



## Personnel System Personnel Policies

### 1 General Provisions

#### Personnel System

#### Last Revision:

~~05/18/2021~~ 03/01/2022

#### Original Effective Date:

07/01/2006

#### Summary of Changes:

RES ~~21-27~~ amendments22-10

### 1 GENERAL PROVISIONS

#### ~~1.1~~ Purpose of Personnel System

##### ~~1.1.1~~ Purpose Statement

- a. This manual has been established to clearly set forth an understanding and cooperation and, in turn, efficiency among City personnel.
- b. Should any article, paragraph, sentence, clause, or phrase of this manual or the application of the same to a particular set of persons or circumstances be declared unconstitutional or invalid for any reason, the remainder of this manual shall not be affected.

#### ~~1.2~~ DISCLOSURE

##### ~~1.2.1~~ Policy Not a Contract

- a. While the City desires to apply these policies and procedures to all employees, NOTHING IN THIS MANUAL OF PERSONNEL POLICIES SHALL BE DEEMED OR CONSTRUED TO CREATE A CONTRACT OF EMPLOYMENT OR TO CONSTITUTE A CONTRACT FOR ANY PARTICULAR TERM(S) OR CONDITIONS CONCERNING EMPLOYMENT.
- b. The City expressly disavows any employee from reliance upon this manual or its provisions in a manner so as to attempt to establish any contractual rights.

### **1.2.2 Authority**

- a. The City of Maricopa and its elected officials reserve the right to amend, modify, add to or subtract from any provisions set forth in this manual at anytime.
- b. Benefits and policies addressed in this manual that are controlled by state or federal statutes may be modified or changed by the City Manager or his designee to remain consistent with any changes in state or federal law.

## **1.3 DEFINITIONS**

### **1.3.1 Service Relationships**

- a. Members of the City Council shall not be employed in any other capacity with the City during their tenure on the City Council.
- b. Members of Advisory Boards, Commissions and Advisory Groups shall not be employed by the City during their term of service. City employees who are appointed by the City Council or the City Manager to serve as subject matter experts or to staff such boards, commissions or advisory groups are exceptions to this rule.
- c. The City Manager shall be responsible for implementing and administering these Personnel Policies and Rules and otherwise appointing, compensating, reassigning, disciplining and removing employees of the City as necessary and prudent. The City Manager shall be the final authority on the interpretation of these rules and is authorized to implement any administrative policies necessary to clarify the process or procedure for enforcing these policies or to address any matters not specifically set forth herein.

### **1.3.2 Classified Service - Merit Employee**

The classified service includes all employees whose positions have been approved and budgeted by the City Council, have fulfilled the required 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 regarding discipline as allowed under the City’s policies and procedures.

### **1.3.3 ~~1.3.2~~ 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 regarding discipline. 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 until they have successfully fulfilled their probationary period of employment.
- ~~iv. Part-time Employee: A person who is appointed to perform the duties of a position for less than 40 hours a week. Part-time employees shall not work more than 29 hours per week, or 58 hours biweekly, or no more than 1,508 hours annually.~~  
~~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~~ (12) 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.

### ~~1.3.4~~ **1.3.3 Personnel Authority**

- a. The City Manager is the Personnel Officer and may delegate any of the powers, duties and responsibilities set forth herein to any other employee of the City or may contract for human capital services.
- b. Human Resources is responsible for the development and administration of a comprehensive system to select and compensate an effective work force, maintain personnel files, provide employee fringe benefits, and communicate City policies and procedures.

## **1.4 ANTI-DISCRIMINATION**

### ~~1.4.1~~ **1.3.4 Prohibition against Discriminatory Practices**

- ~~a. The City is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City expects that all relationships among persons in the workplace will be free of bias, prejudice and harassment.~~
- b.a.** It is the policy of the City to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, age, national origin, mental or physical disability, pregnancy, veterans'

status, genetic testing or any other protected characteristic as established by law. The City prohibits, and will not tolerate, any such discrimination or harassment. In addition, the City will not allow any discriminatory practices which could be construed as creating a hostile environment, as defined by law, for City employees.

### **1.4.3 Retaliation Non-Tolerance**

The City of Maricopa will not tolerate retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory employment practices.

### **1.5.1.4 AMERICANS WITH DISABILITIES ACT**

#### **1.5.1.4.1 Adherence to Americans with Disabilities Act of 1990**

It is the policy of the City of Maricopa that there will be no discrimination against a qualified individual with a disability because of the disability of such individual and that the City will make a reasonable accommodation to a qualified individual, in accordance with State and Federal Law.

