

CITY OF COOLIDGE



PERSONNEL POLICIES AND PROCEDURES HANDBOOK

RESOLUTION 17-12

Adopted: June 26, 2017

EFFECTIVE: JUNE 26, 2017

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CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Master Table of Contents

Forward

Introduction to Personnel Policies and Procedures

Chapter 1. General Employment Rights and Responsibilities

Chapter 2. Employment Process

Chapter 3. Classification and Compensation

Chapter 4. Employment Benefits and Leaves

Chapter 5. Work Rules and Employee Discipline

Chapter 6. Performance Management and Employee Development

Chapter 7. Safety and Health

Chapter 8. Termination of Employment

Appendix: Table of Revisions

FORWARD

These personnel policies for the City of Coolidge have been designed, revised, approved and implemented in order to provide each employee of the City a clear and thorough understanding of the policies by which Coolidge strives to operate, and the conditions under which employment with the City is accepted or continued. Knowing what your responsibilities are to the City and understanding which rights and privileges you enjoy will serve to optimize working conditions and result in a professional, safe, enjoyable and efficient workplace.

Amendments or additions to these personnel policies shall be authorized only by the Coolidge City Council. Each City employee shall then be advised of the amendment or addition and shall immediately adhere to it. No employee, supervisor, Department Director or Council Member is authorized to make any oral representations or promises that vary from the provisions of these policies or that vary from the departmental rules and regulations (if any) applicable to that employee's department. Any such oral representations or promises are hereby declared to be null and void and should not be relied upon by any employee. Neither this manual nor the personnel policies create an employment contract with employees.

Violations of these personnel policies will be perceived as a serious matter and may result in disciplinary or other administrative action.

INTRODUCTION TO PERSONNEL POLICIES AND PROCEDURES

With Resolution No. 17-12, adopted on June 26, 2017, the City of Coolidge revises the uniform and orderly system for dealing with personnel matters with respect to all aspects of employment within the City.

Section 1 - Purpose

- A. These policies were developed to provide:
1. A written set of guidelines for human resources decisions;
 2. A means of communication with employees, supervisors and directors;
 3. A framework for consistency and fairness in recruitment, selection, placement, promotion, retention and separation of City employees based upon employees' qualifications for a position;
 4. A way to promote the City's philosophy;
 5. A tool to assist managers in the development of sound management practices and procedures; and
 6. A means of protecting the legal interests of the City in compliance with federal and state laws.

Section 2 - Scope

- A. These policies and procedures apply to all employees of the City of Coolidge except where specifically stated otherwise in these personnel policies, or in the case of the City Manager and City Magistrate, in an employment agreement. These policies and procedures do not apply to non-employee positions, including elected officials; members of boards, committees, and commissions; persons engaged by the City on a contractual basis; volunteer personnel; and other personnel whom the Council may designate.
- B. In the event of conflict between these policies and procedures and state, local, or federal law, the terms and conditions of the state, local, or federal law shall prevail.

Section 3 - Amendments

- A. Amendments to these policies may be proposed to the City Council through the City Manager or Human Resources Director. The Council may, at its sole discretion by ordinance and/or resolution, amend or repeal these policies at any time, with or without notice. Amendments to these policies become effective upon their adoption by the City Council, or as otherwise designated by the City Council.
- B. Amendments to these personnel policies may be adopted by a majority vote of the City Council at any public meeting of the Council. Amendments may be proposed and adopted on the consent agenda.

Section 4 - Personnel Policy Administration

Administration of the personnel policies is the responsibility of the Human Resources Director.

Section 5 - Disclaimer

None of these provisions shall be deemed to create a vested contractual right for any employee nor to limit the power of the City Manager or Council to repeal or modify these rules. The policies are not to be interpreted as promises of specific treatment.

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 1. GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

Policy 1-1 Equal Employment Opportunity	2
Section 1-1-1 Non-Discrimination	2
Section 1-1-2 Consequences of Prohibited Conduct	2
Section 1-1-3 Equal Employment Opportunity Program	2
Section 1-1-4 Program Responsibility	3
Section 1-1-5 Anti-Harassment Policy	3
Section 1-1-6 Plan for Harassment Prevention and Elimination	4
Section 1-1-7 Reporting Possible Harassment	5
Section 1-1-8 Investigation	5
Section 1-1-9 No Reprisals	6
Section 1-1-10 Option to Report to Outside Agency(ies)	6
Section 1-1-11 Employee Development	6
Section 1-1-12 Coordination with State and Federal Laws	6
Section 1-1-13 Definitions	7
Policy 1-2 Code of Conduct	7
Section 1-2-1 Performance Of Duties	7
Section 1-2-2 Abuse of Position	8
Section 1-2-3 Conflict of Interest	8
Section 1-2-4 Outside Employment	10
Section 1-2-5 Volunteer Activities	10
Section 1-2-6 Confidentiality	11
Section 1-2-7 Political Activity	11
Section 1-2-8 Use of Public Property	12
Section 1-2-9 Investigation by Outside Agency	13



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

POLICY 1-1 EQUAL EMPLOYMENT OPPORTUNITY

The City of Coolidge provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, sexual orientation, gender identity or genetic information, disability or status as a Vietnam era or special disabled veteran in accordance with applicable federal laws.

Section 1-1-1 Non-Discrimination

The City complies with applicable state laws governing non-discrimination in employment. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

A. Reasonable Accommodation

The City also provides equal treatment for disabled employees who can perform with accommodation the essential tasks of the position that are bona fide occupational qualifications of the position when such accommodations do not impose an undue hardship on the City.

Section 1-1-2 Consequences of Prohibited Conduct

Violations of this policy may be cause for the full range of disciplinary action, up to and including termination.

Section 1-1-3 Equal Employment Opportunity Program

The Human Resources Direction shall serve as the Equal Employment Officer to carry out the Equal Employment Opportunity Policy and Program. The Equal Employment Opportunity Officer shall undertake the following actions to ensure equal employment opportunities in the City:

- A. Periodically review all position qualifications and descriptions to ensure requirements are relevant to the tasks to be performed and make recommendations as needed to delete requirements not reasonably related to the tasks to be performed by each position.
- B. Ensure that pay and benefits depend upon position responsibility and, along with overtime work, are administered on a non-discriminatory basis.
- C. Inform and provide guidance to staff and management personnel who make hiring decisions so that all applications for selections, promotion and termination, including those of minorities and women, are considered without discrimination and all applicants



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

be given equal opportunity regardless of race, color, national origin, sex, age, sexual orientation, gender identity or genetic information, disability or status as a Vietnam era or special disabled veteran in accordance with applicable state and federal law.

- D. Create a pool of qualified candidates to encourage diversity and ensure equal employment opportunity in hiring. The following recruitment practices will be followed under the Equal Employment Opportunity Officer's direction:
 - 1. Positions selected for an external competitive recruitment process will be open for a minimum of five working days.
 - 2. Positions selected for an external competitive recruitment process shall be advertised to a broad audience and appropriate for the position.
- E. Provide orientation for new employees that specifically emphasizes how the City assures equal opportunity and encourages all employees to avail themselves of equal employment services.
- F. Distribute the Equal Employment Opportunity Policy to employees, contractors and suppliers.
- G. Include an equal employment opportunity phrase on applications and job announcements.

Section 1-1-4 Program Responsibility

- A. The Equal Employment Opportunity Officer shall be the focal point for the City's equal opportunity efforts and shall advise and assist staff and management personnel in all matters regarding implementation of and compliance with the Equal Employment Opportunity Policy and be responsible for the successful execution of the program, utilizing the assistance of appropriate state and community agencies.
- B. The Equal Employment Opportunity Officer will have the responsibility to examine existing internal policies or procedures that may serve as barriers to implementing the Equal Employment Opportunity Program.

Section 1-1-5 Anti-Harassment Policy

The City of Coolidge strictly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, sexual orientation, gender identity or genetic information, disability, status as a Vietnam era or special disabled veteran or status in any group protected by federal, state or local law. Improper interference with the ability of the City's employees to perform their expected job duties will not be tolerated. Each member of management is responsible for creating an atmosphere free of discrimination and harassment,



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers.

With respect to sexual harassment, the City prohibits the following:

- A. Unwelcome sexual advances, requests for sexual favors and all other verbal or physical conduct of a sexual or other offensive nature, especially where:
 - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - 2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
 - 3. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment.
- B. Offensive comments, jokes, innuendoes, and other sexually oriented statements. Examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:
 - 1. Touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair or brushing against another's body;
 - 2. Sexually suggestive touching;
 - 3. Grabbing, groping, kissing, fondling;
 - 4. Lewd, off-color, sexually oriented comments or jokes;
 - 5. Foul or obscene language;
 - 6. Leering, staring or stalking;
 - 7. Suggestive or sexually explicit posters, calendars, photographs, graffiti, cartoons;
 - 8. Sexually oriented or explicit remarks;
 - 9. Questions about one's sex life or experience;
 - 10. Repeated requests for dates.

Section 1-1-6 Plan for Harassment Prevention and Elimination

A. Education

The Human Resources Director shall be responsible for formally notifying all employees, Department Heads, elected or appointed officials, volunteers, and contractors/vendors of the existence of this policy. The Human Resource Director shall periodically conduct



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

training on the topic of offensive behavior/harassment, and attendance will be mandatory for all employees and will be offered to elected or appointed officials and others.

B. Implementation

The City Manager, the Human Resources Director, and the Department Heads are responsible for creating a productive work environment in which offensive conduct or harassment is completely out of place; taking immediate and appropriate corrective action in response to any confirmed violation of this policy; and assuring that no reprisals are taken against those who complain or against corroborating witnesses.

C. Enforcement

The City is committed to thoroughly investigate each complaint and take immediate and appropriate corrective action on all confirmed violations of this policy. The Human Resources Director is responsible for auditing the operation of this policy. The City Manager, City Manager's Designee, or the appropriate Department Head is responsible for thoroughly investigating and resolving any complaints related to this policy.

Section 1-1-7 Reporting Possible Harassment

- A. If an employee experiences any job-related harassment based on sex, race, color, religion, age, national origin, disability, sexual orientation, gender identity or genetic information, or other protected factor, or believes that he or she has been treated in an unlawful, discriminatory manner, the incident should be reported promptly to a Department Head, the Human Resources Director or the City Manager, who will investigate as necessary to determine the cause of the complaint and work with the employee to affect an equitable solution. Every effort shall be made to resolve the difficulty at the lowest level practicable. The complaint will be kept confidential to the maximum extent practicable.
- B. All other employees, including supervisors, managers or directors, who become aware of possible harassment of an employee, either as a result of having received a complaint directly from the employee, from any other reliable source of information, or from his or her personal observations, should report the situation to a Department Head, the Human Resources Director or the City Manager.

Section 1-1-8 Investigation

- A. The goal will be to investigate any such complaint promptly and thoroughly.
- B. If the City determines that an employee has harassed another individual, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

Section 1-1-9 No Reprisals

- A. No reprisals of any kind by any employee or manager shall be taken against an employee because that employee has asserted a complaint or against any witness because that individual has reported or has assisted in any way in the investigation of a harassment complaint.
- B. If, after investigating any complaint of harassment, the City determines that the complaint is not bona fide and was not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information, up to and including termination.

Section 1-1-10 Option to Report to Outside Agency(ies)

At the option of the employee, the services of the Civil Rights Division of the Arizona Attorney General's Office or the Equal Employment Opportunity Commission may be requested at any time.

Section 1-1-11 Employee Development

The following actions shall be undertaken to achieve employee job satisfaction and fair treatment:

- A. Assure that there shall be no discrimination with regard to training and educational opportunities, upgrades, promotions, transfers, demotions, layoffs and terminations of employees. Any actions that might adversely affect employees in accordance with state and federal law will be brought to the attention of the Human Resources Director.
- B. Actively encourage employees to increase their skills and job potential through training and educational opportunities. Offer guidance and counseling in developing programs tailored to individual aptitudes and desires, taking full advantage of programs offered by state and federal agencies and other appropriate programs.

Section 1-1-12 Coordination with State and Federal Laws

The City recognizes its responsibilities to comply with and ensure that equal opportunity and non-discrimination policies of state or federal agencies with which it conducts business are carried out in compliance with Executive Order No. 11246.



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

Section 1-1-13 Definitions

- A. Equal Employment Opportunity Policy: The commitment to ensure equal employment opportunity for all employees and appointed officials to the full extent of state and federal law.
- B. Equal Employment Opportunity Program: The written, results-oriented program specifically set forth in this policy detailing the steps to be taken to ensure equal employment opportunity.
- C. Equal Employment Opportunity Officer: The Human Resources Director or other person designated by the City Manager who is responsible for meeting the obligations and requirements of the Equal Employment Opportunity Policy and Program.

POLICY 1-2 CODE OF CONDUCT

As employees of the City of Coolidge, we must manage our personal and business affairs so as to avoid situations that might lead to conflict, or the appearance of conflict, between self-interest and our duty to the City, to the persons served by the City and to the general public.

Common sense and good judgment will dictate the proper course of action in most situations. However, if there is a question of even a slight conflict with our Code of Conduct, others will tend to exaggerate it. The best policy is to resolve such questions by addressing them at the outset so they will not become embarrassing problems later. Such matters can easily be addressed by discussing them with the Department Head or Human Resources Director. Handling these matters in this manner should avoid any occasion for disciplinary action. However, any violation of this Code of Conduct may result in disciplinary action. Depending upon the severity of the violation, such disciplinary action could include any one or a combination of the following: oral warning, written reprimand, probation, suspension or discharge. Situations may arise that have not been directly addressed in this Code of Conduct. The final resolution of such situations rests with the City Manager.

