

**RESOLUTION NO. 21-12**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTIONS 2.1, 2.2, 2.3 AND 4.1 OF THE CITY OF MARICOPA PERSONNEL POLICIES AND PROCEDURES HANDBOOK RELATED TO DISCIPLINARY ACTION AND THE MERIT SYSTEM.**

**WHEREAS**, the Mayor and Council of the City of Maricopa, Arizona, previously adopted the City of Maricopa Personnel Policies and Procedures, which has been amended from time to time; and

**WHEREAS**, the Mayor and Council of the City of Maricopa have reviewed Sections 2.1, 2.2 and 2.3 of the Personnel Policies and Procedures Handbook regarding the merit system and have determined that such section should be revised to amend the polices related to the merit system and appeals pursuant thereto; and

**WHEREAS**, the Mayor and Council of the City of Maricopa have reviewed Section 4.1 of the Personnel Policies and Procedures Handbook and have determined that such section should be revised to amend the polices related to disciplinary action.

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

**Section 1.** Section 2.1, 2.2 and 2.3, of the City of Maricopa Personnel Policies and Procedures shall be deleted in their entirety and replaced with the following:

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.

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.

**Section 2.** Section 4.1 of the City of Maricopa Personnel Policies and Procedures shall be deleted in their entirety and replaced with the following:

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.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 4<sup>th</sup> day of May, 2021.

APPROVED:

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Christian Price  
Mayor

ATTEST:

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Vanessa Bueras, CMC  
City Clerk

APPROVED AS TO FORM:

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Denis Fitzgibbons  
City Attorney