*Reference: Administrative Policy*

[2 WORKPLACE STANDARDS: ADA Policy - AMERICANS WITH DISABILITY ACT POLICY](#)

### **Related Documents:**

<b>Document Type:</b>	<b>Document Name:</b>	<b>Document Number:</b>
Administrative Policies	CREATION AND MANAGEMENT OF POLICIES	1 PURPOSE: Administration Policy Creation
Administrative Policies	ANTI-HARRASSMENT	2 WORKPLACE STANDARDS: Anti-Harassment
Administrative Policies	DRUG AND ALCOHOL POLICY	2 WORKPLACE STANDARDS: Drug and Alcohol Policy
Administrative Policies	VISITORS IN THE WORKPLACE	2 WORKPLACE STANDARDS: Visitors in the Workplace
Administrative Policies	WORKPLACE VIOLENCE PREVENTION	2 WORKPLACE STANDARDS: Workplace Violence Prevention

[Personnel Policies and Procedures Manual April 2014.pdf](#)  
[RES 14-14.pdf](#)

### **Authorizations and Sign-offs**

<b>Name:</b>	<b>Title:</b>	<b>Date Approved:</b>
Christian Price	Mayor	05/18/2021



# Merit System, Hearing Officer, Administration, and Appeals Procedure

## Personnel Policies

### 2 Merit System

Merit System, Hearing Officer, Administration, and Appeals Procedure

#### Last Revision:

~~05/04/2021~~03/01/2022

#### Original Effective Date:

07/01/2006

#### **Purpose:**

~~As set forth in Section 3.70.010 of the City Code, as may be amended from time to time, Council hereby adopts a merit system for the employees of the City to ensure that all city employees and job applicants receive rights as prescribed in all sections of the Personnel Policies and Procedures Manual and to ensure that qualified and competent individuals are attracted to positions with the City of Maricopa, and appointments and promotions within the city service are based on factors such as qualification, work performance, and dedication to serving the residents of Maricopa.~~

#### **Scope:**

All personnel.

#### **Summary of Changes:**

Resolution ~~21-12 amendments~~22-10

### **2 MERIT SYSTEM**

The City Manager is hereby authorized to establish a Code of Conduct and related disciplinary processes and procedures in accordance with the following principles:

- a. Recruitment from all segments of society, and selection and advancement on the basis of ability, knowledge, and skills, under fair and open competition.
- b. Fair and equitable treatment in all personnel management matters, without regard to politics, race, color, religion, national origin, sex marital status, age, or disability condition, and with proper regard for individual privacy and constitutional rights.
- c. Equal pay for work of equal value, considering both national and local rates paid by private and public employers.
- d. High standards of integrity, conduct, and concern for the public interest.
- e. Efficient and effective use of the municipal work force.
- f. Retention of employees who perform well, correcting the performance of those whose work is inadequate, and separation of those who cannot or will not meet required standards.
- g. Improved performance through effective education and training.
- h. Protection of employees from arbitrary action, personal favoritism, or political coercion.
- i. Protection of employees against reprisal for lawful disclosures of information.

## Authorizations and Sign-offs

Name:	Title:	Date Approved:
Christian Price	Mayor	05/04/2021



# Prohibition of Political Activity, Running for Office, and Voting

## Personnel Policies

### ~~3.4~~ Political Activity

Prohibition of Political Activity, Running for Office, and Voting

Last Revision:

~~04/01/2014~~ 03/01/2022

Original Effective Date:

07/01/2006

#### a. POLITICAL ACTIVITY

##### Public Policy

It is the public policy of the City that:

- a. All employees be free from any express or implied requirement or any political or other pressure of any kind to engage or not engage in any activity permitted by this policy.
- b. Employees may not engage in activities that are inconsistent, incompatible, in conflict with, or are harmful to their duties as City employees.
- c. Nothing contained in this policy shall be construed as denying employees of their civil or political liberties as guaranteed by the United States and Arizona Constitutions or other applicable laws.

a.b.

#### ~~a.1~~ **Political Prohibited Activity**

##### ~~a.1.1~~ **Prohibition of Political Activity**

- a. Using any official City authority or influence for the purpose of interfering with or affecting the results of an election;
- ~~a. Solicitations are prohibited on City Property.~~
- b. Using City resources to influence the outcome of elections as prohibited by A.R.S. § 9-500.14. This prohibition has been interpreted to prohibit the use of any City funds or resources to advocate for or against a measure that will be on the ballot. The obvious exception to this general prohibition is when the City Council proposes a measure that will appear on the ballot. But even then, the use of City funds and resources is limited to informing the public of this action. City funds and resources cannot be used to “campaign” in support of the measure.
- ~~b. No employee shall solicit or attempt to solicit support for a candidate or political party involved in a City of Maricopa municipal election from any employee or~~

~~appointed official. Violations considered to be of a political nature shall be referred directly to the City Manager's Office.~~

c. Initiating or circulating a political nomination, recall or referendum petition;

~~a. All employees shall avoid improper political activity as prescribed in A.R.S. 41-772.~~

e.

d. Participating in the management of political campaigns;

~~d. No employee shall take part in the campaign of a candidate participating in a Maricopa municipal election.~~

e. Displaying signs, bumper stickers, posters, or pamphlets on public property for the endorsement of candidates or issues;