Section 1-2-1 Performance Of Duties

- A. Employees should perform official duties diligently, conscientiously and to the best of their ability, remembering that they are public servants.
- B. Employees should always perform their duties with courtesy and respect for the public and for co-workers and without bias or prejudice, manifested by words or conduct, based upon age, race, religion, national origin, gender, sexual orientation, gender identity, genetic information, veteran status, disability or political affiliation.



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

- C. With support from the City, employees should seek to maintain and improve their personal and professional growth and development and that of their co-workers through cooperation and participation in training and educational programs relevant to their duties and through any licensing or certification required for their position.
- D. Employees should perform their duties impartially in a manner consistent with law and the public interest, un-swayed by kinship, position, partisan interests, public pressure or fear of criticism or reprisal.
- E. Employees should bring to the attention of their supervisor any information that, by its nature or inference, could disclose or cause to be addressed any condition or situation that is detrimental to the image of the City of Coolidge or that they regard as a threat of liability, a threat to safety or a breach of law. The City will not retaliate against any employee who makes such a disclosure in good faith. Resolution shall be pursued in accordance with the provisions of applicable local, state and federal law.

Section 1-2-2 Abuse of Position

- A. No employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions.
- B. No employee or a member of the employee's immediate family should accept, solicit, or agree to accept any gift, favor or anything of value with the understanding that the official actions, decisions or judgments of any employee will be influenced.
- C. No employee should request or accept any fee or compensation beyond that received by the employee in his or her official capacity for advice or assistance given in the course of his or her public employment.
- D. Each employee should use the public resources, property and funds under the employee's control responsibly and for the public purpose intended by law and not for any private purpose.

Section 1-2-3 Conflict of Interest

Every employee has an obligation to diligently identify, disclose, avoid and/or manage conflicts of interest. Potential conflict of interest exists when an employee or an employee's immediate family may be directly or indirectly financially impacted, whether favorably or detrimentally, by a decision made by the City of Coolidge in which the employee participates. Even if no abuse of position actually occurs, a conflict of interest or its appearance can seriously undermine the public's confidence and trust in the City's governmental system.



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

- A. Outside Contracts. Employees and their immediate family members should not enter into any contract with any component of the City government for financial gain apart from an employment appointment without full disclosure and satisfactory management of any potential conflict of interest in accordance with policies established by the City of Coolidge.
- B. Nepotism. Employees should not be involved in the decision to hire or in the supervision of any member of their immediate family.
 - 1. Immediate family or employees who reside in the same household will be allowed to work in the same department, and neither will be required to transfer or terminate employment, as long as neither is in a position that requires supervising the other.
 - 2. If a supervisory responsibility is involved, then the City shall work with the affected employees to determine which of them will transfer or resign in order to ensure compliance with this policy. The City will assist in exploring transfer opportunities to like or similar positions for either employee.
 - 3. If no transfer opportunity exists after 90 days, one of the employees will be required to resign employment with the City.
 - 4. For purposes of this policy, immediate family and relative is defined as husband, wife, daughter (in-law), son (in-law), mother (in-law), father (in-law), brother (in-law), sister (in-law), parents (in-law), step children, step parents (in-law), grandparent or grandchild of an employee or other legal dependent of an employee or the employee's relatives.
- C. Business with Private Party or Vendor. Employees should not participate in decisions regarding conduct of City business with any private party or vendor by whom the employee or an immediate family member is employed or is actively seeking employment.
- D. Acceptance of Gifts, Gratuities, Hospitality. Employees should not accept gifts, loans, gratuities, discounts, favors, hospitality, services or other compensation under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the employee in the performance of duties. Examples of acceptable courtesies include a meal or social event; floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, promotions; or a sample or promotional gift of nominal value (\$25 or less).



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

Section 1-2-4 Outside Employment

- A. While the City of Coolidge does not oppose employees engaging in outside employment, each full-time employee should consider his or her position with the City of Coolidge to be his/her primary place of employment. The outside employment of part-time employees may also reflect on the City. Therefore, the City of Coolidge will oppose outside employment when it interferes with any employee's duties with the City of Coolidge, involves a potential conflict of interest, or compromises the integrity, credibility or image of the City. Consequently, in addition to conflict of interest situations addressed above, employees should avoid:
1. Outside employment with an entity that conducts business with the City or requires the employee to have frequent contact with entities that regularly do business with the City without full disclosure and satisfactory management of any potential conflict of interest.
 2. Outside employment that cannot be accomplished outside of the employee's normal working hours or is otherwise incompatible with the performance of the employee's duties by placing the employee in a position of conflict between the employee's role at the City of Coolidge and the employee's role in the outside employment.
 3. Performance of work for any governmental entity within the State of Arizona without the written consent of both employers.
 4. Outside employment that exploits official position or confidential information acquired in the performance of official duties for personal gain.
 5. Outside employment that the public may view as work on behalf of the City of Coolidge.
- B. An exception to restrictions on outside employment pertain to the police. Outside employment of police must conform to Police Department Policies and Procedures.
- C. Due to the importance of the public's perception of the governmental system, the City of Coolidge requires that all employees who engage in outside employment disclose such work to the Department Head, who will notify the Human Resources Director if appropriate. Outside employment is subject to review for conformance to this Code of Conduct. Employees engaged in outside employment determined not to be in conformance may be required to cease such employment.

Section 1-2-5 Volunteer Activities

Employees are encouraged to engage in volunteer activities. However, employees should evaluate their volunteer activities in the same manner as outside employment to identify any



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

potential conflict with the employee's position with the City of Coolidge. Employees should discuss these potential conflicts with their Department Head.

- A. An employee should declare volunteer activities only if the employee believes there is some reason for concern consistent with the spirit of this Code of Conduct.
- B. All reported volunteer activities will be reviewed for appropriateness under the guidelines in this policy by the Department Head and the Human Resources Director.
- C. Should an employee disagree with the decision of the Department Head and Human Resources Director, he/she may request an additional review by the City Manager, whose decision is final.

Section 1-2-6 Confidentiality

Employees of the City of Coolidge should carry out their duties in a manner which would withstand public scrutiny. Some employees handle confidential court-related, law enforcement-related or employee-related documents, while others handle sensitive matters concerning the operation of the government. Employees should maintain the confidentiality of these matters, ensuring information about these activities is made public only upon appropriate authorization by the Department Head, Human Resources Director or City Manager.

Section 1-2-7 Political Activity

The City seeks to maintain neutrality concerning political matters to the extent possible. Employees of the City of Coolidge have a right to entertain and express personal opinions about political candidates and issues, but when performing their duties on behalf of the City during working hours, employees of the City of Coolidge should endeavor to maintain neutrality in action and appearance, except where an employee's position entails political advocacy on the part of the City.

A. Political Campaigns

Each employee retains the right to vote as the employee chooses and is free to participate actively in political campaigns during non-working hours. Such activity includes, but is not limited to, membership and holding office in a political party, campaigning for a candidate in a partisan election by making speeches, and making contributions of time or money to individual candidates, political parties or other groups engaged in political activity. An employee who chooses to participate in political activity during off-duty hours should not use his or her position or title within the City in connection with such political activities.



CHAPTER 1

GENERAL EMPLOYMENT RIGHTS AND RESPONSIBILITIES

B. Candidate for Office

1. An employee who declares an intention to run for partisan elective office must take an unpaid leave of absence upon the filing of nomination papers, unless more than 50% of the employee's salary is paid by federal funds, in which case the employee must resign. If elected, he or she must resign.
2. An employee may be a candidate for an unpaid non-partisan elective office or may be appointed to an unpaid non-partisan office for an entity other than the City, without separating from employment, provided that the employee otherwise complies with this Code of Conduct.

C. Political Activism

Employees should not engage in political activity during scheduled work hours, or when using government vehicles or equipment, or on City property except in the performance of their duties on behalf of the City. Political activity includes, but is not limited to:

1. Displaying literature, badges, stickers, signs or other items of political advertising on behalf of any party, committee, agency, candidate for political office, or political issues sought to be placed on the ballot.
2. Using official authority or position, directly or indirectly, to influence or attempt to influence any other employee in City employment to become a member of any political organization or to take part in any political activity.
3. Soliciting signatures for political candidacy or for the purpose of placing an issue on the ballot.
4. Soliciting or receiving funds for political purposes.

D. Political Discrimination

Employees should not discriminate in favor of or against any employee or applicant for employment on account of political contributions or permitted political activities.

Section 1-2-8 Use of Public Property

- A. No employee of the City shall request, use or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.
- B. Authorized personal uses include taking a City vehicle to lunch when going to and from meetings on workdays as needed, use of a City copy machine at cost, stopping to run



CHAPTER 1
GENERAL EMPLOYMENT RIGHTS AND
RESPONSIBILITIES

personal errands when in a City vehicle when the destination point is in conjunction with official or authorized business, and other nominal personal uses as permitted by the City Manager on a case-by-case basis.

Section 1-2-9 Investigation by Outside Agency

Complaints or allegations regarding violations of this Code of Conduct may be referred to an appropriate outside agency for investigation.

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 2. EMPLOYMENT PROCESS

Policy 2-1 Recruitment	3
Section 2-1-1 Conditions of Employment.....	3
Section 2-1-2 External Competitive Recruitment Process	3
Section 2-1-3 Internal Competitive Recruitment Process	4
Section 2-1-4 Non-Competitive Process	5
Section 2-1-5 Residency Requirement.....	6
Policy 2-2 Employment Application	7
Section 2-2-1 Definition of Applicant.....	7
Section 2-2-2 Application Forms	7
Section 2-2-3 Rejection of Application	8
Section 2-2-4 Application Retention.....	8
Policy 2-3 Examination.....	8
Section 2-3-1 Physical and Mental Fitness	8
Section 2-3-2 Pre-Employment Drug Test.....	9
Section 2-3-3 Test Development	9
Section 2-3-4 Test Administration	9
Section 2-3-5 Reasonable Accommodation	9
Policy 2-4 Preferences.....	9
Policy 2-5 Interviewing	9
Section 2-5-1 Interview Process	10
Policy 2-6 Reference Check and background investigation.....	10
Section 2-6-1 Procedure	11
Policy 2-7 Selection	12
Section 2-7-1 Notification	12
Section 2-7-2 Appointment.....	12
Section 2-7-3 Notice to Unsuccessful Applicants	12
Section 2-7-4 Temporary Help	12
Section 2-7-5 Special Employment Programs	13
Policy 2-8 Fingerprinting	13
Section 2-8-1 Affected Positions	13
Section 2-8-2 Procedures.....	13
Section 2-8-3 Failure to Comply	14
Policy 2-9 Employee Orientation.....	14
Section 2-9-1 Citizenship	14
Section 2-9-2 Loyalty Oath	14

Section 2-9-3 Hiring Department Responsibilities	15
Section 2-9-4 Date of Hire/Length of Service Anniversary	15
Policy 2-10 Employee Identification Cards	15
Section 2-10-1 Issuance, Use and Return of Card	15



CHAPTER 2 EMPLOYMENT PROCESS

POLICY 2-1 RECRUITMENT

Vacancies for regular and temporary, full- and part-time classified and unclassified positions may be filled by an external competitive recruitment process, an internal competitive recruitment process or a non-competitive process. The Human Resources Department and the hiring department will work together to develop recruitment and selection strategies for each vacant position. The Human Resources Department is responsible for ensuring compliance with all applicable laws and policies regarding recruitment and shall conduct all recruitment processes. The hiring department is responsible for the selection of candidates.

Section 2-1-1 Conditions of Employment

The appointment, promotion and tenure of every City employee shall be conditioned solely on merit and fitness and the satisfactory performance of the duties and responsibilities assigned. No employee or applicant shall be discriminated against on the basis of race, color, national origin, religion, sex, age, disability, sexual orientation, gender identity, genetic information, marital or familial status, veteran status or political affiliation.

Section 2-1-2 External Competitive Recruitment Process

- A. Positions selected for an external competitive recruitment process may be publicized to the general public by advertisement in a newspaper of appropriate circulation, by posting announcements in City facilities, through electronic means such as the City's website, or by other methods as determined by the Human Resources Director or designee, with the goal of reaching the broadest audience available.
- B. The announcements shall specify the title of the position, the nature of the work to be performed, minimum requirements for the position, the manner of making application, salary range and other pertinent information.
- C. Positions will normally be open and applications accepted for a minimum of five working days.
 - 1. The application deadline may be extended by the Human Resources Director.
- D. If a position vacancy occurs within 60 calendar days of the closing date of a previously advertised position in the same classification, the position will not require re-advertisement. However, if there was not a sufficient number of qualified applications received for the position opening, the position may be re-advertised.
- E. Eligibility
 - 1. Any City employee may apply for positions posted as external recruitments.



