issued (if any), the effective date and duration (number of days) of the proposed action.
6. An employee placed on leave under this section may remain on such leave for up to thirty (30) working days or until:
- a. An inquiry is completed and other action is taken; or
 - b. The employee is acquitted of any criminal charges against him or her; or
 - c. The charges against such employee are dismissed; or
 - d. The employee is otherwise exonerated; or
 - e. Other action is taken by the County.
7. At the conclusion of an administrative leave as provided under this Procedure, the employee may be returned to work.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

7. **LEAVES OF ABSENCE WITHOUT PAY**

- A. **TYPES OF LEAVE**: At the request of the Department Head and upon approval of the Human Resources Director, leaves of absence without pay for absences of one pay period or longer may be granted to regular status employees for the following reasons and lengths of time:

Reason	Maximum Leave Time
Education	One (1) year
Personal	Six (6) months

- B. **EDUCATION**: An employee may be granted a leave of absence without pay for educational purposes when it is determined that such a leave will not be detrimental to the County. An employee requesting an educational leave of absence without pay must expend all compensatory and P.T.O. leave accruals before educational leave-without-pay, if granted, are permitted.
- C. **PERSONAL REASONS**: An employee may be granted a leave of absence without pay for personal reasons when it is determined that undue hardship to the employee would otherwise result and that the operation of the department would not be adversely affected. Personal leave may include those leaves of absence over and above leaves provided for by section II, 11 regarding F.M.L.A. due to the medical disability of the employee (including pregnancy-related disability) or Service Member, adoption or care of a child, serious illness of a member of the immediate family, and may also include a situation out of the ordinary which requires the employee's immediate attention. For personal leave-without-pay requests, an employee must expend all compensatory, P.T.O. leave and E.I.B. leave if applicable, before personal leave without pay, if granted, is permitted.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

D. CANDIDACY FOR A PAID ELECTED OFFICE: An employee may be granted a leave of absence without pay for purposes of becoming a candidate for an elected position when it is determined that such a leave will not be detrimental to the County and/or the operation of the employee's department. Upon offering himself/herself for nomination or election to any elective office, the employee may apply for a leave of absence without pay. Similarly, upon an employee offering himself/herself for nomination or election to any elective office, the employee's Department Head may initiate action to place the employee on a leave of absence without pay. An employee shall be deemed to have offered himself/herself for nomination or election to an elected office upon filing of a nomination paper pursuant to A.R.S. § 16-311; or by making a formal declaration of candidacy; or by otherwise holding himself/herself out as a candidate for office, which ever occurs first. If, after review, the employee's Department Head, determines that the employee's candidacy or election activities prevent the employee from performing his/her county duties or adversely affect the employee's performance of his/her County duties or the operation of the employee's department, the employee may be placed on a leave of absence without pay, if such a leave will not be detrimental to the County and/or the operation of the employee's department. For candidacy leave-without-pay requests, an employee must expend all compensatory and P.T.O. leave, if applicable, before candidacy leave-without-pay, if granted, is permitted.

E. GENERAL PROVISIONS:

1. An employee shall submit his/her request for leave of absence without pay at least two (2) weeks in advance of such leave unless advance time is reduced or waived by the Department Head in an emergency or extreme condition. The employee must also complete a leave of absence agreement and make arrangements for payment of insurance as outlined in section II. 7. E. 7. The written agreement shall include that the employee's ability to return to work is conditioned upon the availability of an appropriate position and sufficient appropriation or authorization of personal service funds. The employee shall have any unused accruals, if any, reinstated at the time of return to duty.
2. P.T.O. leave shall not accrue while an employee is on leave of absence without pay for one or more pay periods.
3. An employee on leave of absence without pay shall not receive pay for holidays.
4. An approved leave of absence without pay is considered a break in County service as such may pertain to any state retirement plan and the meeting of years of service for salary adjustments.
5. A leave of absence without pay shall not be granted for an employee to engage in outside employment.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