~~e. No person employed by the City shall orally, in writing or otherwise solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose whatsoever from any City employee.~~

f. Being politically active in connection with a candidate, with a bond issue, referendum, or issue of similar character at issue in a City election;

~~f. No employee of the City shall use any influence or pressure upon a fellow employee to obtain any assessment or contribution of money or time, either directly or indirectly, for any political campaign or personal gain.~~

g. Using an official City title or designated employment with the City when endorsing or opposing a candidate or issue in a political advertisement, broadcast, campaign literature, or similar material;

~~g. No employee of the City shall use or attempt to use any political influence to secure or assist any other employee in securing employment or any employment benefit or advantage.~~

h. Being a candidate for or appointed to serve as Mayor or a member of City Council. Any City employee desiring to run for or be appointed to a City office shall resign from City service prior to filing for such office;

~~h. No paid employee shall use his or her position to sell, solicit, or distribute any campaign material during working hours and/or in a uniform used by or identified with the City government.~~

i. Engaging in improper political activity as prescribed City Code Section 3.70.050 or A.R.S. §41-772, which may be amended from time to time; and

~~i. No paid employee shall use his or her position to introduce, guide, or recommend any candidate for public office on City property.~~

j. Engaging in any political activity when on duty, including break periods, in a City uniform, using City resources, or in any context that implies an employment relationship with the City. However, uniformed employees may vote at this location.

~~j. Employees shall not publicly support nor condemn a ballot proposition once the call for election has been made by the City Council. Employees shall reserve comments~~



~~to those that are factual in nature.~~

### **~~a.1.2 Running for Office~~**

The following political activities are prohibited for national, state, county and municipal elections outside the City of Maricopa:

- a. Using any official City authority or influence for the purpose of interfering with or affecting the results of an election;
- b. Using City resources to influence the outcome of elections as prohibited by A.R.S. § 9-500.14. This prohibition has been interpreted to prohibit the use of any City funds or resources to advocate for or against a measure that will be on the ballot;
- c. Using an official City title or designated employment with the City when endorsing or opposing a candidate or issue in a political advertisement, broadcast, campaign literature, or similar material;
- d. Being a candidate for or appointed to any non-City of Maricopa elected position unless the City Manager has previously determined such elective office is not inconsistent, incompatible, in conflict with, or harmful to the duties as a City employee;
- e. Engaging in improper political activity as prescribed City Code Section 3.70.050 or A.R.S. §41-772, which may be amended from time to time; and
- f. Engaging in any political activity when on duty, including break periods, in a City uniform, using City resources, or in any context that implies an employment relationship with the City. However, uniformed employees may vote at this location.

-  
While the City is permitted to respond to citizen inquiries, it must do so in a neutral manner that does not urge support or opposition to the measure. The information provided by the City must therefore be “full and impartial” and cannot “amount to improper campaign activity.” Ariz. Op. Atty Gen. No. I00-020 (09/11/2000).

-  
Employees whose pay is fully-funded by federal funds are covered by the Hatch Act (5 USC §§1501-1508), a federal statute that sets forth specific limitations on the political activities of some public employees. Departments or employees who have questions regarding whether an employee is covered by the Hatch Act should contact the Human Resources Department.

- ~~a. No paid employee shall seek election to public office with the City of Maricopa while still employed by the City. Any City employee desiring to run for a City office shall resign from City service prior to filing for such office.~~
- ~~b. Any City employee desiring to run for county, state or federal office may, in lieu of resignation prior to filing, make a request of the City Manager to take a leave of absence without pay upon filing for said office and if elected, shall resign from the City service. The City Manager may deny the leave of absence without pay if the employee's position is one that a leave of absence would cause undue hardship to the City during that absence.~~

**~~a.1.3 Voting~~**

- ~~a. No employee shall take part in any election held for the purpose of electing members of the City Council or other elective municipal office of the City of Maricopa except forecasting his/her individual ballot.~~
- ~~b. Employees are encouraged to and may exercise their rights as citizens to vote and to express opinions as individual citizens, but not as a representative of the City of Maricopa.~~
- ~~c. Employees may exercise their right as citizens to sign petitions during non-work hours and not in uniform.~~

**Authorizations and Sign-offs**

Name:	Title:	Date Approved:
Christian Price	Mayor	04/01/2014



# Disciplinary Action

## Personnel Policies

### 43 Disciplinary

Action Disciplinary

Action

#### Last Revision:

~~05/04/2021~~ 03/01/2022

#### Original Effective Date:

07/01/2006

#### Summary of Changes:

RES ~~21-12 amendments~~ 22-10

### 43 DISCIPLINARY ACTION

Disciplinary action is to correct deficiencies in employee performance, to seek improvement to meet appropriate standards, and/or to correct for violation of City policies. The City maintains, through administrative policy, a progressive disciplinary process to provide general guidelines for a fair method for disciplining employees. Employees who have completed their probationary status and are not at-will, shall only be disciplined with cause. Probationary and at-will employees are subject to discipline up to, and including termination, without cause.