CHAPTER 2

EMPLOYMENT PROCESS

Section 2-1-3 Internal Competitive Recruitment Process

- A. Positions selected for an internal competitive recruitment process may be publicized to City employees by posting announcements in City facilities, through electronic means such as the City's website or City e-mail, or by other methods as determined by the Human Resources Director or designee.
 - 1. Employees are responsible for monitoring job vacancy notices and submitting their application forms for jobs posted to the Human Resources Department. They are also responsible for demonstrating that they are qualified for the open position (s).
 - 2. Employees are not required to notify their supervisors when applying for a posted position in a different department. However, if an employee is a finalist for a position, the hiring supervisor will then contact the current supervisor for, among other purposes, a recommendation.
- B. The announcements shall specify the title of the position, the nature of the work to be performed, minimum requirements for the position, the manner of making application, salary range and other pertinent information.
- C. Positions will normally be open and applications accepted for a minimum of five working days.
 - 1. The application deadline may be extended by the Human Resources Director.
- D. If a position vacancy occurs within 60 calendar days of the closing date of a previously advertised position in the same classification, the position will not require re-advertisement. However, if there was not a sufficient number of qualified applications received for the position openings, the position may be re-advertised.
- E. Eligibility
 - 1. Regular employees, who are in good standing, meaning that the employee's overall work record is acceptable; and who have completed an initial evaluation period in any position with the City, may apply for positions posted as internal recruitments. Regular employees who are serving in a second or subsequent initial evaluation period in a new position may also apply for positions posted as internal recruitments.
 - a. A regular employee who is in his/her initial evaluation 6 month period of employment may, with the approval of both involved Department Directors and the City Manager, apply for a vacancy.
 - 2. Short term temporary or Term-limited temporary employees, who meet all of the following criteria, may apply for positions posted as internal recruitments.



CHAPTER 2 EMPLOYMENT PROCESS

- a. The employee must be employed directly with the City and not through a temporary agency or under a contract;
 - b. The employee must have worked a minimum of 1040 hours in their current short term temporary or term-limited temporary position; and
 - c. The employee must have completed a written application for the short term temporary or term-limited temporary position and that application must be on file in their official personnel file in the Human Resources Department.
3. Intermittent employees, who meet all of the following criteria, may apply for positions posted as internal recruitments.
- a. The intermittent employee must be employed directly with the City and not through a temporary agency or under a contract;
 - b. The employee must have worked within the department for which the position is posted for a minimum of 90 days or worked a minimum of 300 hours in their current intermittent position, and
 - c. The employee must have completed a written application for the intermittent position and that application must be on file in their official personnel file in the Human Resources Department.

Section 2-1-4 Non-Competitive Process

- A. The City of Coolidge actively seeks a qualified, diverse workforce through competitive recruitment processes. The City recognizes, however, that there may be situations in which a compelling justification exists to make a non-competitive selection.
- B. Non-competitive selections shall only be made with the approval of the City Manager.
- C. All candidates selected through a non-competitive process must meet the minimum qualifications of the position in question.
- D. In all cases, the Human Resources Department and the hiring department shall document the circumstances of the non-competitive hire with a memorandum to the personnel file of the employee hired through the non-competitive process.
- E. The following circumstances may justify an appointment without a competitive recruitment process:
 1. In an emergency situation in which failure to fill a vacancy would compromise the operations of the City, the City may temporarily hire someone to fill the position while it conducts a competitive search.



CHAPTER 2 EMPLOYMENT PROCESS

2. On rare occasions, the City Manager may identify an individual whose expertise and skills are aligned with pressing City needs or strategic priorities. When time and resources limit the City's ability to competitively recruit such an individual, the hiring department and/or the Human Resources Department may recommend to the City Manager that the individual be hired on a non-competitive basis.
3. Regular employees who resign from City service may be considered for re-employment without a competitive recruitment process in accordance with Policy 8-4 of these Personnel Policies and Procedures.
4. In recognition of an employee's talents, contributions, and performance, the City may appoint a current regular employee who has completed an initial evaluation period in any position with the City or a term-limited temporary employee who has worked a minimum of 1040 total hours in a regular or temporary position within the City without conducting a competitive search.

Section 2-1-5 Residency Requirement

- A. This procedure applies to all classified and unclassified employees except temporary and intermittent.
- B. Any employee hired in the City Manager, Public Works Director, Police Chief, or Fire Chief positions shall reside within the City limits of the City of Coolidge during the *term of his or her employment*, unless otherwise agreed to by the City Council.
- C. All Full time and Part time Firefighters are required to reside within a specific area of the Fire Station (103 W Pinkley Ave). Area map with description will be available in Human Resources.
- D. The residence shall be evidenced by the regular and continuous occupancy of a place of habitation by the employee. For purpose of this rule residence means the occupancy of a dwelling unit, and not merely used for the receipt of mail.
- E. If on the effective date of employment any person appointed to a position in the City is not a resident within the limits prescribed in Section 2-1-5 (B) (C) or (F) as applicable, they shall establish the required residence within (6) six months after the date of hire; or upon completion of new-hire probation if applicable.
- F. Grandfathered Employees
 1. Any employee hired prior to July 1, 2017 is considered Grandfathered and may continue to reside at their current address.



CHAPTER 2 EMPLOYMENT PROCESS

2. At any time during the term of his or her employment the employee should move or change his or her residency, the employee must comply with Section 2-1-5 (B) or (C) above as applicable within (6) six months.
 3. Any employee who subsequently promotes into a City Manager, Public Works Director, Police Chief, or Fire Chief position must reside within the limits prescribed under Sections 2-1-5 (E) within (6) six months after the date of appointment.
- G. At the time of hire, all employees will complete a statement of residency which will acknowledge the residency requirement and indicate their compliance or non-compliance with the requirement. For those in non-compliance, a new statement of employee residence will be executed at time of compliance. Forms are available in the Human Resource Department.
- H. Any change of residence shall be reported by the employee on the appropriate form to the employee's Department Director with (14) fourteen calendar days from the date of change of residence. The department shall forward the form to the Human Resources department for processing and filing in the employee's department and official personnel files.
- I. When it is deemed in the best interest of the City to do so, the City Council may issue exceptions to the residency requirements.
1. A residency appeal can be made to the Human Resources Director, which will provide a recommendation to the City Council for final determination.

POLICY 2-2 EMPLOYMENT APPLICATION

Section 2-2-1 Definition of Applicant

An applicant is an individual who applies to the City by completing and signing an official City employment application.

Section 2-2-2 Application Forms

- A. Applications shall be accepted for positions that are open.
- B. An applicant may apply for more than one position, provided that each position is open for applications.
- C. Application forms normally require information regarding training, work experience, other pertinent personal and employment information and employment references. Each applicant, including senior management, must submit a completed application.



CHAPTER 2 EMPLOYMENT PROCESS

- D. Each application must be signed by the person submitting the application and filed with the Human Resources Department. Applications submitted electronically via the City's website may be signed electronically. All applications, together with accompanying materials, become the property of the City.
- E. The employment process may require that applicants provide additional information including, but not limited to, submitting to a physical examination in compliance with the Americans with Disabilities Act and/or to fingerprint background investigations as defined in the Fingerprinting Policy.

Section 2-2-3 Rejection of Application

The City may reject any application that indicates that the applicant does not possess the minimum qualifications required for the position, has made any misstatement of any material fact or has practiced any deception or fraud in his/her application.

Section 2-2-4 Application Retention

Applications shall be kept active for 12 months and will normally be destroyed at the end of a year.

POLICY 2-3 EXAMINATION

Selection techniques used by the City are impartial, practical and job-related and are designed to determine the candidate's knowledge, skills and abilities for the position. The examinations used may include but are not limited to oral, written, performance, in-basket exercise or assessment center, physical/mental fitness and training/experience evaluations. In addition, evaluation of past work performance, work samples, personal interviews, and background investigations may be used in the selection process.

Section 2-3-1 Physical and Mental Fitness

- A. All applicants for City employment shall be of sufficient mental and physical fitness to be able to perform the essential functions of the positions for which they have applied. The physical and mental fitness of individuals entering City employment may be evaluated by physicians or employee assistance professionals approved by the City. Current employees may be subject to medical examinations or inquiries when they are job-related and consistent with business necessity.
- B. Reasonable accommodation for a qualified individual with a disability shall be provided unless provision of such an accommodation would impose an undue hardship upon the



CHAPTER 2 EMPLOYMENT PROCESS

City. The physical and mental qualifications of entering or current employees with disabilities may be evaluated by physicians approved by the City.

- C. Sworn police employees who belong to the Arizona Public Safety Retirement Plan must continue to meet the physical, mental, psychological and emotional requirements for their job classifications as defined by Police Department policy and state law.

Section 2-3-2 Pre-Employment Drug Test

Applicants selected for employment in safety sensitive positions will normally submit to a pre-employment drug test for illegal drugs. Any potential hire who tests positive for illegal drug use will be ineligible for employment with the City.

Section 2-3-3 Test Development

The examination contents are developed by the hiring department with assistance provided by the Human Resources Department. Examination contents are confidential, and unauthorized disclosure to any candidate is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.

Section 2-3-4 Test Administration

The testing process will be administered by the Human Resources Department unless otherwise designated to the hiring department.

Section 2-3-5 Reasonable Accommodation

The Human Resources Department shall ensure that reasonable accommodations are made in test procedures so that persons with disabilities can be tested in an appropriate manner.

POLICY 2-4 PREFERENCES

The City shall follow state law with regard to hiring preferences for disabled individuals, veterans and spouses of veterans. Proof of eligibility for any preference must be presented to the Human Resources Department at the time of application or examination.

POLICY 2-5 INTERVIEWING

Interviews may be conducted to gather information specific to the candidate's ability to meet job requirements. Interviewers will prepare an appropriate process that relates to the applicant's



CHAPTER 2 EMPLOYMENT PROCESS

ability to meet educational, technical and other requirements of the position to be filled. The focus of the interview will normally be on the applicant's work and pertinent non-work experience.

Section 2-5-1 Interview Process

- A. The Human Resources Department shall coordinate the interview process unless otherwise designated to the hiring department.
- B. An interview panel will be selected and confirmed by the Human Resources Department with input by the hiring department. The panel shall generally consist of personnel who have expertise with the technical elements of the position and a personnel expert. Relatives or personal friends of the applicants will be excluded from serving on the panel. Reasonable accommodations shall be made for disabled applicants to allow participation in the interview process.
- C. The hiring department and the Human Resources Department shall be responsible for the development of interview questions and standards for measurement of candidate responses.
 1. Consistency will be maintained in the questions asked of all candidates.
 2. The questions must be job related.
 3. Questions that pertain to race, religion, sex, marital status or other protected classes or other inquiries that directly or indirectly disclose such information are prohibited.
 4. Inquiries about an applicant's ability to read, write or speak foreign languages are permitted when such inquiries are based on job requirements.
 5. The Human Resources Department may provide the interview panel with copies of the applications of final candidates prior to the interview, along with proposed interview questions and a schedule of interviews. Human Resources Department staff will normally meet with panel members prior to the interview for an orientation on appropriate interview and assessment techniques needed to evaluate each candidate objectively on an as-needed basis.
 6. Each panel member will score the candidates independently.
 7. Following the interview, the interview panel shall reach consensus and report the interview results and recommendations to the Human Resources Department.

POLICY 2-6 REFERENCE CHECK AND BACKGROUND INVESTIGATION

It is the policy of the City to carefully investigate the backgrounds of all prospective applicants selected for employment to ensure that the relevant facts about an applicant's employment



CHAPTER 2 EMPLOYMENT PROCESS

history and personal background have not been misstated, either on the employment application or resume or during the job interview, and to determine the applicant's fitness for the position.

Section 2-6-1 Procedure

- A. After an applicant has been selected for employment, the Human Resources staff will conduct employment verification and reference checks on the applicant. Parts of the reference check may be delegated to the hiring department.
- B. Human Resources Department staff shall also conduct a thorough and comprehensive background investigation of applicants selected for employment which may include, but is not limited to, any of the following:
 - 1. State or county criminal records search
 - 2. Multi-state/national criminal database search
 - 3. Federal criminal records search
 - 4. Education verification
 - 5. Employment verification
 - 6. Motor Vehicle Department record search
 - 7. Professional license and credential verification
 - 8. Sex offender registry search
 - 9. Social Security verification
 - 10. Address trace
 - 11. Character and/or personal reference checks
- C. The Police Department will also conduct an employment verification, reference check and background investigation as part of its process of qualifying Police Department candidates before selection.
- D. Applicants are required to sign all necessary releases for employment verification, reference checks and background investigations.
 - 1. Background investigations of Parks and Recreation Department employees shall comply with the requirements set forth in that chapter.
- E. Results of the reference check and/or background check will help determine the applicant's fitness for the position.



CHAPTER 2 EMPLOYMENT PROCESS

POLICY 2-7 SELECTION

The hiring department is responsible for the selection of candidates. A recommendation to hire will be forwarded to the City Manager for final approval to extend an offer.

Section 2-7-1 Notification

- A. The Human Resources Department is responsible for contacting the successful candidate and extending an offer.
- B. The notification shall be by mail and where possible by telephone within 24 hours of the approval of the applicant's hiring approval by the City Manager. A completed Personnel Action Form signed by the City Manager constitutes approval. The candidate will be asked to accept or reject the offer within a set number of days.
- C. If the first offer is rejected, the Human Resources Director will decide, with input from the department, whether to hire another candidate from the applications received, or to re-open the position.

Section 2-7-2 Appointment

- A. For all positions, an employment confirmation letter is forwarded to the final accepting candidate outlining the terms of employment. The candidate shall sign and return the letter to the Human Resources Director.
- B. Personnel Action Forms will be prepared for the new employee by the Human Resources Director.

Section 2-7-3 Notice to Unsuccessful Applicants

Once a candidate accepts the employment offer, all other candidates are normally notified in writing that they were not selected for the position.

Section 2-7-4 Temporary Help

- A. The City Manager may authorize temporary appointments, provided budgeted funds are available. Temporary positions shall generally be limited to a maximum of 3 full calendar months. Temporary positions may be extended by the City Manager for up to an additional 3 months.
- B. The Human Resources Department will maintain responsibility to fill positions on a temporary basis unless otherwise delegated to the affected department.