6. A Department Head may appoint a temporary replacement or detail another employee to substitute for an employee on leave of absence without pay until it is determined that the regular employee will or will not return or that the leave may involve a period of time where the operation of the Department may be adversely impacted. Due to operational or work-related reasons, the Department Head may fill the position. Therefore, the County cannot guarantee the employee's return to the same job. However, if the job is not available when the employee is ready to return, he/she may be offered an equal or lesser position, if one is available, for which he/she is qualified to perform (at the pay rate of such position). If there is no position available, the employee will be placed on a preferential recall list and will be offered the first position for which he/she is qualified (at the pay rate of such position). If the employee rejects an offered position, the county no longer has any obligation to such person. An employee remains on the preferential recall list for up to 3 months.
7. An employee starting a leave of absence without pay who wishes to continue coverage under any of the County's group insurance programs must contact the Human Resources Department. The employee is expected to pay the full cost of the premiums; that is, both employee's and employer's shares, otherwise, insurance coverage shall cease until employee meets current benefit requirements.
8. Leave of absence without pay, when granted, must be continuous and may not be interspersed with paid time.
9. Resignation during a leave of absence becomes effective two (2) weeks from date of notice, not at the end of the leave of absence.

8. ABSENCES WITHOUT LEAVE

- A. Any unauthorized absence of an employee from duty shall be considered an absence without leave and the employee shall not be paid for such absence. While an employee is absent without leave, P.T.O. leave and holiday leave benefits shall cease to accrue.
- B. Any unauthorized absence shall constitute grounds for disciplinary action by the Department Head up to and including dismissal for cause.
- C. An employee not reporting an absence to his/her supervisor shall be on unauthorized absence without leave. An unauthorized absence without leave for three (3) or more consecutive working days shall be considered job abandonment and the employee shall be considered to have resigned. Should the employee return to work within a reasonable length of time and provide a suitable reason acceptable to the Department Head, termination may be revoked and appropriate leave time may be allowed.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

9. RETIREMENT

A. MEMBERSHIP ELIGIBILITY:

1. Any employee who works less than twenty (20) hours per week is not eligible for participation in a retirement plan.
2. Any employee who works twenty (20) hours per week or more shall participate in the applicable retirement plan except as provided in Paragraph 3
3. An otherwise eligible temporary employee whose employment is for a duration as defined in the applicable retirement plan has the option of signing a waiver of membership. If a waiver is signed, no contribution shall be deducted from the employee's wages or paid on the employee's behalf by the County. If the employment continues beyond the period of time defined under the applicable retirement plan, the employee's participation shall be established as of the beginning of the next succeeding payroll period following completion of the period of time defined in the applicable retirement plan.

B. RETIREMENT:

1. An employee with regular status who is retired as provided under the applicable retirement plan is deemed to be separated without prejudice and does not have the right of appeal.

10. FAMILY AND MEDICAL LEAVES ACT (F.M.L.A.)

Leave for family medical purposes will be granted in compliance with the Family Medical Leave Act (F.M.L.A.) of 1993 and 2008. This leave provides up to twelve (12) weeks of regular F.M.L.A. leave or twenty-six (26) of Injured Military Service Member F.M.L.A. leave to eligible employees per year in compliance with the U.S. Department of Labor Code, Title 29, Chapter V, Part 825. F.M.L.A. leave is provided recognizing that employees occasionally need to take time from work to care for family and their medical needs. F.M.L.A. leaves meets those needs by allowing employees to take time off for a limited time period with job protection provided that the employee of leave returns to work.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

A. PURPOSE

1. The purpose of this section is to clarify the circumstances under which an employee may request a leave of absence under the provisions of the F.M.L.A., and to identify the procedure for all County employees and Department Heads to follow with respect to the approval and documentation of leaves of absences under the F.M.L.A..
2. This section is intended to implement the provisions of the F.M.L.A. and the regulations promulgated under the F.M.L.A.. Any amendments or judicial interpretations that directly conflict with the provisions of this personnel procedure shall be deemed to supersede the provisions of this personnel procedure.

B. EMPLOYEE ELIGIBILITY

An employee is covered under the provisions of the F.M.L.A. if they have:

1. Worked for Mohave County for at least twelve (12) months; and
2. Worked for the County for at least 1250 hours in the previous twelve (12) month period immediately before the date when the leave would begin. For purposes of calculating the 1250 hour requirement, the number of hours worked does not include P.T.O., E.I.B. leave, any unpaid leave hours, or periods of layoff. Overtime hours, however, are included. The determining factor is whether the time is considered hours of work under the federal F.L.S.A.