#### Related Documents:

Document Type:	Document Name:	Document Number:
Administrative Policies	DISCIPLINARY ACTION	3 EMPLOYMENT: Disciplinary Action

#### Authorizations and Sign-offs

Name:	Title:	Date Approved:
Christian Price	Mayor	05/04/2021



# Violence, Harassment, Drug & Tobacco Free Workplace

## Personnel Policies

### 5 Workplace Standards

Violence, Harassment, Drug & Tobacco Free Workplace

#### Last Revision:

~~05/18/2021~~ 03/01/2022

#### Original Effective Date:

07/01/2006

### ~~City Policy against~~ **Workplace Violence**

Workplace violence towards employees or anyone at the City of Maricopa will not be tolerated.

#### ~~5.2.2~~

- ~~a. Violence in the workplace will not be tolerated by the City of Maricopa. Any employee who commits an act of violence at work against a person or property will face appropriate disciplinary action, ranging from verbal warning (documented) to immediate dismissal, and possibly including legal prosecution if warranted.~~
- ~~b. Any non-employee who commits an act of violence against a City employee or against City property will be referred to legal authorities for prosecution if appropriate.~~

### ~~5.2.3 Procedure in Addressing Violence in the Workplace~~

- ~~a. Employees will report any act of violence or any threat of violence to their supervisor. All reports of violence or threats of violence will be fully investigated.~~
- ~~b. Supervisors, managers and/or directors will notify City Law Enforcement of any threatening behavior of employees and non-employees of the City.~~
- ~~e. The City shall use reasonable legal, managerial, administrative and disciplinary procedures to secure the work place from violence and to protect employees and members of the public, including encouraging employees to obtain a protective orders against individuals who have caused the employee harm or threatened harm against the employee pursuant to Arizona Revised Statute 12-1810.~~

### ~~5.3 Sexual harassment~~ **Harrassment Policy**

The City of Maricopa has zero tolerance towards any type of harassment in the workplace. Any concerns, observations, and reports are investigated and taken seriously to ensure a safe work environment for all employees.

#### ~~5.2~~

### ~~5.3.1~~ **Definition of Sexual Harassment**

- ~~a. Sexual harassment constitutes discrimination and is illegal under federal, state, and~~

local laws. For the purposes of this policy, sexual harassment is defined as in the EEOC Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

(i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

- ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

b. The City of Maricopa does not condone any working environment that would allow sexual harassment to continue if identified or reported.

### **5.3.2 Types of 5.3.1 Sexual Harassment**

- a. Visual forms of sexual harassment may include, but not be limited to: obscene or sexually oriented derogatory, prejudicial, stereotypical, or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings, screensavers, pictures, E-mails, or articles of clothing that refers to any protected status or characteristic. This applies to posted materials, material maintained in or on City of Maricopa property or equipment, or personal property in the workplace.
- b. Physical forms of sexual harassment may include, but not be limited to: assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy, or movement when directed at an individual in any sexually related manner. This includes such behaviors as pinching, patting, petting, kissing, fondling, grabbing, making explicit or implied threats or promises in return for submission to physical acts, or any physical contact considered unacceptable by another individual.
- e. Verbal forms of sexual harassment may include, but not be limited to: derogatory comments, innuendos, jokes, sexually oriented comments, propositioning, sexual rumors, stories, or vulgar expressions.
- d. Additional types of sexual harassment creating an intimidating, hostile or offensive working environment may include: pressures or requests for any type of sexual favor accompanied by an implied or negative consequence concerning one's employment status, displaying an intimidating, hostile or offensive attitude because of rejected sexually oriented demands, requests, physical contacts or attentions, or interfering with a co-worker's performance by exchanging unwanted sexual attentions or sexually oriented conduct that reduces personal productivity or safety on working time.

### **5.3.3 Victims and Accused**

- a. A man, as well as a woman, may be the victim of sexual harassment, and a woman as well as a man may be the accused. Both males and females can be victims of sexual harassment; both males and females can be guilty of sexual harassment. Same sex harassment may also occur.
- b. The accused may include any individual with whom the employee must associate with in the course of and due to City employment, for example: the supervisor, the agent of the supervisor, a supervisory employee who does not supervise the victim, a non-supervisory employee (e.g., a co-worker), or a non-employee.

- e. ~~The victim does not have to be the person at whom the unwelcome sexual conduct is directed. The victim may be someone who is affected by such conduct when it is directed toward another person.~~

#### **5.3.4 Compliant Procedure**

- a. ~~The City strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to the City's policy or who have concerns about such matters should file their complaints with their immediate supervisor, the Human Capital Director, or the City Manager before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other designated representatives identified above.~~
- b. ~~IMPORTANT NOTICE TO ALL EMPLOYEES: Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.~~
- e. ~~Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the City strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The City will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its staff/employees.~~
- d. ~~The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.~~

#### **5.3.5 Determination and Action**

- a. ~~The City will determine whether such conduct constitutes sexual harassment based on a review of the facts and circumstances of each situation.~~
- b. ~~If reported conduct is determined to constitute a form of sexual harassment, disciplinary actions will be taken in accordance with Policy 4.7.~~
- e. ~~Retaliation of any type will not be made for the act of reporting conduct that an individual believes constitutes sexual harassment.~~

### **5.3 Drug Free Workplace**

The City of Maricopa is committed to providing employees with a safe, drug and alcohol-free workplace.