CHAPTER 2

EMPLOYMENT PROCESS

Section 2-7-5 Special Employment Programs

The Human Resources Department is normally responsible for the coordination of all special employment programs funded internally or by external agencies (i.e., internships, school-to-work programs, seniors placement programs, etc).

- A. Department Directors should forward all requests for participation in special employment programs to the Human Resources Department for coordination with the appropriate agency (ies).
- B. The Human Resources Department will work with the requesting department to develop a scope of work and qualifications statement to be used in the recruitment and selection of employees and in the definition of tasks to be performed during the period of employment.
- C. The provider agency will review scope of work, qualifications, training, level of supervision and safety for appropriateness.
- D. The Human Resources Department will maintain records on program participants, including the contractual agreement between the City and the provider agency, scope of work and qualifications statement and personal emergency data.
- E. Department Directors and/or supervisors shall provide the Human Resources Department with regular evaluations on program participants and feedback on program strengths and weaknesses for overall evaluation by the City.

POLICY 2-8 FINGERPRINTING

Section 2-8-1 Affected Positions

- A. All potential employees and current employees must submit a full set of fingerprints.
 1. Fingerprinting shall be conducted by the Coolidge Police Department.
- B. Police and Fire department candidates must submit a full set of fingerprints in accordance with their respective Department policies and procedures.
- C. Positions in the Coolidge Municipal Court must provide fingerprints, in accordance with any applicable Arizona Supreme Court administrative orders or directives.

Section 2-8-2 Procedures

- A. All fingerprints furnished pursuant to this policy shall be submitted by the Human Resources Director to the Arizona Department of Public Safety. The Arizona Department of Public Safety is authorized to exchange this fingerprint data with the Federal Bureau of



CHAPTER 2 EMPLOYMENT PROCESS

Investigation pursuant to A.R.S. § 41-1750 and Public Law 92-544 for the purpose of obtaining state and federal criminal history record information.

- B. The results of the criminal history record information checks shall be provided to and maintained by the Human Resources Department and shall be kept confidential.
- C. Criminal history record information obtained by the City pursuant to this policy shall be used only for the purpose of evaluating the fitness of prospective employees. The City shall comply with all relevant state and federal rules and regulations regarding the dissemination of criminal history record information.

Section 2-8-3 Failure to Comply

- A. Any prospective employee who is subject to this policy and who fails to be fingerprinted when required by the City shall have his or her offer of employment with the City rescinded immediately.
- B. Any current employee who is subject to this policy who fails to be fingerprinted when required by the City shall be subject to immediate termination. Termination of an employee under this section supersedes the progressive discipline policies set forth in Policy 5-5.

POLICY 2-9 EMPLOYEE ORIENTATION

All new regular full-time, regular part-time, temporary, and intermittent employees will be scheduled to meet with Human Resources staff on their first day of work for general orientation. Each employee will be provided with information on employee benefits and City policies. Human Resources will distribute and explain the benefits enrollment forms and their completion deadlines.

Section 2-9-1 Citizenship

All newly hired employees must present evidence of United States citizenship or registration as a legal alien at the time of orientation in accordance with the Immigration Reform and Control Act of 1986 and the Legal Arizona Workers Act. All law enforcement applicants must be United States citizens.

Section 2-9-2 Loyalty Oath

All City employees shall take the oath or affirmation as prescribed by state law at the time of orientation.



CHAPTER 2 EMPLOYMENT PROCESS

Section 2-9-3 Hiring Department Responsibilities

The hiring department provides additional information, including:

- A. Work standards and regulations;
- B. Hours of work, time keeping/ payroll records, leave requests;
- C. Description and duties of the position;
- D. Safety rules and procedures, location of safety or protective equipment;
- E. Tour of the work area, including location of equipment, supplies, etc. and the procedures for use of the work area materials;
- F. Introduction to co-workers;
- G. Schedule for lunch and breaks;
- H. When and to whom to report absence from work;
- I. Who is responsible for performance planning and review.

Section 2-9-4 Date of Hire/Length of Service Anniversary

Date of hire shall mean the effective starting date of the individual's employment with the City to determine length of service.

POLICY 2-10 EMPLOYEE IDENTIFICATION CARDS

It is the policy of the City of Coolidge to issue employee identification cards to all regular full-time and regular part-time employees. Cards may also be issued to other City officials who may require City identification or facility access while working or representing the City. Human Resources is responsible for the issuance of identification cards that are issued through the Police Department. The Police and Fire Departments may issue their own department identification cards in lieu of or in addition to the City identification card.

Section 2-10-1 Issuance, Use and Return of Card

- A. The card shall be carried at all times when an employee is acting in an official capacity. The card shall be used as identification if requested by a member of the public or another City employee.
- B. Unauthorized or inappropriate use of the employee identification card is prohibited and will result in disciplinary action.



CHAPTER 2 EMPLOYMENT PROCESS

- C. It is the employee's responsibility to ensure accurate and timely updates of information contained on the employee identification card.
- D. Each employee is responsible for possession of the identification card and to take care to protect it from loss, theft or misuse. Employees shall report all lost, stolen, damaged or destroyed electronic access identification cards to their Department Director and to the Police Department so that it can be replaced. If the identification card must be replaced, the employee shall pay for the cost of the replacement card.
- E. All cards remain the property of the City and shall be returned to the employee's Department Director or to the Human Resources Department upon termination of employment or upon special request by the employee's Department Director or the Human Resources Department.

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 3. CLASSIFICATION AND COMPENSATION

Policy 3-1 Position Status	3
Section 3-1-1 Definitions	3
Section 3-1-2 Classified Positions	3
Section 3-1-3 Un-classified Positions	3
Section 3-1-4 Temporary Positions.....	4
Section 3-1-5 Intermittent Positions	4
Policy 3-2 Classification Plan	4
Section 3-2-1 Purpose	4
Section 3-2-2 Plan Amendment	4
Section 3-2-3 Position Classification	5
Section 3-2-4 Position Classification Review Procedures.....	5
Section 3-2-5 No Right of Appeal	6
Policy 3-3 Compensation Plan	6
Section 3-3-1 Total Compensation Philosophy	7
Section 3-3-2 Anniversary Dates	8
Section 3-3-3 Pay Adjustments	8
Section 3-3-4 Compensation Funding.....	10
Section 3-3-5 No Right of Appeal	10
Policy 3-4 Payroll Procedures	10
Section 3-4-1 Time Keeping and Payroll Records	10
Section 3-4-2 Pay Dates/Checks.....	12
Section 3-4-3 Payroll Deductions.....	12
Section 3-4-4 Pay Advances	13
Section 3-4-5 Payroll Errors.....	13
Policy 3-5 Wages and Hours	13
Section 3-5-1 Work Week.....	13
Section 3-5-2 Overtime Eligibility	14
Section 3-5-3 Overtime and Compensatory Time	14
Section 3-5-4 Un-classified Employees	16
Policy 3-6 Holiday Pay.....	16
Policy 3-7 Promotion	16
Section 3-7-1 Eligibility	17
Section 3-7-2 Procedure	17
Section 3-7-3 Salary for Promotion Position	17
Policy 3-8 Demotion	18
Section 3-8-1 Anniversary Date Change.....	18

Section 3-8-2 Procedure	18
Policy 3-9 Transfers	18
Section 3-9-1 Eligibility	18
Section 3-9-2 Procedure	19
Section 3-9-3 Salary for Transfer Position	19
Policy 3-10 Adjustments To Pay Based On Employment Action.....	20
Section 3-10-1 Special Assignments and Special Assignment Pay	20
Section 3-10-2 Call-Out Pay.....	21
Section 3-10-3 On-Call/Stand-By Assignments and Pay	21
Policy 3-11 Emergency Closures.....	22
Section 3-11-1 Pay for Time Not Worked.....	22
Section 3-11-2 Pay for Work for Essential Operations.....	22
Policy 3-12 Take Home Vehicles.....	22
Section 3-12-1 Un-classified Employees	22
Section 3-12-2 Classified Employees.....	23
Section 3-12-3 Requirements for Approval.....	23
Section 3-12-4 Conditions of Use.....	23
Policy 3-13 Relocation and Interview Expenses	24
Section 3-13-1 Relocation Expenses.....	24
Section 3-13-2 Interview Expenses	24
Policy 3-14 Severance Benefits	24
Section 3-14-1 Eligibility	24
Section 3-14-2 Severance Benefits.....	25
Section 3-14-3 Disqualification	25
Section 3-14-4 Conditions for Receipt of Severance Benefits.....	25
Section 3-14-5 Budget Appropriation and Capacity	26



CHAPTER 3

CLASSIFICATION AND COMPENSATION

POLICY 3-1 POSITION STATUS

All positions in the City of Coolidge are categorized as classified, un-classified, temporary, or intermittent positions.

Section 3-1-1 Definitions

The following definitions shall apply whenever these terms are used throughout these Personnel Policies and Procedures.

- A. At-will: Employment that may be terminated upon the will of the employer or employee at any time with or without cause.
- B. Full-time: A position for which the normal work schedule is at least 40 hours per week.
- C. Part-time: A position for which the normal work schedule is at least 20 but less than 40 hours per week.
- D. Probationary employee: A classified employee serving in an initial evaluation period.
- E. Regular employee: A classified or un-classified employee hired for an indefinite period in a budgeted position.

Section 3-1-2 Classified Positions

- A. All positions not specifically identified as un-classified, temporary, or intermittent positions are classified positions and are governed by the City Personnel Policies.
- B. Notwithstanding paragraph A above, an employee may be hired in a classified position, but on a temporary basis. When this occurs, the employee will be considered to be in a temporary position, and will be subject to the policies, rules, and regulations governing temporary positions.

Section 3-1-3 Un-classified Positions

All City officers, as defined in the City Code, are in un-classified positions. Any other un-classified positions shall be identified as such on the job description. Employees in un-classified positions are at-will employees. Un-classified employees have no employment contract, implied or explicit, and are not guaranteed any minimum length of employment. Un-classified employees do not have access to the Problem Resolution Policy.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

Section 3-1-4 Temporary Positions

This category of employment is comprised of term-limited temporary positions and short-term temporary positions, as defined below. Employees in temporary positions are at-will employees.

- A. Term-limited temporary positions are positions with work related to a specific grant, project, or other non-routine significant or substantial body of work, for a term of six to 36 months.
- B. Short-term temporary positions are positions used to augment the workforce due to seasonal and other specific temporary workload needs that require additional staffing. Employees in short-term temporary positions shall work for a time period that does not exceed six months or 1040 hours in a rolling 12-month period.

Section 3-1-5 Intermittent Positions

Intermittent positions are used for employees who are on call to work at irregular intervals in one or more City departments. As an example: Reserve Police Officers and Transit Bus Drivers are included in this category.

POLICY 3-2 CLASSIFICATION PLAN

The City Manager shall ensure the preparation, development and maintenance of a classification plan consisting of descriptions of positions defined by essential duties, qualifications, knowledge, skills and abilities characteristic of the positions.

Section 3-2-1 Purpose

The classification plan shall be developed and maintained so that all positions substantially similar with respect to duties, responsibilities, authority and character of work are similarly classified, and positions substantially different in scope and complexity are appropriately classified.

Section 3-2-2 Plan Amendment

The Classification Plan may be amended from time to time by action of the City Council. All amendments to the classification plan, including classification title changes, abolitions of obsolete classifications, and the creation of new classifications, require the approval of the City Council.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

Section 3-2-3 Position Classification

- A. Position classifications shall be maintained by the Human Resources Department for all positions.
- B. Position classifications are descriptive only and are not restrictive in nature. The omission of specific duties from a position classification does not exclude those duties from the position if the work is related or a logical assignment to the position. Supervisors may assign different tasks to a position within a classification when the duties are similar in type and responsibility to those described in the classification description.
- C. The classification description does not constitute an employment agreement between the City and employee and is subject to change as the needs of the City and the requirements of the job change.
- D. When the duties or responsibilities of a position have changed significantly, the City Manager will ensure that the position is reclassified accordingly.
- E. Each employee's position description is maintained as part of his/her Official and Departmental Personnel File.
- F. Abolished Positions
 - 1. Any position not established by Title 9, Arizona Revised Statutes, may be abolished by the City Council.
 - 2. Employees transferred, demoted or laid-off because a position is abolished do not have the right of appeal under the Personal Action Review Procedure set forth in Chapter 5 of these Personnel Policies and Procedures.

Section 3-2-4 Position Classification Review Procedures

Revision of position descriptions and re-allocations within the classification plan shall be made as often as is necessary to provide current information on positions and classes. It is the duty of the Human Resources Director to examine the nature of all positions and to allocate them to existing or newly created classes; to make changes in the classification plan as are made necessary by changes in the duties and responsibilities of existing positions; and to periodically review the entire classification plan and recommend appropriate changes in the allocations of positions in the classification plan.

- A. When a new position is requested by a Department Director or the duties of an old position are substantially changed, the Department Director shall submit a position description questionnaire to the Human Resources Director including justification for the reclassification and emphasizing changes in the position responsibilities or requirements for qualifications, such as experience, education, certifications, etc.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

- B. The request will be reviewed by the Human Resources Director. A job audit will be undertaken.
- C. If the request is justified, the budget impact will be determined and a report prepared for review by the City Manager and City Council.
- D. If the City Manager does not concur with the request, the Department Director will be provided with reasons. The decision of the City Manager is final.
- E. Any reclassification involving an upgrade of salary that is not requested and approved as part of the budget process must have specific Council approval. Once approved by Council, if the reclassified position is vacant, the Human Resources Director shall post the reclassification vacancy internally for 5 work days in designated areas at all City facility sites.
- F. If approved, the Human Resource Director will take the necessary steps for implementation of a reclassification and any related pay change shall be prospective and is effective when the employee assumes the new position or responsibilities, as applicable.
- G. If the requested action is for a down-grading of a position, and the City Manager agrees, the Human Resources Director shall coordinate implementation steps.
- H. Any employee who considers his or her position improperly classified shall first submit a request in writing for reclassification to his/her Department Director, who shall review the request and transmit with written recommendation to the Human Resources Director, who will follow the justification procedures above.