C. TYPES OF F.M.L.A. LEAVE

1. F.M.L.A. may be granted for the following reasons:
 - a. Birth and care of a newborn child of an employee.
 - b. Placement, with an employee, of a son or daughter for adoption or foster care.
 - c. Care for an immediate family member (legal spouse, child or parent) with a serious health condition. ('Parent' does not include a parent-'in-law'; 'child' does not include a son or daughter age eighteen (18) or over unless they are incapable of self-care as defined by F.M.L.A. 825.113.)
 - d. Care of the employee if unable to work because of a serious health condition.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- e. Care for an employee's family member who is a member of the U.S. military and who is on, or has been called to, active duty in the Armed Forces may take up to twelve (12) weeks of F.M.L.A. leave when they have experienced a 'qualifying exigency.'
- f. Care for an immediate family member or next of kin who is a member of the U.S. military who has incurred a serious injury or illness while on active duty in the Armed Forces may take up to twenty-six (26) weeks of leave in a twelve (12) month period (including regular F.M.L.A. leave).

D. CALCULATION OF LEAVE

- 1. An employee who is eligible under the F.M.L.A. may be allotted up to twelve (12) weeks of unpaid leave for a F.M.L.A.-qualifying reason within a specified twelve-month (12) period of time. The specified twelve-month (12) period will be determined on a 'rolling' basis measured backward from the last date of the employee uses any F.M.L.A. leave.
- 2. The only exception to the above is that if both spouses are employed by Mohave County, the twelve (12) weeks of 'Family' Leave is limited to a combined total (between the spouses) of twelve (12) weeks during the twelve (12) months following the birth or placement of a child.

E. RESPONSIBILITIES

1. EMPLOYEE RESPONSIBILITY

- a. An employee is responsible to request F.M.L.A. not less than thirty (30) days prior to the start of the leave, when it is foreseeable and practical. If the employee is incapacitated, a family member or other responsible party may submit the request for F.M.L.A. leave on behalf of the employee.
- b. An employee request for F.M.L.A. leave should be in writing. The request shall include applicable documentation as required by the Human Resources Department, verifying the need for the leave.
- c. Provisional approval of F.M.L.A. leave may be authorized by the Human Resources Department pending receipt of required and completed documentation.
- d. Employees who request consistent, intermittent, or a reduced leave Schedule based on a planned treatment shall make a reasonable effort to schedule the treatment so as not to unnecessarily disrupt the department's operations.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

- e. All employees on approved F.M.L.A. leave, on a biweekly basis, shall report their leave status and intentions on returning to work to their Department Head and to the Human Resources Department.
- f. An employee cannot work outside employment while on F.M.L.A.

2. DEPARTMENT HEAD RESPONSIBILITY

- a. The Department Head shall verify the employee's eligibility when the employee requests F.M.L.A. leave. The Department Head shall forward the F.M.L.A. Request for Leave form and supporting documentation to the Human Resources Department.

The Department Head shall forward the employee's request to the Human Resources Department with a recommendation to approve or disapprove the F.M.L.A. request. The Human Resources Department shall make the final decision of the approval or disapproval of the leave.

- b. The Department Head shall track F.M.L.A. leave according to Finance Department/Payroll's time reporting procedures. If F.M.L.A. is taken as regular/intermittent, a copy of the time sheet for each pay period, regardless of the number of hours taken for F.M.L.A., shall be submitted to the Human Resources Department and Finance Department/Payroll, with the number of F.M.L.A. hours indicated.
- c. The Department Head shall submit a Request for Personnel Action form to the Human Resources Department when the employee has returned to work or the employee has exhausted F.M.L.A. leave for the twelve (12) months, whichever occurs first.

3. HUMAN RESOURCES DEPARTMENT RESPONSIBILITY

- a. The Human Resources Department is responsible for the equitable and consistent administration of F.M.L.A. in the County.
- b. The Human Resources Department is responsible to inform and advise employees and management of the F.M.L.A., its provisions and administrative procedures on its use.
- c. The Human Resources Department shall notify the employees in writing of their F.M.L.A. rights, responsibilities and benefits while on leave. The Department Head and timekeeper shall receive a copy of the notification.
- d. F.M.L.A. statutes and regulations are kept in the Human Resources Department for employee's review.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

11. BEREAVEMENT LEAVE

A. GENERAL: Bereavement leave is paid leave granted to an employee to attend services and handle matters related to the death of a member of the employee's immediate family.