## **5.4**

### **5.4.1 Influence Free Environment**

- a. ~~The City of Maricopa is committed to providing its employees with a safe workplace and an atmosphere conducive to performing job duties. Employees are expected to be in suitable mental and physical condition while at work, performing job duties~~

| ~~effectively and safely.~~



- b. ~~Employees are expected to report to work with no mood altering substances in their bodies.~~
- e. ~~Whenever use or abuse of any mood altering substance (such as alcohol or other drugs) interferes with a safe workplace, appropriate action must be taken.~~
- d. ~~This policy covers times when employees are on call but not working and times when employees are driving Company vehicles or using Company equipment.~~
- e. ~~Employees who violate this policy may face disciplinary action, up to and including termination.~~

#### **5.4.2 Specifically Prohibited Behavior**

- a. ~~All City employees are prohibited from the following specific types of behavior, including any other behavior which could affect their job performance or the safety of the workplace in any way:~~
  - i. ~~Appearing at work under the influence of alcohol or illegal drugs;~~
  - ii. ~~Conducting City business while under the influence of illegal drugs (whether or not the employee is actually on work premises at the time);~~
  - iii. ~~Using alcohol or illegal drugs on the worksite~~
  - iv. ~~Possessing, buying, selling, or distributing alcohol or illegal drugs on the worksite or while conducting Company business (whether or not the employee is actually on work premises at the time);~~
  - v. ~~Misuse of otherwise legal prescription and over the counter drugs in a manner that is behavior or safety altering.~~

#### **5.4.3 Drug Testing Policy**

- a. ~~A pre-employment drug test is required for all City of Maricopa employees.~~
- b. ~~The City of Maricopa reserves the right to inspect employees, their possessions, and their workspaces to enforce its policy against illegal drug and alcohol use.~~
- e. ~~The City of Maricopa may at any time require an employee to submit to drug testing if reasonable cause for suspicion of influence can be demonstrated. When testing is required, the City will pay testing costs and will reimburse employees for any transportation expenses incurred.~~
- d. ~~Drug testing may occur after any safety incident.~~
- e. ~~Refusal to submit to drug testing may be grounds for disciplinary action, up to and including termination.~~

### **5.5 Tobacco Free Workplace**

#### **5.5.1 ~~No Tobacco Policy~~Free Workplace**

The City of Maricopa facilities have been established as a smoke-free workplace in accordance to the Indoor Clean Air Act of 1991 and the Smoke-Free Arizona Act §A.R.S. 36-601.01.

- a. ~~The City of Maricopa discourages its employees from smoking or using other forms of tobacco, as it is regarded as an unhealthy habit which may distract employees from their duties and be offensive to City Hall visitors and co-workers. In accordance with the Indoor Clean Air Act of 1993, City of Maricopa facilities have been established as a~~

| ~~smoke-free workplace.~~

## Related Documents:

<b>Document Type:</b>	<b>Document Name:</b>	<b>Document Number:</b>
Administrative Policies	ANTI-HARRASSMENT	2 WORKPLACE STANDARDS: Anti-Harassment
Administrative Policies	DRUG AND ALCOHOL POLICY	2 WORKPLACE STANDARDS: Drug and Alcohol Policy
Administrative Policies	WORKPLACE VIOLENCE PREVENTION	2 WORKPLACE STANDARDS: Workplace Violence Prevention

[RES ~~21-2722-10~~](#)

## Authorizations and Sign-offs

<b>Name:</b>	<b>Title:</b>	<b>Date Approved:</b>
Christian Price	Mayor	05/18/2021



# Holidays, Vacation, Sick Leave, FMLA, Military, Jury, Voting, and Bereavement

## Personnel Policies

6 Leave

Holidays, Vacation, Sick Leave, FMLA, Military, Jury, Voting, and Bereavement

### Last Revision:

~~06/16/2020~~ 03/01/2022

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### Summary of Changes:

Resolution ~~20-20~~ amendment.22-10

## 6 HOLIDAY

### ~~6.1~~ HOLIDAYS

#### ~~6.1.1~~ Holidays

~~a. The City observes the following holidays:~~

~~Year's Day  
Martin Luther King Day  
President's Day Memorial  
Day Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving  
Christmas Day~~

#### ~~6.1.2~~ Observation of Holidays

~~a. When a holiday falls on a Sunday, it will be observed on the following Monday. When a holiday falls on a Friday or Saturday, it will be observed the previous Thursday.~~

#### ~~6.1.3~~ Winter Break

~~a. For non-essential personnel the City will be closed at 12 p.m. on December, 24 through January 1 and will reopen the first business day after January 1.~~

## 6.2 VACATION

### 6.2.1 Vacation Time

a. Vacation time will be accrued based on length of continuous regular full-time employment an active and paid status. Part-time and seasonal employees do not accrue paid vacation time.