Section 3-2-5 No Right of Appeal

The establishment of a classification plan and position classifications, allocation of classifications to a specific salary grade, position classification review decisions, and changes or adjustments to the classification plan, are not subject to appeal under the personnel action review procedures set forth in Chapter 5 of these Personnel Policies and Procedures.

POLICY 3-3 COMPENSATION PLAN

The City of Coolidge is committed to providing a fair, balanced, and highly competitive compensation package for its employees. It is the policy of the City to establish a compensation system that will allow the City to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee. Classified employees are paid a salary or wage established for a job classification under the Classification Plan and Compensation Plan adopted by the City Council. In arriving at pay rates or ranges, consideration is given to factors including, but not limited to, prevailing rates of pay for similar



CHAPTER 3

CLASSIFICATION AND COMPENSATION

work in other public and private employment in the Pinal County area, to suggestions of Department Directors, to the City's financial condition and policies and to other relevant factors. The City Manager shall direct such further studies of the salary plan as may be requested by the City Council. Compensation is stated in terms of monthly salary or hourly wage.

Section 3-3-1 Total Compensation Philosophy

The City is a steward of community resources. As such, total compensation should take into consideration the City's ability to pay. The City will focus on:

- A. Monitoring and maintaining the compensation system to provide the flexibility needed to respond to changing conditions in the organization.
- B. Clearly communicating the benefits of our employees' total compensation. Total compensation is defined as:
 1. Base pay, which is comprised of wages and salaries
 2. Benefits, including but not limited to, health/life insurance, pension plans/retirement plans, Workers' Compensation, and paid leave
 3. Incentives, performance-based pay, and other supplemental pay and allowances
- C. Offering base pay that is competitive within our defined market and balances the external market with internal equity.
- D. Providing employee benefits in areas such as health insurance, retirement, and paid leave that offer flexible options for meeting our employees' needs within our fiscal constraints.
- E. Recognizing and providing incentives for employee creativity and innovation that benefit the public through improved efficiencies, productivity, and commitment to service excellence.
- F. Providing support, such as training opportunities and career development to our employees in their efforts to attain new skills, achieve organizational goals, and enhance their professional growth.
- G. New employees will ordinarily be paid the minimum rate to mid-point rate in the appropriate salary range. When circumstances warrant, the City Manager may authorize new employment or re-employment at other than the minimum rate dependent upon the experience and qualifications of the individual being hired.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

Section 3-3-2 Anniversary Dates

- A. Date of Hire/Length of Service Anniversary means the effective starting date of the individual's employment with the City. This date is used to determine how long an employee has worked for the City.
- B. Performance Evaluation Anniversary means the date the employee began his or her employment in the most recent position.
- C. A regular employee who is promoted, demoted or transferred will normally have his/her Performance Evaluation Anniversary date changed to the effective date of the promotion, demotion or re-employment.
- D. A regular employee returning from a leave of absence without pay will have his or her Performance Evaluation Anniversary date extended by the same length of time the employee was on leave without pay.
- E. There will be no change in an employee's Performance Evaluation Anniversary date where there has been a reallocation of an employee's position to a new classification title when there have been no recent, abrupt and/or significant changes in tasks and responsibilities.
- F. An employee reinstated to the same position or a position in the same class following layoff from the City will have his/her Performance Evaluation Anniversary period extended by the same length of time as the duration of the layoff.

Section 3-3-3 Pay Adjustments

- A. The Human Resources Department may conduct an annual survey in the region regarding market adjustments and performance-based pay and may recommend pay adjustments based upon that survey.
 - 1. If the salary schedule is adjusted due to market movement, employees will receive salary increases equal to the structure adjustment in order to remain at their relative position within the pay range.
 - 2. If performance-based increases are granted, such increases will be the basis upon which employees move through the pay grade.
- B. Employees may qualify for a pay increase after 12 consecutive calendar months of service in the current classification. The City Manager may shorten the 12-month period. If



CHAPTER 3

CLASSIFICATION AND COMPENSATION

service is interrupted or if the employee is promoted, a new Performance Evaluation Anniversary and 12 consecutive calendar month period will begin on the date of rehire or promotion.

- C. Pay increases are not automatic but must be earned by maintaining or exceeding expected standards of performance. Pay increases depend upon increased service value of an employee to the City as exemplified by written recommendation of the supervisor, length of service, performance evaluation, special training undertaken, licensing relevant to the position or other pertinent evidence in compliance with the adopted salary plan.
- D. No pay increase shall exceed the maximum rate established in the pay plan for the position to which an employee has been appointed.
- E. If the performance evaluation reflects below average performance, action may be taken to demote, reassign or terminate employment for performance reasons.
- F. A position may be reclassified to a higher level classification, or the classification may be assigned to a higher salary maximum. An affected employee may or may not receive a salary increase.
- G. In the event that the salary of any position is re-evaluated by the City Manager, and the City Council authorizes implementation, and results in an increased salary range for the position, the employee shall retain his/her current salary within the range or assume the entry level step of the new range, whichever is greater.
- H. A position may be reclassified to a lower level classification, or the classification may be assigned to a lower salary range. An employee's salary will be frozen if the new maximum is lower than the incumbent's salary. The employee will receive no salary increases until the new maximum salary is higher than the employee's salary.
- I. The grant, or lack of grant, of a pay adjustment, is not subject to review or appeal through the Problem Resolution Policy set forth in Chapter 5 of these Personnel Policies and Procedures.
- J. General salary increases, adjustments or modifications may be granted at the sole discretion of the City Council. With the exception of an employee who is subject to an Employment Agreement with the City, exempt employees are eligible for general salary increases approved from time to time by the City Council.
- K. Any adjustments to the salary schedule or employee pay are subject to budget capacity and authority.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

Section 3-3-4 Compensation Funding

Within available resources, the City will consider funding individual components of the compensation plan each year during its annual budget process, working to establish a highly competitive total compensation package for employees.

Section 3-3-5 No Right of Appeal

The establishment of a compensation plan, including salary schedules, allocation of classifications to a specific salary grade, assignment of pay to an employee and changes or adjustments to the compensation plan, are not subject to appeal under the personnel action review procedures set forth in Chapter 5 of these Personnel Policies and Procedures, unless a change in pay is the result of a disciplinary action that is subject to the personnel action review procedures.

POLICY 3-4 PAYROLL PROCEDURES

Regular City employees are paid biweekly. There are 26 pay periods in the calendar year.

Section 3-4-1 Time Keeping and Payroll Records

- A. All employees, Un-classified and Classified, are required to use the timekeeping system as follows:
1. Classified employees are required to log in and out of the timekeeping system for payroll and attendance purposes. Classified employees shall use the system to track their hours worked and to file leave requests.
 2. Un-classified employees shall utilize the timekeeping system to file leave requests and access leave and payroll information. The time keeping system will not be used as a basis of pay for un-classified employees.
 3. Leave requests shall be based on the number of hours in an employee's scheduled work day. For example, an employee who is scheduled to work an 8 hour day cannot request more than 8 hours of leave time for any scheduled work day.
 4. All employees are required to log in/out, using their designated ID and password, at the timekeeping station located nearest to their work area. Each timekeeping station has the capability to log in and out any employee regardless of their designated department. If a change of timekeeping station location is necessary, the employee must notify the supervisor and the supervisor will direct the employee to the next appropriate timekeeping station.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

- a. Unless otherwise authorized by their supervisor, Classified employees should log in no sooner than seven (7) minutes before the scheduled shift and log out no later than seven (7) minutes after the scheduled shift.
 - b. Classified employees who are not working in the field may be required to log in/out for lunch breaks. The timekeeping system will automatically deduct a lunch period of either 30 or 60 minutes for employees who are working in the field. The Department Director will determine which employees work in the field and if employees are on a 30 or 60 minute lunch period. Employees shall be responsible for notifying their supervisor in writing if any modifications are made to their lunch schedule. All employees are required to take a lunch period unless express authority is provided by supervisory or management staff to work through the lunch period.
 - c. On-call employees will report directly to the work location necessary to respond to any call and report any time worked directly to their supervisor as soon as practical. The supervisor will manually enter the employee's work hours related to on-call services.
 - d. Classified employees are permitted to work overtime only with prior authorization from the supervisor. Overtime includes, but is not limited to, logging in early, late, or working through the scheduled lunch period. Classified employees who work overtime without prior authorization may be subject to disciplinary procedures, up to and including termination, in accordance with the City's Personnel Policies and Procedures.
 - e. Employees shall not use another employee's ID/Password to log in for another employee. The timekeeping system recognizes and tracks information for each person in the system. The system includes sensitive and private information of each employee and should not be shared among co-workers. Employees who violate this policy shall be subject to disciplinary procedures, up to and including termination of employment, in accordance with the City's Personnel Policies and Procedures.
5. If an employee misses an entry into the timekeeping system, falsifies an entry or notices an incorrect entry in the timekeeping system, the employee will notify their supervisor as soon as possible. The supervisor will manually enter the employee's work hours. An employee who consistently misses logging entries, falsifies an entry or has erroneous entries may be subject to disciplinary action, up to and including termination, in accordance with the City's Personnel Policies and Procedures.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

6. Supervisors are required to document and report incidents where employees have violated the timekeeping policy and/or procedure. This includes, but is not limited to, situations where employees may have logged in but are absent from their work station during work hours or have missed timekeeping entries and/or work unscheduled and unauthorized overtime.
- B. Changes in rate, position and status shall be supported by a Personnel Action Form (PAF) approved by the City Manager. The PAF shall be made a part of the employment history record of the employee. No salary change shall be implemented unless accompanied by an approved PAF.
- C. Payroll records shall be maintained by the City in accordance with the City's records retention schedule.
- D. The Finance Department is responsible for answering inquiries concerning payroll matters. The Finance Department and the Human Resources Department will work collaboratively to resolve pay inquiries in an expeditious manner.
- E. Falsification of time sheets, attendance records or leave authorization requests is grounds for disciplinary action, up to and including termination.

Section 3-4-2 Pay Dates/Checks

- A. Employees are paid biweekly through direct deposit on the Friday following the close of the pay period, unless that day is a City-recognized holiday. If the pay date falls on a City-recognized holiday, the day of pay shall be the last working day preceding the normal pay date.
- B. Employees receive a statement of earnings, deductions, leave balances and compensatory time balance for the period covered by the payment.

Section 3-4-3 Payroll Deductions

- A. Mandatory deductions required by law shall be withheld from all employees' paychecks each pay period. These include, but are not limited to, state-mandated retirement contributions, federal income tax, state income tax, Social Security and Medicare (FICA) and any legal wage garnishment.
- B. Voluntary deductions require an employee's written authorization. Examples include, but are not limited to, direct deposit, deferred compensation, United Way contributions, dependent health insurance coverage and supplemental health insurance.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

Section 3-4-4 Pay Advances

The City of Coolidge does not grant requests for pay in advance of the regular pay day.

Section 3-4-5 Payroll Errors

Occasionally, a payroll error will occur regarding an employee's wages. If an employee becomes aware of a payroll error, either an overpayment or an underpayment of wages, the employee shall provide written notice, as soon as they become aware of the error, to the employee's supervisor who will notify the Finance Director or designee. Likewise, the Finance Director or designee shall provide written notice to an employee of a payroll error as soon as the Finance Department becomes aware of the error. Once an error has been discovered, the Finance Department will initiate a correction as follows:

- A. If the employee has been underpaid due to an error made by someone other than the employee, the Finance Department will run a special payroll as soon as practical.
- B. If the employee has been underpaid due to an error made by the employee, the Finance Department will make the appropriate adjustment in pay at the next regular pay cycle.
- C. If the employee has been overpaid due to an error made by the employee, the department payroll liaison or the Finance Department, the employee will be required to reimburse the City for the overpayment. The Finance Department will make every effort to establish a repayment schedule that meets the Finance Department's responsibility to recoup public funds in a timely manner and incorporates consideration for the employee's ability to repay.

POLICY 3-5 WAGES AND HOURS

Section 3-5-1 Work Week

- A. The work week will generally consist of five days within a 40 hour week or as determined otherwise by the City Manager. The City Manager may establish alternative or flexible work schedules, but at no time shall those schedules interfere with the normal operations of the City government.
- B. A work week generally begins every Saturday at 12:01 A.M. and ends the following Friday at 12:00 midnight.
- C. The City Manager or the Department Director may stagger, rearrange and adjust the work hours of employees to enable the City to keep offices open at all times required.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

- D. A supervisor may require any employee to temporarily perform service in excess of 40 hours in a five day week when necessary to maintain City operations. When such work is required, the overtime and compensatory time provisions in these Personnel Policies and Procedures, City administrative directives, and state and federal law shall apply.

Section 3-5-2 Overtime Eligibility

- A. As part of the classification plan, the Human Resources Director shall evaluate the body of work for a position classification and determine if employees in that position classification are subject to the provisions of the Fair Labor Standards Act (FLSA).
- B. Position classifications shall either be Un-classified or classified from the provisions of the FLSA, as defined in state and federal law.
- C. The Human Resources Director shall employ all evaluation techniques and methods prescribed by the FLSA for determining the overtime status of a position classification. The Human Resources Director is responsible for continually reviewing and updating the FLSA status of position classifications.