B. ELIGIBILITY: Full and part-time, benefits eligible, regular and probationary status employees are eligible to receive bereavement leave.

C. USE OF BEREAVEMENT LEAVE:

1. A full-time employee may be granted bereavement leave for up to three (3) consecutive working days based on normally scheduled hours not to exceed 24 hours. Upon request, bereavement leave may be extended for two more working days not to exceed 16 hours if travel distance of 200 or more miles one way is required. Request for bereavement leave must be made as soon as possible and can be approved, modified or denied by the Department Head. If additional time is needed, an employee may use E.I.B. leave, if available, or P.T.O. leave.

2. A part-time employee may be granted bereavement leave for up to three (3) consecutive working days based on normally scheduled hours not to exceed 12 hours to be used at the rate of 4 hours per pay period. Upon request, bereavement leave may be extended for two more working days not to exceed 8 hours to be used at the rate of 4 hours per pay period if travel distance of 200 or more miles one way is required. Request for bereavement leave must be made as soon as possible and can be approved, modified or denied by the Department Head.

If additional time is needed, an employee may use E.I.B. leave, if available, or P.T.O. leave.

3. A Department Head may require documentation substantiating an employee's need for bereavement leave.

4. Bereavement leave may not be used in a manner that generates paid hours in excess of the employee's regularly scheduled work week.

5. Bereavement leave may not be used while an employee is on an approved leave of absence without pay.

6. An employee may, with Department Head approval, use any applicable paid leave accruals for additional time off as necessary.

7. Bereavement leave shall not be counted as hours worked for the purpose of computing overtime.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

12. EDUCATION ASSISTANCE AND REQUIRED EDUCATION

- A. **GENERAL**: The County recognizes that the skills and knowledge of its employees are important to the organizations success. In order to promote interest in self-improvement through formal education and training, County Departments, within their fiscal ability, will share with the employee the cost of such training on a reimbursement basis.

The County encourages employees to grow professionally through continuing education and training. Department Heads will identify educational and training requirements and provide opportunities for employees to enroll in courses or seminars which contribute to the employees and organization growth and achieve goals. Education and training required to maintain county required licensing and certification will be considered in this section for payment or reimbursement.

- B. **ELIGIBILITY**: A regular full-time employee may apply for educational assistance upon successful completion of original probation.

- C. **COURSE ELIGIBILITY**: In order for the educational/training to be eligible for reimbursement, all of the following must apply:

1. Courses for which educational assistance is sought must be required for completion of a degree, licensing, or certification which is related to the employee's current position or a reasonably foreseeable future position in the County. When doubt exists, the department/division head shall make the determination of applicability of the coursework.
2. Prior to registering for the course(s), an employee shall seek and obtain the approval from their immediate Supervisor and Department Director to participate in the course(s) and affirm that the department has funds and that reimbursable charges will be paid.
3. Even though an employee is working on a diploma or degree, any course that is not related to the job may not be accepted in the program. Classes and training sessions that are of short-duration (one day workshops, two day seminars) are not considered coursework and, therefore, are not reimbursable under the Educational Assistance Program.
4. The hours during which a course of study is taken may not conflict with the employee's work schedule.

- D. **REIMBURSEMENT**: In order for an employee to be reimbursed by the County, upon registration for the course(s), an employee must submit an application for educational assistance to the Human Resource Department and Finance Department for approval.

1. The application shall include the signature of the immediate supervisor and Department Director that acknowledges an employee's participation in the course(s) and affirms that reimbursement charges will be paid by the department.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

2. Up to fifty percent (50%) of fees, tuition, required texts, workbooks, or course required materials and activity expenses may be reimbursed. All documents provided to obtain educational assistance are subject to verification.
3. Employees who do not remain on the active payroll for the duration of the course and who receive a grade of less than a “C” or “FAIL” in a class shall be ineligible for reimbursement.
4. Each employee will be required to sign an agreement stating that if he/she separates from County employment for any reason within one year of receiving reimbursement, an amount will be withheld from the final paycheck according to the following schedule:

Reimbursement Date of Separation	Percentage Withheld
Up to 4 months from receiving reimbursement	75%
5 to 8 months from receiving reimbursement	50%
9 to 12 months from receiving reimbursement	25%

E. CONTINUING EDUCATION AND TRAINING:

1. To the extent possible, educational and training opportunities will be offered in an equitable and non-discriminatory manner and must be job related. Sufficient funds must be available in the budget to cover education and training requirements.

