

## RESOLUTION 14-14

### **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTIONS 1.3.2, REGARDING CLASSIFIED SERVICE – MERIT EMPLOYEES, AND SECTION 1.3.3, REGARDING UNCLASSIFIED SERVICE – “AT-WILL” EMPLOYEES, OF THE CITY OF MARICOPA PERSONNEL POLICIES AND PROCEDURES HANDBOOK.**

**WHEREAS**, the Mayor and Council of the City of Maricopa, Arizona, adopted the City of Maricopa Personnel Policies and Procedures in 2006; and

**WHEREAS**, the Mayor and Council of the City of Maricopa, Arizona, previously revised the Personnel Policies and Procedures on March 20, 2012; and

**WHEREAS**, the Mayor and Council of the City of Maricopa have reviewed Section 1.3.2 and Section 1.3.3 of the Personnel Policies and Procedures Handbook and have determined that such sections should be revised to set forth the City’s policies and procedures.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Maricopa, Arizona, as follows:

**SECTION 1.** Section 1.3.2 shall be amended in its entirety to read as follows:

#### **1.3.2 Classified Service – Merit employees**

- a) The classified service includes all employees whose positions have been approved and budgeted by the City Council, have fulfilled the required six (6) month probationary period of employment, and do not qualify as “unclassified”. The classified service is designed to facilitate efficient and economical services to the public, and to provide for a fair and equitable system of human capital management. All classified service employees are considered Merit employees, and are therefore eligible to submit appeals to the Merit Board as allowed under the City’s personnel policies and procedures.

**SECTION 2.** Section 1.3.3 shall be amended in its entirety to read as follows:

#### **1.3.3 Unclassified Service – “at-will” employees**

- a) The unclassified service is defined as those employees not considered Merit employees, and who are NOT eligible to submit appeals to the Merit Board. This service includes employees in which administrative necessity dictates that the positions be responsive and accountable to City policy or are temporary and provisional in nature. Employees within the unclassified service are “at-will” employees; employment is subject to termination by the employee or the City at any time for any reason, unless otherwise stated in a

written contract of employment.

- b) Positions considered part of the unclassified service must comply with all City standards of professional conduct while doing business with and for the City, but have limited privileges and employment protections as described throughout these provisions. Positions considered part of the unclassified service include, but are not limited to:
  - i. Staff Positions as determined by the City Manager.
  - ii. Those positions appointed by the City Council as set forth in the City Code.
  - iii. New Employees: All new employees are considered unclassified and not eligible to appeal to the Merit Board until they have successfully fulfilled their six (6) month probationary period of employment.
  - iv. Part-time Employee: A person who is appointed to perform the duties of a position for less than forty (40) hours a week. Part-time employees shall not work more than twenty-nine (29) hours per week, or fifty-eight (58) hours biweekly, and under no circumstance shall work more than one hundred-twenty (120) hours in a consecutive four week period.
  - v. Seasonal Employee: A person who is appointed to perform the duties of a position that requires staffing during certain parts of the year. Seasonal employees are hired for a defined period of time in support of specific programs (e.g., Summer Recreation or Aquatics) and shall not work more than nineteen (19) weeks in a calendar year.
  - vi. Temporary Employees: Temporary employees hired to perform a job which is limited in nature are not to exceed twelve months of employment unless limited to less than twenty (20) hours per week of employment, and are not subject to a twenty-four (24) month employment limitation. Extended appointments are restricted to positions which require a considerable period of training and preparation, where a change of personnel would have an adverse effect on the program, or which are funded by non-City money (e.g., state and federal grants). Temporary employees who work twenty (20) or more hours per week for more than twenty (20) weeks in a fiscal year are required to contribute to the Arizona State Retirement System.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 1<sup>st</sup> day of April, 2014.

APPROVED:

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Christian Price  
Mayor

ATTEST:

APPROVED AS TO FORM:

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Vanessa Bueras, CMC  
City Clerk

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Denis Fitzgibbons  
City Attorney