Section 3-5-3 Overtime and Compensatory Time

- A. It is the City's policy to avoid the necessity of overtime whenever possible, but overtime work may be necessary to handle emergency situations and to meet seasonal or peak workload requirements of a critical nature.
- B. Department Directors are responsible for the planning required to minimize the need for overtime. If, in the judgment of a Department Director, work beyond the normal work day or work week is required, the Department Director may authorize such work.
- C. Overtime and compensatory provisions apply only to classified employees. Whenever a classified employee is required to work overtime in excess of 40 hours in a work week, that person shall be compensated for such excess time at the rate of either:
1. Pay for Service - One and one-half (1-1/2) times the regular rate of pay at which such person is employed; or
 2. Compensatory Time Off - One and one-half (1-1/2) hours of compensatory time off for each hour worked in lieu of cash payment.

Exception: The Fire Department certified classified personnel will receive overtime for hours worked above 106 hours in a 14-day period.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

3. The payroll time sheet shall document whether the employee is using Pay for Service or Compensatory Time Off. The Department Director may designate whether the employee shall use Pay for Service or Compensatory Time Off prior to the overtime work. If not designated by the Department Director prior to the overtime work, the employee may designate whether he/she desires to use Pay for Service or Compensatory Time Off for the overtime work.
4. "Hours worked" for purposes of calculation of overtime pay shall be defined as actual hours worked on the job performing a responsible work assignment.
5. Time shall begin once the employee is at the work station or at the call origination for emergencies.
6. Holidays, Vacation leave, Sick leave and compensatory time shall NOT be considered time worked and SHALL BE deducted from "hours worked" during overtime calculation for each work week.
7. The Department Director must specifically authorize in writing the rendering of overtime services. Employees shall obtain such written authorization prior to working any overtime if possible.
8. Employees who are required by their supervisors to work on a day observed by the City as a holiday shall be compensated regular time plus holiday pay for the actual hours they are required to work, unless overtime compensation is involved.
9. The City Manager will ensure that all overtime is recorded and that work schedules that will allow all employees full opportunity to use accumulated compensatory time off within reasonable periods of time are developed as delineated under the City's Compensatory Leave Policy.
 - a. An employee may accumulate no more than 80 hours of compensatory time.
 - b. Accumulated compensatory time in excess of that permitted must be used within 60 days or paid out to the employee.
 - c. The City Manager may make an exception in the accumulated compensatory time as recommended by the Department Director.
10. The Department Director, with approval of the City Manager, may allow employees to count holiday, vacation leave and compensatory time during a work week toward the overtime calculation for time that involves contracted or grant activity/work



CHAPTER 3

CLASSIFICATION AND COMPENSATION

considered to be outside of daily or routine operations that is reimbursed to the City from an outside source. Examples of outside sources and duties include, but not limited to: traffic control for roadway construction that is contracted by a construction company; uniformed security for an event that is contracted by a person, group, school or business; or grant funded activities wherein funds are provided to a City department for specific activities.

- D. Nothing in this policy shall be construed to contravene the provisions of the Fair Labor Standards Act (FLSA).

Section 3-5-4 Un-classified Employees

- A. The overtime provisions of this policy shall not apply to employees whose positions have been determined to be un-classified from the provisions of the FLSA. FLSA un-classified employees are expected to work the hours necessary to satisfactorily perform their jobs, but may be given time off for extensive "after hours" work on special projects or under extenuating circumstances as approved by the City Manager. FLSA un-classified employees may be required to work a specified schedule set by their supervisor. The Human Resources Department shall maintain a list of Un-classified positions.
- B. The City prohibits any deductions from FLSA un-classified employees' pay that are improper under the FLSA. If an FLSA un-classified employee believes that an improper deduction has been made to his or her salary, the employee should immediately report this information to his or her direct supervisor, the Department Director or to the Human Resources Director. The City will promptly investigate reports of improper deductions. If the City determines that an improper deduction has occurred, the City will promptly reimburse the employee for the improper deduction.

POLICY 3-6 HOLIDAY PAY

It is the policy of the City to grant paid time off to eligible employees on the City Council-approved holidays listed in Chapter 4 of these Personnel Policies and Procedures. However, if a classified employee is required to work on a City-approved holiday, the employee is also eligible for holiday pay as defined in Policy 4-4.

POLICY 3-7 PROMOTION

The City attempts to fill vacant positions with qualified City employees before advertising to the general public, following a policy of upward mobility whenever possible. A promotion is a



CHAPTER 3

CLASSIFICATION AND COMPENSATION

change to a position in a salary range higher than the one an employee currently occupies. Employees are encouraged to apply for any vacancy for which they may qualify.

Section 3-7-1 Eligibility

- A. Regular employees who have completed the designated initial evaluation period in the current position at a satisfactory level of performance may apply for promotion within any department. An exception to this policy may be granted with prior approval of the City Manager.
- B. Selection of an employee for a promotion is based on past work record and performance appraisal, education and special training undertaken, knowledge of the job duties, licensing relevant to the position, length of service or other pertinent evidence of increased service value of an employee to the city.
- C. Only employees who meet the requirements set forth in promotion examination announcements may compete in promotion examinations.

Section 3-7-2 Procedure

- A. A job-posting application should be submitted to all City Personnel.
- B. When considering the promotion of City employees having the same or similar qualifications, the position will be filled after considering the factors listed above.
- C. In cases where only one employee applies for a position and the person's abilities and qualifications are known to the hiring department, the formal selection process may be dispensed with upon concurrence with the Human Resources Director.
- D. Temporary assignments may be made by the Department Director for a specified time or assignment as necessary. Such appointments are made on an "acting" basis, and the employee returns to his or her regular position upon completion of the assignment. The salary for "acting" appointments is set by the Department Director in consultation with the Human Resources Director.

Section 3-7-3 Salary for Promotion Position

- A. Upon promotion to another class, the employee shall be placed at a rate within the new pay range corresponding to the qualifications for the class. Generally, this rate would be the minimum of the range, but not less than a 5% increase from the former base rate of pay, excluding special assignment pay.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

- B. Upon promotion to a supervisory position, employees shall receive a salary at least 5% higher than the rate of pay received by the highest paid subordinate regularly supervised, disregarding any extra compensation, except special assignment pay.

POLICY 3-8 DEMOTION

An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, voluntary, in lieu of layoff, for reasons of disability or incapacity, department reorganization, response to market data, etc.) will receive a cut in pay commensurate with the nature of the demotion as determined by the Department Director in consultation with the Human Resources Department and approved by the City Manager.

Section 3-8-1 Anniversary Date Change

- A. Generally, demotions do not change the person's date of hire. However, the Performance Evaluation Anniversary date for future salary adjustments changes to the effective date of the demotion.
- B. Employees in position classifications that are down-graded or upgraded in salary to reflect changes in market conditions will retain their existing Performance Evaluation Anniversary date for future performance-based adjustments.

Section 3-8-2 Procedure

- A. No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.
- B. An employee being demoted shall be notified two weeks prior to effective date of demotion except in emergency situations.
- C. Any demotion to prevent layoffs may be revised when the employee's previous position is reopened.

POLICY 3-9 TRANSFERS

A lateral transfer is a change in position at the same or lower salary range than the one currently occupied.

Section 3-9-1 Eligibility

- A. A regular full-time or part-time employee is eligible to seek a lateral transfer to another position within the same department any time a position is vacant.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

- B. Generally, a regular full-time or part-time employee is eligible to seek a lateral transfer to another department after successfully completing the current department's initial evaluation period.

Section 3-9-2 Procedure

- A. Any current eligible employee interested in applying for a transfer must file a completed City application form with the Human Resources Department according to instructions listed on the job posting.
- B. If the employee meets the stated requirements for the position, she/he will proceed through the regular hiring process with all other general public applicants.
- C. All else being equal, current City employees will be given priority for open positions.
- D. The Official and Departmental Personnel Files of the transfer applicant will be made available to the Department Director responsible for filling the open position.
- E. If the current employee is selected, his/her Department Director will be advised prior to the offer being made to the employee.
- F. If the employee accepts the position, it will be the responsibility of the two Department Directors, along with the employee, to reach agreement on a transfer date. Every effort should be made to accomplish the transfer within two weeks of the offer's acceptance.

Section 3-9-3 Salary for Transfer Position

The salary offered to the employee must be consistent with the salary and requirements of the new position.

- A. An employee who meets only the minimum requirements for the position will be started at the minimum of the salary range regardless of the employee's current salary.
- B. An employee who exceeds the minimum requirements for the position may be offered a salary in the new range that reflects the same percentage to the mid-point of the previous salary range.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

POLICY 3-10 ADJUSTMENTS TO PAY BASED ON EMPLOYMENT ACTION

Section 3-10-1 Special Assignments and Special Assignment Pay

- A. The City may, in its sole discretion, assign employees to special assignments. The number, type and duration of any special assignments shall be determined by the City based on operational needs and is subject to periodic review by the City Council.
- B. If assigned, special assignments shall not be considered a right or entitlement and are not subject to review or appeal through the City's Problem Resolution Policy. An employee in a special assignment has no rights to that assignment or any tasks associated with that assignment no matter the duration of the special assignment.
- C. Special assignments may include:
 1. Working out-of-classification in a higher level classification.
 - a. The assumption and performance of the duties of the higher classification must encompass the full range of responsibilities of the higher classification. It does not pertain to a temporary assignment made for the purpose of providing a training opportunity to the employee.
 - b. The performance of duties must be for an extended period of time to fill the needs of the vacant position. An extended period of time is generally considered as an assumption of duties and responsibilities that will last in excess of 30 working days.
 - c. Compensation for working out of classification shall be allowed only after written recommendation of the Department Director and Human Resources Director and approval of the City Manager. Recommendation and approval shall be accomplished prior to the assumption of higher classification responsibilities.
 - d. The employee's compensation will be increased to the starting salary of the higher classification in which the employee is substituting, or 5%, whichever is greater.
 - e. When the temporary assignment is completed, the employee's salary will be readjusted to its previous level or the level it would have attained, including general salary increases and performance-related adjustments, if the out-of-classification pay had not been made.
 - f. The employee's date of hire anniversary and performance evaluation anniversary will remain unchanged throughout the temporary assignment.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

2. Performing additional duties outside of the scope of the employee's regular classification for a period of time, such as assuming some or all of the responsibilities of a vacant position and/or temporarily assuming the title of a vacant position.
 3. Serving in a lead or supervisory role when the employee's regular position does not require lead or supervisory responsibilities.
- D. Special assignment pay may be provided to employees serving in a special assignment, depending upon economic conditions and the City's ability to pay.
1. Employees assigned to special assignments shall only be paid for those days that the special assignment duties are being performed as determined by the Department Director. The amount of special assignment pay shall be determined by the Department Director but, in no event, shall such special assignment pay be greater than five percent (5%) of the employee's base hourly wage.
- E. When relieved from special assignment, the employee shall be returned to his or her former position and pay.

Section 3-10-2 Call-Out Pay

When a classified employee is called back to regular duty after leaving City facilities at a time other than the employee's regular assigned shift to perform unscheduled duties which are in excess of the employee's regular hours of work, the employee will receive a minimum of two hours pay at a rate based upon the employee's base hourly wage, or will be given two hours of Compensatory Time Off, or the actual time worked, whichever is greater. Subsequent calls received to perform work within two hours of the start time of an initial call-back will be compensated as an extension of the initial call, not as a new call. In the event the call out work results in overtime for the employee, Policy 3-5 shall govern compensation for such overtime. This provision does not apply to scheduled overtime, holidays worked or overtime worked in connection with regular work hours.

Section 3-10-3 On-Call/Stand-By Assignments and Pay

The City Manager may designate certain classified positions as eligible to receive on-call and/or stand-by pay based on the need for 24 hours per day, 7 days per week coverage and emergency response requirements. Department Directors shall determine the length, duration and rotation of on-call or stand-by assignments. The rate of pay for on-call and stand-by assignments will be established by the Department Director with the approval of the City Manager, provided, however that an employee will be paid for no more than the equivalent of two hours, at a rate based on the employee's base hourly wage, for each day



CHAPTER 3

CLASSIFICATION AND COMPENSATION

that the employee is on-call or on stand-by. Time spent off City premises on-call or on stand-by shall not be included in calculating actual hours worked.

POLICY 3-11 EMERGENCY CLOSURES

Emergencies such as severe weather, fires, power failures or floods can disrupt City operations and may require the closing of a work facility. Closing of a work facility is at the sole discretion of the Mayor, City Council or City Manager. In the event that an emergency occurs during non-working hours, Department Directors will be responsible for notifying the affected employees.

Section 3-11-1 Pay for Time Not Worked

When operations of the City or any part of the City are officially closed due to emergency conditions, the time off from scheduled work will be paid.

Section 3-11-2 Pay for Work for Essential Operations

Employees in essential operations may be asked to work because of emergency conditions on a day when non-essential operations are officially closed. In these circumstances, employees who work will receive regular pay.

POLICY 3-12 TAKE HOME VEHICLES

The City Council may authorize the assignment and use of City-owned take-home vehicles for certain employees that will ensure appropriate use of City resources. The City Council shall take into consideration the amount and type of local travel required of a position when granting a City-owned take-home vehicle. A City employee who is authorized the use of a City take-home vehicle may not receive a vehicle allowance during the same time period.