13. DEPARTMENTAL RECOGNITION AWARDS

It is Mohave County's policy to support, encourage and recognize employee's higher levels of performance and outstanding contributions in improving quality customer service to the public and increasing departmental productivity.

The purpose of this procedure is to promote and support Mohave County departments' employee recognition programs.

B. SOURCE OF FUNDING FOR AWARDS

The source for the funding of any departmental recognition awards shall be the department's current fiscal year budget, and no additional funding will be provided for these awards. Each recognition award cannot exceed fifty dollars (\$50.00).

C. ADMINISTRATION

The individual departmental award program is administered by the Department Head or designated staff.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

14. DEFINITIONS

1. **Abandonment of Job:** An employee who has been absent from his/her position for three (3) or more consecutive work days without authorized leave.
2. **Access:** To have permission, liberty or ability to examine, obtain information from or add to personnel records.
3. **Accrued Holiday Leave:** Holiday leave accrued and added to the P.T.O. balance of an eligible non-exempt status employee who is approved to work on a County recognized holiday.
4. **Actively at Work:** An employee who is working for the County on a full time basis (32 or more hours per week) or a part time employee being paid regular earnings.
5. **Allocation:** The assignment of a position to a classification on the basis of the duties and responsibilities assigned to the position.
6. **Anniversary Date:** Annual reoccurrence of the date of hire or last hire date.
7. **Appeal:** A request of the Merit System commission to investigate a complaint alleging improper suspension, demotion, or dismissal or alleged illegal discrimination.
8. **Applicant:** A person seeking County employment or an employee seeking a transfer, reappointment, reinstatement, detail, promotion or demotion with County employment who has completed and returned, on a timely basis, an official Mohave County Application form according to instructions.
9. **Appointing Authority:** Appointed or elected official serving in the capacity of Department Head.
10. **Appointment:** The official offer of employment and acceptance by an eligible in accordance with these Procedures.
11. **ARS:** Arizona Revised Statutes.
12. **Assignment:** A position (duty assignment and work location assignment) to which an individual is appointed.
13. **Basic work schedule** means a work schedule in which a full-time employee has a basic requirement of 8 hours in each day and 40 hours in each week.
14. **Board:** The Mohave County Board of Supervisors.
15. **Child:** An individual who is fourteen (14) days through eighteen (18) years of age.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

16. **Civic Duty Leave:** Approved periods of absence with pay and related benefits from regularly scheduled work approved in advance while: serving as a juror; responding to a subpoena to appear as a witness; serving as a member of a public service board, commission or similarly constituted body; serving on Short Term Uniform Services assignments; serving in the Arizona National Guard or Military Reserve; participating as a volunteer in humanitarian/emergency relief activity, or for voting.
17. **Classification Series:** Jobs involving work of the same nature, but requiring different skill and responsibility levels. For example, Law Enforcement is a classification series; Deputy Sheriff is a classification (skill/responsibility level) within that series.
18. **Classification Specification:** The official description of positions assigned to a classification defining the type and level for duties and responsibilities and the acceptable qualifications necessary for successful performance.
19. **Classification:** A title assigned to a position or group of positions with similar duties and responsibilities which require like training, experience, knowledge, and skills.
20. **Classification Plan:** The orderly arrangement of positions under separate and distinct classification on the basis of current duties and responsibilities.
21. **Classified Employee:** A full or part time employee whose position is budgeted and assigned to a classification in the classification plan and who is covered by the Merit Rules.
22. **Compensation:** The salary, wage, allowances, and all other forms of valuable consideration earned by or paid to an employee except reimbursement for necessary expenses which have been authorized and incurred.
23. **Compensatory Time:** Earned time recorded on an employee's time card in lieu of overtime pay which must be taken within the next 2 pay periods.
24. **Consecutive Calendar Years:** A twenty-four (24) month consecutive period of time including the current and previous calendar years.
25. **County:** Mohave County government.
26. **County Manager:** Chief Executive Officer for the County.
27. **Demotion:** A change in the assignment of a regular employee from a position in one classification to a position of another classification having a lower salary range.
28. **Department:** A county governmental unit under the control of a Department Head.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