## 6.2.2 Vacation Years of Service Accrual

- a. The following is the vacation years of service accrual schedule for all regular 40-hourweek, full-time employees:

Years of Service	Accrual	Annual Max Carried Forward
0-3	88	120
3-5	112	160
5-10	144	200
10-15	168	240
15+	192	280

- b. Regular full-time employees, who separate from the City of Maricopa employment, shall be paid for unused Vacation Time if they have worked a minimum of 6 months.
- c. Employees hired on or before November 15, 2019 who have in excess of the maximum hours to be carried forward on December 31 of each calendar year will be paid for any excess amount of leave.
- d. The calculated excess amount will be paid on the first full pay period of the new calendar year. Employees must have taken at least 80 hours of vacation during the calendar year to be eligible for this excess amount to be paid out.
- e. Employees hired after November 15, 2019 who have an excess of their maximum carry forward hours on December 31 will lose any hours over their maximum carry forward amount.
- f. The City Manager is authorized to start new hires, rehires and promoted employees in a higher vacation accrual years of service category. Employees will advance based on the years of service designated by the City Manager.

*Example: Employee starts at 4 years of service earning 112 hours per year. After being with the City for 1 year they would advance to the 5-10 years of service earning 144 hours per year.*

*The same employee, after being with the City for 6 years they would advance to the 10-15 years of service earning 168 hours per year.*

## 6.36.2 SICK TIME

### Purpose of Sick Time

**6.3.1 a.** Sick Time is a fringe benefit to be used when the employee or a family member of the employee is ill or injured.

### 6.3.26.2.1 Accrual of Sick Leave

Details for Sick Time accruals and procedures reference Administration Policy ~~5.1.1,~~ located in the Employee Self Service (ESS) portal under the Resources menu.

### 6.4.1 OTHER AUTHORIZED LEAVE

a. The City of Maricopa authorizes the following types of leave in accordance with the corresponding federal and state laws:

- Military Leave
- Witness / Jury Duty
- Voting Leave
- Bereavement Leave
- FMLA

### ~~6.4 FAMILY MEDICAL LEAVE~~

#### ~~6.4.1 Family and Medical Leave Act (FMLA)~~

~~Details for the Family Medical Leave Act (FMLA), reference Administration Policy 5.2.1 is located in the Employee Self Service (ESS) portal under the Resources menu.~~

### Related Documents:

Document Type:	Document Name:	Document Number:
Administrative Policies	EMPLOYEE LEAVE DONATION POLICY	5 LEAVE: Employee Leave Donation Policy
Administrative Policies	FAMILY MEDICAL LEAVE ACT	5 LEAVE: Family Medical Leave Act
Administrative Policies	PART TIME EMPLOYEE LEAVE POLICY	5 LEAVE: Part Time Employee Leave Policy
Administrative Policies	VACATION, SICK TIME and LEAVE	5 LEAVE: Vacation, Sick Time and Leave

### Authorizations and Sign-offs

Name:	Title:	Date Approved:
Christian Price	Mayor	06/16/2020



# Benefits and Compensation

## Personnel Policies

### 7 Benefits and Compensation

#### Benefits and Compensation

##### **Last Revision:**

04/01/2014

##### **Original Effective Date:**

07/01/2006

### ~~7 BENEFITS AND COMPENSATION~~

#### ~~7.1 Insurance and Retirement Benefits~~

##### ~~7.1.1 General Benefits~~

- ~~a. Full time positions (minimum 40 hours per week) accrue 88 hours of vacation leave per year for the first 3 years of service; accruals increase with years of service.~~
- ~~b. Full time positions (minimum 40 hours per week) accrue 96 hours of sick leave per year.~~
- ~~e. Full time positions (minimum 40 hours per week) and authorized part time positions (minimum 30 hours per week) accrue 10 paid holidays and one floating holiday per year. Holidays include New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.~~
- ~~d. Education assistance and/or tuition reimbursement for full time positions.~~

##### ~~7.1.2 Insurance Benefits~~

- ~~a. Employees are eligible for insurance benefits thirty (30) days after start of employment. Benefits will be effective on the 1st day of the month following this thirty (30) day wait period.~~
- ~~b. Please see the Human Resource Director or designee for information regarding insurance plans.~~
- ~~e. Paid employee health, vision, life insurance, AD&D, short and long term disability benefits for full time positions (minimum 40 hours per week).~~