Section 3-12-1 Un-classified Employees

The City Council may authorize the use of a City-owned take-home vehicle, in lieu of a monthly vehicle allowance, for an Un-classified employee when using a City vehicle results in operational efficiencies. In authorizing a City take-home vehicle, the City Council shall take into consideration whether the employee must be routinely available for immediate emergency response, routinely carries and accesses City equipment in the course of travel or routinely accesses areas that may be restricted to City vehicles.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

Section 3-12-2 Classified Employees

The City Council may authorize the use of a City-owned take-home vehicle for a classified employee when using a City vehicle results in operational efficiencies. In authorizing a City take-home vehicle, the City Council shall take into consideration whether the employee must be routinely available for immediate emergency response, routinely carries and accesses City equipment in the course of travel or routinely accesses areas that may be restricted to City vehicles.

Section 3-12-3 Requirements for Approval

City take-home vehicles shall be assigned to City employees only upon satisfaction of the following requirements:

- A. Submission of a written determination by the employee's department Director that access to a City-assigned take-home vehicle is essential in order to allow the employee to properly discharge the responsibilities of his/her position.; and
- B. Approval by the City Council. The Human Resources Department shall maintain a current list of all employees who have been assigned a City-owned take-home vehicle. It shall be the responsibility of the department by whom the employee is employed to monitor the employee's compliance with this Policy and to provide appropriate notice in the event that the employee's duties and responsibilities cease to require assignment of a City-owned take-home vehicle.

Section 3-12-4 Conditions of Use

- A. City-owned vehicles, including take-home vehicles, are to be used for City business only except as expressly provided in the City of Coolidge Vehicle Policy.
- B. Assignment of a City owned take-home vehicle may be deemed to be a taxable benefit to the employee and, if so, the value of that benefit, calculated as specified by the Internal Revenue Service, shall be annually reported as income on the employee's W-2 Form.
- C. Every employee assigned a City-owned take-home vehicle shall execute a receipt, in a form specified by the City, acknowledging receipt of an assigned vehicle, receipt of a complete copy of the City of Coolidge Vehicle Policy, including this Take-Home Vehicle Policy, affirming that he/she has read and understands the Policy and agreeing to fully comply with its terms and conditions.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

POLICY 3-13 RELOCATION AND INTERVIEW EXPENSES

Section 3-13-1 Relocation Expenses

- A. The City Manager, in his or her sole discretion, may authorize reimbursement of relocation expenses for a newly hired Un-classified employee in an amount of up to 5,000.
- B. Reimbursement of relocation expenses shall be a one-time reimbursement, limited to the cost of moving furniture and personal effects from the employee's current home to his or her new home.
- C. The reimbursement shall be treated as income to the employee.
- D. The relocation and reimbursement of expenses must occur within the 12-month period following the Un-classified employee's hire date.
- E. Un-classified employees who are offered and accept reimbursement of relocation expenses shall be required to sign an agreement as part of an initial offer of employment letter indicating acceptance of all the terms of the relocation expense reimbursement.

Section 3-13-2 Interview Expenses

In an effort to attract and consider candidates with exceptional qualifications, and to ensure a competitive interview pool, the City Manager may, in his or her sole discretion, authorize payment of travel expenses to and from an interview process at the City of Coolidge for a vacant, Un-classified position. Only transportation, lodging and meal expenses shall be considered for reimbursement.

POLICY 3-14 SEVERANCE BENEFITS

The City Manager may provide severance benefits to eligible employees pursuant to the provisions of this policy. This policy does not and shall not create employment or compensation rights.

Section 3-14-1 Eligibility

- A. The provisions of this policy apply to employees in Un-classified positions whose employment is terminated by the City without cause, or who resign in lieu of termination without cause.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

- B. Employees in classified and temporary positions are not eligible for severance benefits.

Section 3-14-2 Severance Benefits

- A. The City Manager may determine in his or her sole discretion whether to provide severance benefits to an eligible employee based on the provisions of this policy and any other relevant factors, including, without limitation, the employee's position and the employee's length of employment with the City.
- B. When the City Manager determines to provide severance benefits to an eligible employee, the severance benefits may include the following:
 - 1. Severance pay equal to up to three months' salary, based on the employee's annual base salary as of the date of employment separation, less applicable state and federal withholding taxes as required by law.
 - 2. If the employee elects COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) continuation coverage for medical, dental and/or vision insurance through the City's COBRA administrator, the City may pay 100% of the employee's COBRA premiums directly to the COBRA administrator on the employee's behalf for up to three months.
- C. Severance benefits do not include any payment which the employee is already entitled to for earned wages, accrued vacation hours, overtime compensation, or any other benefits accrued and vested to the employee. Payment of these items will be governed by applicable law and policy.

Section 3-14-3 Disqualification

An employee in an Un-classified position is not eligible for severance benefits if his or her termination is due to one or more of the following actions:

- A. Voluntary resignation
- B. Retirement
- C. Termination for cause

Section 3-14-4 Conditions for Receipt of Severance Benefits

- A. To be eligible for benefits under this policy, the employee must execute a separation/severance agreement within the timelines and terms and conditions established by the City.



CHAPTER 3

CLASSIFICATION AND COMPENSATION

- B. The separation/severance agreement will include, without limitation, a waiver by the employee of any and all legal claims or potential legal claims against the City, its officers, employees, and agents relating to the employee's employment or separation of employment with the City.

Section 3-14-5 Budget Appropriation and Capacity

All severance benefits are subject to any limitations imposed by the City's budget appropriations and capacity and the availability of funds.

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 4. EMPLOYMENT BENEFITS AND LEAVES

Policy 4-1 Vacation Leave	4
Section 4-1-1 Eligibility	4
Section 4-1-2 Accrual of Vacation Leave	4
Section 4-1-3 Rate of Accrual	4
Section 4-1-4 Maximum Accrued Hours Permitted.....	5
Section 4-1-5 Request for Vacation Leave	5
Section 4-1-6 Vacation Leave Pay.....	5
Section 4-1-7 Payment of Vacation Leave Upon Termination of Employment	6
Policy 4-2 Sick Leave	6
Section 4-2-1 Eligibility	6
Section 4-2-2 Accrual of Sick Leave.....	6
Section 4-2-3 Rate of Accrual	6
Section 4-2-4 Permitted Uses.....	6
Section 4-2-5 Notification to Supervisor.....	7
Section 4-2-6 Medical Verification.....	8
Section 4-2-7 Additional Conditions of Eligibility	8
Section 4-2-8 No Sick Leave Available	8
Section 4-2-9 Payment of Sick Leave Upon Termination of Employment.....	9
Policy 4-3 Personal Leave	9
Section 4-3-1 Eligibility	9
Section 4-3-2 Amount of Personal Leave.....	9
Section 4-3-3 Request for Personal Leave.....	10
Section 4-3-4 No Accrual	10
Section 4-3-5 Termination of Employment	10
Policy 4-4 Holidays.....	10
Section 4-4-1 Eligibility	10
Section 4-4-2 City-Approved Holidays	10
Section 4-4-3 Amount of Paid Time Off for City-Approved Holidays	11
Section 4-4-4 Miscellaneous Rules.....	11
Section 4-4-5 Exception	12
Policy 4-5 Military Leave	12
Section 4-5-1 Eligibility	12
Section 4-5-2 Military Leave.....	12
Section 4-5-3 Advance Notice Requirements.....	12
Section 4-5-4 No Break in Service.....	13
Section 4-5-5 Return to Work	13

Policy 4-6 Bereavement Leave	13
Section 4-6-1 Eligibility	13
Section 4-6-2 Amount of Bereavement Leave	13
Section 4-6-3 Request for Bereavement Leave	14
Section 4-6-4 Definition of Immediate Family	14
Policy 4-7 Family and Medical Leave	14
Section 4-7-1 Qualifying Reasons for FMLA Leave	14
Section 4-7-2 Definitions	15
Section 4-7-3 Eligibility	17
Section 4-7-4 Leave Entitlement	17
Section 4-7-5 Qualifying Exigency Leave under the NDAA	18
Section 4-7-6 How FMLA Leave is Measured	18
Section 4-7-7 Use of Accrued Paid Leave	18
Section 4-7-8 Request for Leave	18
Section 4-7-9 Medical Certification	19
Section 4-7-10 Certification for Qualifying Exigency Leave under the NDAA	19
Section 4-7-11 Designation of Leave as FMLA Leave	19
Section 4-7-12 Determination/Notice of Substantial and Grievous Economic Injury	20
Section 4-7-13 Intermittent Leave	20
Section 4-7-14 Maintenance of Group Health Plan Benefits	21
Section 4-7-15 Maintenance of Other Benefits	21
Section 4-7-16 No Break in Service	22
Section 4-7-17 Additional Leave	22
Section 4-7-18 Return to Work	22
Section 4-7-19 Termination of Employment	23
Policy 4-8 Administrative Leave	24
Section 4-8-1 Eligibility	24
Section 4-8-2 Administrative Leave for Medical Purposes	24
Section 4-8-3 Administrative Leave for Non-Medical Purposes	25
Section 4-8-4 Compensation	25
Section 4-8-5 City-Assigned Administrative Leave	26
Section 4-8-6 Maintenance of Benefits	26
Section 4-8-7 Return to Work	27
Section 4-8-8 Termination of Employment	27
Section 4-8-9 No Right of Appeal	27
Policy 4-9 Leave Donation	28
Section 4-9-1 Definitions	28
Section 4-9-2 Eligibility	28
Section 4-9-3 Request for Donated Leave	29
Section 4-9-4 Donation of Leave	29
Section 4-9-5 Coordination with Other Payments	30
Section 4-9-6 Maintenance of Benefits	30
Section 4-9-7 Leave Accrual	30
Policy 4-10 Group Benefits	31
Section 4-10-1 Group Insurance Coverage	31
Section 4-10-2 Retirement Plans	31
Section 4-10-3 Employee Assistance Program	31
Section 4-10-4 Voluntary Benefits	32

Policy 4-11 Workers' Compensation	32
Section 4-11-1 Reporting Requirement	32
Section 4-11-2 Determination of Compensability	33
Section 4-11-3 Types of Claims	33
Section 4-11-4 Use of Leave	33
Section 4-11-5 Maintenance of Benefits	35
Section 4-11-6 Coordination with the Supplemental Benefits Plan for Public Safety Employees	35
Section 4-11-7 Miscellaneous	35
Policy 4-12 Supplemental Benefits Plan for Public Safety Employees	36
Section 4-12-1 Definitions	36
Section 4-12-2 Eligibility	36
Section 4-12-3 Supplemental Compensation	37
Section 4-12-4 Application Procedures	37
Section 4-12-5 Maintenance of Benefits	38
Section 4-12-6 Paid Leave Balances	39
Section 4-12-7 Miscellaneous	39
Policy 4-13 Benefits Continuation/COBRA	39
Section 4-13-1 Payments	39
Section 4-13-2 Written Notification of Eligibility	40
Policy 4-14 Alternative Work Assignments/Light Duty	40
Section 4-14-1 Eligibility	40
Section 4-14-2 Definitions	40
Section 4-14-3 Procedures	41
Section 4-14-4 Duration	41
Section 4-14-5 Interaction with Other Laws and Policies	42
Section 4-14-6 No Right to Alternative Work Assignment	42
Section 4-14-7 Miscellaneous	42
Section 4-14-8 No Right of Appeal	43
Policy 4-15 Civic Duty	43
Section 4-15-1 Eligibility	43
Section 4-15-2 Jury Duty	43
Section 4-15-3 Witness Duty	44
Section 4-15-4 Voting	45



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

POLICY 4-1 VACATION LEAVE

The City of Coolidge provides vacation leave with pay to eligible employees.

Section 4-1-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.

Section 4-1-2 Accrual of Vacation Leave

- A. Eligible employees shall begin to accrue vacation leave on their effective date of hire or once they enter an eligible classification.
 - 1. Police Trainees begin their accrual on the first day of work for the City following graduation from the police academy.
- B. When an employee is on leave and a portion of the leave is unpaid, the employee shall accrue vacation leave on a prorated basis, based on the number of hours paid by the City during the pay period. When an employee is on leave and receives no compensation from the City, the employee shall not accrue vacation leave.
- C. Vacation leave accrual is cumulative, up to the maximum number of hours permitted by this policy.

Section 4-1-3 Rate of Accrual

- A. Eligible full-time employees shall accrue paid vacation leave at the rate shown in the following schedule:

Vacation Accrual Rate	
Length of Service	Vacation Days Each Year
0 to 5 years	10 days (3.08 hrs per pay period)
6 - 10 years	15 days (4.62 hrs per pay period)
11 years or more	1 day additional per year until accrual reaches maximum of 20 days annually



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- B. Eligible part-time employees shall accrue vacation leave on a prorated basis each pay period based on the number of hours paid by the City during the pay period.
- C. For purposes of determining length of service, the year noted begins on the day after the preceding anniversary. For example, an employee shall be employed for greater than (>) five years on the day after the employee's fifth anniversary; therefore, the employee shall begin earning at the higher accrual rate for the pay period in which this date falls.
- D. Notwithstanding the provisions of this section, as an incentive to recruit key employees, upon hiring an employee in an unclassified position, the City Manager may negotiate a vacation accrual rate in excess of the initial vacation accrual rate specified in this section. However, in no event shall the City Manager negotiate a vacation accrual rate of more than 4.62 hours per pay period.

Section 4-1-4 Maximum Accrued Hours Permitted

- A. An employee's accrued vacation leave balance shall not be permitted to exceed 320 hours. Therefore, employees shall not be credited for vacation leave in excess of 320 hours. Employees who are approaching the 320 hour cut-off shall be given the opportunity to request vacation leave before vacation leave hours are forfeited.
- B. In extenuating circumstances, the City Manager may approve an exception to this provision and grant an employee an additional 90 calendar days to come into compliance with the 320-hour rule without forfeiting any vacation leave. This exception will only be granted once per rolling 12-month period. If the employee fails to come into compliance with the 320-hour rule within the additional 90-day period, the employee will forfeit all accrued vacation leave in excess of 320 hours.