29. **Department Head:** For the purpose of the policy, the single administrative head, elected or appointed, responsible for directing and coordinating the functions of a department which may be comprised of one or more divisions. The Department Head is the appointing authority for the department. The Department Head is equivalent with Division Head within the Superior Courts.
30. **Detail:** The assignment of an employee to temporary duty which exceeds thirty (30) working days to a position other than the position to which regularly assigned.
31. **Director:** The Mohave County Human Resources Director.
32. **Dismissal:** The involuntary termination of a person from County employment for disciplinary reason.
33. **Disposable Earnings:** The compensation paid or payable for personal services, less any amount required to be withheld by law.
34. **Division:** A Superior Court unit under the control of a Division Head.
35. **Division Head:** The single administrative head, elected or appointed, responsible for directing and coordinating the functions of a Superior Court division which may be comprised of one or more sections. The Division Head is the appointing authority for the division. The Division Head is equivalent with Department Head within the County.
36. **E.I.B.:** Employee Illness Bank
37. **Eligible:** An employee qualified to participate or be chosen.
38. **Employee:** A person who has been appointed to and is currently filling a budgeted position within Mohave County and excludes temporary and contractual hires unless the terms of a contract permit inclusion under the Merit Rules. Participants of the temporary placement program are not considered employees for purposes of the Procedures.
39. **Employee Organization:** Mohave County Credit Union or those organizations not primarily engaged in partisan political activities whose memberships are primarily composed of Mohave County employees and who represent the interests of those employees in their relationship with Mohave County as an employer.
40. **Exempt Status Employee:** Executive, administrative and professional employees who are deemed exempt from overtime and reporting provisions of the Fair Labor Standards Act (F.L.S.A.)
41. **F.L.S.A.:** Fair Labor Standards Act

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

42. **Full-time Position:** A position which provides employment for a thirty-two (32) to forty (40) hour work week and which has a regular schedule on a year round basis.
43. **Garnishment:** Retention of wages or property pursuant to legal process by employer or other person to satisfy a debt owed to a creditor.
44. **Holiday Leave:** The compensation paid to eligible employees on each of the recognized holidays. Holiday time for full-time eligible employees is defined as eight (8) hours in duration regardless of the schedule. Holiday time for part time eligible employees is defined as a prorated number of hours based on the normal hours worked per pay period.
45. **Human Resources Department:** Any reference to the terms Personnel stated herein is intended to refer to the Department known as Human Resources.
46. **Immediate Family Member (or Relative):** Spouse, mother, father, child, stepchild, brother, sister, father-in-law, mother-in-law, grandparents of an employee or grandparents of an employee's spouse.
47. **Intermittent Employee:** An eligible who has been hired for seasonal, on-call or as-needed employment that does not exceed one thousand forty (1040) paid hours per fiscal year.
48. **Layoff:** The conditional separation of a regular employee due to lack of funds, lack of work, reorganization (causing cutbacks and reductions), abolition of position or other reasons specified in these Procedures.
49. **Maintain:** Includes collect, file, update, use or disseminate.
50. **Management Leave:** Time off with pay during an exempt employee's normal working hours to offset unaccruable extraordinary hours worked in unusual circumstances as determined by the Department Head, County Manager or Presiding Judge.
51. **Manifest Error:** An act or failure to act which is or clearly has caused, a mistake of commission or omission to occur.
52. **May:** Used to express customary action.
53. **Medical Benefit:** Expenses necessary for the treatment of Workers' Compensation occupational disease, injury or illness.
54. **Merit System:** The uniform and equitable system of personnel administration under the federal guidelines and rules.
55. **Moral Turpitude:** Act or behavior that gravely violates moral sentiment or accepted moral standards of the community.
56. **Non-active work status:** The time that extends beyond one (1) consecutive pay periods during which an employee has been and continues to be absent from their job.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