##### ~~7.1.3 Retirement Benefits~~

- ~~a. Retirement Benefits are available to employees in full time positions (minimum 40 hours per week).~~
- ~~b. City of Maricopa employees may obtain detailed information regarding the Arizona State Retirement System by visiting: [www.asrs.state.az.us](http://www.asrs.state.az.us).~~
- ~~e. City of Maricopa employees have the option of investing in a 457 plan.~~

## **Authorizations and Sign-offs**

<b>Name:</b>	<b>Title:</b>	<b>Date Approved:</b>
Christian Price	Mayor	04/01/2014





# Separation of Service

## Personnel Policies

### ~~8 Separation from Service-Resignation~~

~~Separation of Service~~

#### ~~Last Revision:~~

~~04/01/2014~~

#### ~~Original Effective Date:~~

~~07/01/2006~~

### ~~8 SEPARATION FROM SERVICE-RESIGNATION~~

#### ~~8.1 Resignation~~

##### ~~8.1.1 Resignation Procedure~~

- ~~a. To resign in good standing an employee must provide their direct supervisor as well as the Human Resource Director or designee at least fourteen (14) calendar days prior written notice unless, due to extenuating circumstances, a shorter period of notice is approved by a supervisor. The City Manager shall receive a copy of the resignation along with any other documentation related to the cause of resignation.~~
- ~~b. Failure to comply with this rule may be cause for denying future employment by the City.~~
- ~~c. Any permanent employee who resigns in good standing may at the option of the Department Head be reinstated to a position of the same classification if a vacancy exists without further examination.~~
- ~~d. Resigned employees may withdraw their resignation prior to the termination date with approval of the Department Head.~~

#### ~~8.2 Layoff/Job Elimination~~

##### ~~8.2.1 Layoff/Job Elimination Instances~~

- ~~a. A Layoff/Job Elimination may occur when one or more of the following conditions exist: lack of work or funds, abolition of position, changes in duties, contractual or technological changes, business necessity, or other appropriate reasons as determined by the City Manager.~~
- ~~b. When it becomes necessary to reduce the City employment without cause on the part of the employee, the City Manager shall determine the number of positions and the position classification series in which the reductions shall take place, taking into account the nature of functions to be performed, public safety and impact on service levels, and merit service.~~
- ~~c. A minimum of forty-five (45) calendar days notice shall be provided to any employee targeted for Layoff/Job Elimination.~~

- d. ~~The written notice shall be hand-delivered or sent by certified mail. A copy shall be sent to the Department Head.~~
- e. ~~The notice shall inform the employee of the effective date of Layoff/Job Elimination and of the pre-Layoff/Job Elimination re-appointment and reinstatement procedures.~~
- f. ~~Provisional and temporary appointments shall not be filled without first contacting the Human Resource Director in an effort to fill the position by qualifying employees who have been or are scheduled for separation due to reduction in force.~~

### **8.2.2 Layoff/Job Elimination Determination**

- a. ~~When any classification is subject to Layoff/Job Elimination, new provisional or temporary employees in that classification in the same Department shall be terminated before any regular status employee is laid off.~~
- b. ~~When regular status employees in a classification become subject to Layoff/Job Elimination, the Human Resource Director, Department Director, or designee shall determine which employee(s) shall be laid off based on the performance, conduct, qualifications, seniority, and merit service of all regular status employees in that classification in the same department. The weighing of criteria will be determined by the City Manager.~~

### **8.2.3 Pre-Layoff/Job Elimination Reappointment**

- a. ~~Following receipt of notice of Layoff/Job Elimination, and before effective date of Layoff/Job Elimination, any appointing authority in the City having a vacant position of the same or lower salary grade for which the employee meets the minimum qualifications may consider the employee for a noncompetitive appointment.~~
- b. ~~If the employee wishes to seek a pre-Layoff/Job Elimination reappointment, the employee shall submit a request in writing to the Human Resource Director or designee specifying the classification of the vacancy, and the department having the vacancy of interest, along with a completed application form.~~
- e. ~~If the Department Director determines that the employee meets the minimum qualifications for the classification of the vacancy, then the appointing authority shall promptly interview the employee. An offer of reappointment is at the discretion of the Department Director.~~
- d. ~~A pre-Layoff/Job Elimination reappointment shall be effective on or before the date on which the Layoff/Job Elimination would have been effective, so that a break in service does not occur.~~
- e. ~~The employee shall retain all accrued sick leave, annual leave, and compensatory time upon pre-Layoff/Job Elimination reappointment.~~
- f. ~~If the employee subject to Layoff/Job Elimination is offered and accepts a pre-Layoff/Job Elimination reappointment, then the employee forfeits the right to be placed on the Layoff/Job Elimination list.~~
- g. ~~If the employee is not offered or does not accept an offer of pre-Layoff/Job Elimination reappointment, on or before the effective date of the Layoff/Job Elimination, then the employee shall be laid off or terminated.~~

#### **8.2.4 Pre-Layoff Reappointment Salary Determination**

- a. Upon a pre-layoff reappointment, if the employee's current salary falls on a current step in the range of the new position, the employee shall be transferred with no loss in pay.
- b. If the current salary exceeds the range of the new position, the salary shall be set at the maximum of the range of the new position.