57. **Non-Exempt Status Employee:** Employees covered by the overtime and reporting provisions of the Fair Labor Standards Act (F.L.S.A.).
58. **Official Position Audit:** The examination of the required duties and responsibilities of a budgeted position by the Human Resources Department in order to determine proper allocation.
59. **Overtime:** Time actually worked in excess of forty (40) hours per week unless a different definition is required by law. For purposes of computing overtime hours, used P.T.O. leave, compensatory time, used E.I.B. leave, and accrued holiday leave, shall be excluded.
60. **P.T.O.:** Paid Time Off
61. **Part-time Position:** A position which provides employment between twenty (20) to thirty-one (31) hours within a work week, and which has a regular schedule on a year-round basis.
62. **Personnel Record:** Any personnel information maintained in the official employee record.
63. **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.
64. **Premium Pay:** Compensation in addition to an employee's normal pay and includes overtime pay, compensatory time, call-back pay, on-call pay and premium holiday wages.
65. **Probationary Employee:** A working employee serving either an original, promotion, reappointment, transfer, demotion or certain types of reinstatement, probationary period.
66. **Probationary Period:** a qualifying period following initial appointment, reinstatement, reappointment, transfer, promotion or demotion, which is the final step in the examining process during which the work performance of an employee is evaluated.
67. **Promotion:** A change in the assignment of an employee from a position in one classification to a position in another classification in the same career path or track as established through the classification section of the Human Resources Department having a higher salary range.
68. **Reallocation:** A change in the classification of an existing position.
69. **Reassignment:** A noncompetitive change in the assignment of an employee from one position to another of the same classification and salary range within the employee's department.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

70. **Reclassification:** A change in the classification of an incumbent employee when his or her position has been reallocated.
71. **Record:** Any information maintained about an individual containing a name or other identification.
72. **Regular Employee:** An employee who, through a selection process, has been chosen to fill a position in the County's classification system and has completed the original probationary period for the position. Appointed, contractual, temporary, and original probationary employees are excluded from definition.
73. **Reinstatement:** The appointment of a laid-off employee to a position of the same or lower classification from which laid-off, or the returning of an employee as ordered by the Merit System Commission.
74. **Salary or Wages:** Amounts due to an employee from the employer as specified under rules and regulations of the Industrial Commission of Arizona (ICA) and state law.
75. **Separation:** Separation of an employee from Mohave County employment.
76. **Shall:** Used to express what is mandatory; must; will.
77. **Should:** Used to express future expectations; future tense of shall.
78. **Suspension:** An involuntarily imposed leave with or without pay on a regular status employee.
79. **Unclassified Position:** A position in the County Service which is exempt from the provisions of the Merit Rules.
80. **"Uniformed Services"** The United States Air Force, Army, Navy, Marine Corps, Armed Services Reserve Units and National Guard Units.
81. **Veteran:** Any person separated from active duty in the Armed Forces of the United States (Army, Navy, Air Force, Marine Corps or Coast Guard) under honorable conditions following more than six (6) months of active duty.
82. **Voluntary Payroll Deduction:** Employee dues or fees which are voluntarily authorized by an eligible County employee and which may be deducted from his/her paycheck.
83. **Wage Assignment:** The transfer of property (wages) to be held in trust or to be used for benefit of creditors.
84. **Work Period:** A work period is any established and regularly recurring period of work which cannot be less than seven (7) consecutive days nor more than twenty-eight (28) consecutive days.

Administrative Procedures (11-1)

MOHAVE COUNTY CLASSIFICATIONS AND COMPENSATION PLAN, BENEFITS AND LEAVE PROGRAMS

85. **Workers' Compensation Injury:** A personal injury by accident arising out of and in the course of employment. An injury caused by the willful act of a third person directed against an employee because of his/her employment, but does not include a disease unless resulting from the injury; or an occupational disease which is due to causes and conditions characteristic of and peculiar to a particular trade, occupation, process or employment, and not the ordinary disease to which the general public is exposed, and subject to the provisions of state law.
86. **Work Week:** A period of time which begins at 12:01 a.m. Saturday and ends at 12:00 a.m. (midnight) the following Friday. Alternate work schedules for employees may be recommended by the Department Head and Human Resources Director and approval by the County Manager.