#### **8.2.5 Layoff List**

- a. Names of laid-off employees are kept on a layoff list for two (2) years. Employees rehired from a layoff list, who return to their previously held position or a position in the same class, shall return to their rate of pay at the time they were laid off, with cost-of-living adjustments being the only factor for adjustment. When a position becomes available, the City will make a reasonable effort to notify employees on a layoff list. However, it is the employee's responsibility to apply for any position the employee did not occupy at the time of their lay-off.

#### **8.2.6 Employee Rights**

- a. Employees who believe they were selected for lay-off for any reason other than merit-service may appeal their selection to the Department Manager or designee, in consultation with the Human Resource Director, within five (5) days of receipt of their lay-off notice.

### **8.3 Retirement**

#### **8.3.1 Employee Retirement**

- a. Employees retiring from the City of Maricopa must be in good standing and have been eligible to receive benefits from one of the City's sponsored retirement plans.
- b. The maximum retirement age is 65 for members of the Public Safety Personnel Retirement Plan. There is no maximum retirement age for members of the Arizona State Retirement System.
- e. Employees retiring from the City must submit written notification to their supervisor at least sixty (60) days prior to the retirement date. The notification shall be forwarded to the Human Resource Director and the City Manager immediately.

### **8.4 Dismissal**

#### **8.4.1 Termination for Disciplinary Reason**

- a. Dismissal may occur at such time as the Department Director, after consulting with the City Manager, has found an employee to be in violation of any of these policies and procedures.
- b. In accordance with Policy 4.7 of this manual, progressive discipline steps must be taken and documented unless the violation is of a severe enough nature as to warrant a bypass of these procedures.

### **~~8.4.2 Termination during Initial Evaluation Employment Period~~**

- ~~a. An employee may be terminated without the right of appeal, at any time during the initial evaluation employment period.~~
- ~~b. The terminated employee may file an appeal in accordance with Policy 2.3.3 of this manual if unlawful discrimination is alleged.~~

### **~~8.4.3 Absence without Leave~~**

- ~~a. No employee in the classified service shall absent himself from duty without leave, except in case of extreme emergency.~~
- ~~b. Failure to report for duty as scheduled, or failure to notify the head of the department or appointing authority of inability to report, or failure to report after a leave of absence has expired or has been revoked or cancelled by the appointing authority, may be deemed an automatic resignation and the position may be declared vacant, unless the employee shall show, to the satisfaction of the appointing authority, that such failure to report was due to sickness or extreme emergency which made reporting impossible.~~

## **~~8.5 Exit Procedure~~**

### **~~8.5.1 Affected Employees~~**

- ~~a) The exit procedure will be performed for all full-time and part-time employees separating from the City who were in employment for at least 14 calendar days.~~

### **~~8.5.2 Return of City Property~~**

- ~~a. Employees leaving the City service will be held accountable for the return of all City property issued to them during their employment.~~
- ~~b. All debts to the City must be cleared before the employee's final paycheck may be issued.~~

### **~~8.5.3 Authorization for Information Release~~**

- ~~a. Separating employees should be advised that it is the policy of the City of Maricopa not to provide employment references without a signed Release of Information Consent form.~~
- ~~b. The employee must sign and deliver this form to the Human Resource Director after completion of the exit interview if they wish to use their City employment as a reference.~~

### **~~8.5.4 Exit Interview~~**

- ~~a. An exit interview will be scheduled for all employees resigning or retiring from the City service.~~
- ~~b. The exit is a face-to-face meeting conducted by the employee's immediate supervisor or designee, and attended by the Human Resource Director if requested by the employee.~~
- ~~e. The meeting should occur on or within 72 hours prior to the employee's last day of employment.~~
- ~~d. It is through this process that comments, complaints, concerns, and suggestions are compiled which may be used to improve City service and Human Capital in the future.~~

### **8.5.5 Separation Clearance**

- a. A statement signed by the supervisor or designee certifying that the employee has in fact returned all City property issued to them, and settled all City debts, must be submitted to the Human Resource Director along with a copy of any exit interview materials.
- b. Any non returned items will be noted, and dealt with on a case-by-case basis, with the understanding that property to be replaced will be funded through deduction to the employee's final paycheck. No deductions for re-placement may be made unless noted in this signed statement.
- c. A copy of this statement will be provided to the exiting employee.
- d. In accordance with A.R.S. §23-352, a final paycheck will not be issued unless this statement has been completed and submitted. If non-submittal is due to lack of processing by the supervisor or designee, the employee may appeal to the Human Resource Director after the final date of employment for assistance in expediting the process.

### **Authorizations and Sign-offs**

<b>Name:</b>	<b>Title:</b>	<b>Date Approved:</b>
Christian Preece	Mayor	04/01/2014