Section 4-1-5 Request for Vacation Leave

- A. Eligible employees may request to use vacation leave after 30 days of employment.
- B. Employees shall submit vacation leave requests to their supervisor before taking any time off. Requests for leave are subject to the approval of the supervisor and will be reviewed based on a number of factors including, but not limited to, City needs and staffing requirements.

Section 4-1-6 Vacation Leave Pay

Vacation leave shall be paid at the employee's base rate of pay or special assignment pay, at the time the leave is accrued. Vacation leave pay shall not include overtime or any adjustments to pay such as standby or assignment pay.



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

Section 4-1-7 Payment of Vacation Leave Upon Termination of Employment

Upon termination of employment, employees shall be paid at their base rate of pay for any unused accrued vacation leave earned through the last day of work. If the City Manager, however, determines that the employee's termination occurred because of theft or gross misconduct, then the City Manager may elect not to pay the employee unused vacation time.

POLICY 4-2 SICK LEAVE

The City of Coolidge provides sick leave with pay as income protection to eligible employees.

The provisions of this policy are not intended to conflict with or supersede state law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with state law, state law shall control.

Section 4-2-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.

Section 4-2-2 Accrual of Sick Leave

- A. Eligible employees begin to accrue sick leave on their effective date of hire or once they enter an eligible classification.
- B. When an employee is on leave and a portion of the leave is unpaid, the employee shall accrue sick leave on a prorated basis, based on the number of hours paid by the City during the pay period. When an employee is on leave and receives no compensation from the City, the employee shall not accrue sick leave.
- C. Sick leave accrual is limited to 480 hours or the amount of accrued sick leave as of 12-31-97.

Section 4-2-3 Rate of Accrual

- A. Eligible full-time employees shall accrue sick leave at the rate of 3.69 hours per pay period.
- B. Eligible part-time employees shall accrue sick leave on a prorated basis each pay period based on the number of hours paid by the City during the pay period.

Section 4-2-4 Permitted Uses

- A. Eligible employees may use sick leave after 30 days of employment.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- B. Eligible employees shall be permitted to use sick leave for the following reasons:
1. Personal illness, disease or injury and travel time to and from a physician's office
 2. Medical conditions that prevent the employee from performing assigned tasks
 3. Surgical, medical, dental or optical appointments, including regular, preventative care appointments, that must be made during working hours and travel time to and from such appointments.
 4. Illness or injury of immediate family member or surgical, medical, dental or optical appointments, including regular, preventative care appointments, for an immediate family member and related travel time to and from a physician's office. For purposes of this policy, "immediate family member" shall be defined as the spouse, children, parents, grandparents, brothers, sisters or other individuals whose relationship to the employee is that of a dependent. A relative who, because of family circumstances, has been a parent substitute to the employee may be considered the mother or father in this definition.

Section 4-2-5 Notification to Supervisor

- A. For unplanned absences, such as when an employee is unable to report to work due to illness or injury, the employee shall notify his or her direct supervisor before the scheduled start of the employee's work day, or within 30 minutes after the time set for beginning their daily duties. The employee shall also contact his or her direct supervisor on each additional day of absence unless the employee is on FMLA leave or has notified the supervisor in advance of the number of days the employee will be absent. Upon return to work, the employee shall submit a leave request notification to his or her direct supervisor for the time missed. Requests for leave are subject to the approval of the supervisor and the supervisor may require the employee to submit a medical verification statement from a health care provider verifying the need for the sick leave absence in accordance with Section 4-2-6 below.
- B. For planned absences pursuant to this policy, such as a planned appointment or medical procedure, an employee shall submit a leave request notification to his or her direct supervisor as soon as the employee becomes aware of the need for the planned absence. Requests for leave are subject to the approval of the supervisor and the supervisor may require the employee to submit a medical verification statement from a health care provider verifying the need for the sick leave absence in accordance with Section 4-2-6 below.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-2-6 Medical Verification

- A. If an employee uses sick leave for three or more consecutive days, the employee's supervisor or Department Director may require the employee to submit a medical verification statement from a health care provider verifying the need for the sick leave absence to include beginning and expected ending dates.
- B. If an employee exhibits an unusual pattern of sick leave absences, such as recurring absences on the days immediately preceding and/or immediately following the employee's regularly scheduled days off or City-approved holidays, the employee's supervisor or Department Director may require the employee to submit a medical verification statement from a health care provider verifying the need for the sick leave absence.
- C. If the employee fails to provide the required medical verification or if the employee's Department Director determines, in consultation with the Human Resources Director, that the verification provided by the employee is inadequate, the absence may be charged to another category of leave or considered leave without pay.
- D. The employee's department shall forward medical verification statements to the Human Resources Department.

Section 4-2-7 Additional Conditions of Eligibility

- A. When applicable, an employee requesting to use sick leave must apply for any other available compensation and benefits that the employee may be eligible to receive provided by the City, such as workers' compensation.
- B. Sick leave benefits may be used to supplement any payments that an employee is eligible to receive from workers' compensation.
- C. The employee's pay shall not exceed the employee's normal weekly earnings through any combination of paid leave and other payments received by the employee, such as workers' compensation benefits. If the combination of payments results in the employee being paid more than his or her normal weekly earnings, the City shall require the employee to reimburse the City for the overpayment.

Section 4-2-8 No Sick Leave Available

An employee who has exhausted accrued sick leave may request Administrative leave in accordance with Section 4-8 of these Personnel Policies and Procedures.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-2-9 Payment of Sick Leave Upon Termination of Employment

- A. Employees shall not be compensated for unused accrued sick leave upon termination of employment.
- B. If a regular full- or part-time classified employee is laid off and then recalled within a 24 calendar month period following the effective date of the layoff, the employee's previous unused accrued sick leave balance shall be restored at the time of the employee's re-employment.
- C. If a regular full- or part-time classified employee resigns in good faith and is re-employed with the City within a 12 calendar month period of the date of resignation, the employee's previous unused accrued sick leave balance shall be restored at the time of the employee's re-employment.

POLICY 4-3 PERSONAL LEAVE

The City of Coolidge provides personal leave with pay to eligible employees.

Section 4-3-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.

Section 4-3-2 Amount of Personal Leave

- A. Eligible full-time and part-time employees shall receive the equivalent of one work day of personal leave each fiscal year. One work day is defined as the employees normal hours of work each day.
- B. When an employee is on leave at the beginning of a fiscal year, even if a portion of the leave is unpaid, the employee shall still receive the full allotment of personal leave.
- C. As an incentive to recruit and retain key employees, the City Manager may, upon hiring or in connection with an annual performance evaluation, grant additional personal leave, up to an additional 40 hours per fiscal year, to employees in the following categories.
 - 1. Assistant City Manager
 - 2. Department Directors
- D. If the City Manager grants additional personal leave to an employee pursuant to paragraph D of this section, the additional leave shall be granted to the employee for subsequent fiscal years unless and until the City Manager, in his or her sole discretion,



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

determines that the employee's performance and/or workload no longer justify the granting of additional personal leave. The City Manager's decision regarding personal leave is not subject to review under the personnel action review procedures set forth in Chapter 5 of these Personnel Policies and Procedures.

Section 4-3-3 Request for Personal Leave

- A. Eligible employees may request to use personal leave at any time after employment.
- B. Employees shall submit personal leave requests to their supervisor before taking any time off. Requests will be reviewed based on a number of factors, including City needs and staffing requirements.

Section 4-3-4 No Accrual

Personal leave does not accrue and is forfeited if not used within the fiscal year that it is received.

Section 4-3-5 Termination of Employment

Employees shall not be compensated for unused personal leave upon termination of employment.

POLICY 4-4 HOLIDAYS

The City of Coolidge provides paid time off to eligible employees for City Council-approved holidays. Regular City operations are officially closed during these approved holidays.

Section 4-4-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, term-limited temporary employees, and other classifications of employees approved by the City Manager.

Section 4-4-2 City-Approved Holidays

- A. The City-approved holidays for each calendar year are as follows.
 - 1. New Year's Day (January 1)
 - 2. Martin Luther King, Jr./Civil Rights Day (third Monday in January)
 - 3. Washington's/Presidents' Day (third Monday in February)



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

4. Memorial Day (last Monday in May)
 5. Independence Day (July 4)
 6. Labor Day (first Monday in September)
 7. Veterans' Day (November 11)
 8. Thanksgiving Day (fourth Thursday in November)
 9. Day after Thanksgiving (fourth Friday in November)
 10. Christmas Day (December 25)
- B. The City Council, at its sole discretion, may approve additional holidays in any calendar year.

Section 4-4-3 Amount of Paid Time Off for City-Approved Holidays

- A. Eligible full-time employees shall receive paid time off on City-approved holidays based on the number of hours they are regularly scheduled to work, plus their regular rate of pay for time actually worked on the holiday.
1. For example, if an employee is required to work 8 hours on a City-approved holiday, pay would be 8 hours for the day worked and 8 additional hours for the holiday worked.
 2. If, however, work on the holiday results in an accumulation of more than 40 hours actually worked during the week, the hours in excess of 40 would be paid at 1 1/2 times the regular rate instead of at the holiday pay rate of 1 times the regular rate.
- B. Eligible part-time employees shall receive a prorated amount of paid time off on City-approved holidays based on the number of hours per week that they are officially scheduled to work.

Section 4-4-4 Miscellaneous Rules

- A. If a City-approved holiday falls on a day when an eligible employee is on approved paid vacation, personal or sick leave, the employee shall receive paid time off for the City-approved holiday and deductions will not be taken from the employee's vacation, personal or sick leave balances for that day.
- B. If a City-approved holiday falls on an eligible employee's regularly scheduled day off, the employee shall receive paid time off for that holiday based on the number of hours they are regularly scheduled to work.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-4-5 Exception

An employee who is in an unpaid status on the day immediately preceding or immediately following a City-approved holiday, excluding the employee's regularly scheduled day off, shall not receive paid time off for the holiday.

POLICY 4-5 MILITARY LEAVE

The City of Coolidge shall grant a military leave of absence to any eligible employee to attend scheduled drills or training or if called to active duty with the United States armed services.

Military Leave shall be granted in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). The provisions of this policy are not intended to conflict with or supersede state or federal law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with state or federal law, state or federal law shall control.

Section 4-5-1 Eligibility

Employee eligibility for military leave shall be determined in accordance with the provisions of applicable state and federal law.

Section 4-5-2 Military Leave

- A. An eligible employee ordered to military service shall be granted paid military leave of up to 240 hours in any two consecutive years. For the purposes of this policy, "year" means the fiscal year of the United States government. Leave which occurs on an employee's regularly scheduled days off shall not be charged against the 240-hour allotment.
- B. For required military service exceeding the 240-hour allotment, an employee shall be granted military leave that may be unpaid or paid via the employee's use of accrued vacation, personal or compensatory leave balances. Any request to use paid leave balances will be considered in accordance with the leave policies set forth in this chapter.

Section 4-5-3 Advance Notice Requirements

- A. An employee ordered to military service shall provide his or her Department Director with advance notification of the leave, unless giving advance notice is prevented by military necessity or is otherwise impossible or unreasonable under the circumstances. The notice may either verbal or written. The United States Defense Department strongly recommends



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

that advance notice be provided at least 30 days prior to departure for uniformed service when it is feasible to do so.

- B. Additionally, the City requests that the employee provide his or her Department Director with a copy of the employee's military orders as soon as practicable.

Section 4-5-4 No Break in Service

Time spent in active military service is not considered a break in service for purposes of determining seniority or leave accrual rates.

Section 4-5-5 Return to Work

If an employee fails to report to work within the timeframes established under the USERRA at the conclusion of the military leave, and has not submitted a written request for additional leave, the employee is considered to have resigned.

POLICY 4-6 BEREAVEMENT LEAVE

The City of Coolidge provides bereavement leave with pay to eligible employees.

Section 4-6-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.

Section 4-6-2 Amount of Bereavement Leave

- A. Eligible employees shall receive up to three days bereavement leave for the death of an immediate family member.
- B. If travel outside the state is required, employees may be granted up to two additional days bereavement leave at the discretion of the Department Director.
- C. An employee may request to use any available paid leave balances for additional time off as necessary. Any request to use paid leave balances will be considered in accordance with the leave policies set forth in this chapter.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-6-3 Request for Bereavement Leave

An employee shall submit a bereavement leave request to his or her supervisor as soon as the need for the leave arises or as soon as possible thereafter. Supervisors shall approve requests for bereavement leave in the absence of unusual City operational requirements.

Section 4-6-4 Definition of Immediate Family

For purposes of this policy, "immediate family member" shall be defined as the employee's spouse, parent, child, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, or step-child. Special consideration may be given by the City Manager to any other person whose association with the employee was similar to any of the above relationships.

POLICY 4-7 FAMILY AND MEDICAL LEAVE

In accordance with the Family and Medical Leave Act (FMLA) of 1993 and the National Defense Authorization Acts (NDAA) of 2008 and 2010, the City of Coolidge provides job-protected family and medical leaves of absence without pay to eligible employees who are temporarily unable to work due to an FMLA-qualifying reason.

The provisions of this policy are not intended to conflict with or supersede federal law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with federal law, federal law shall control.

Section 4-7-1 Qualifying Reasons for FMLA Leave

Eligible employees may qualify for FMLA leave for one or more of the following reasons:

- A. A serious health condition that renders the employee unable to perform the functions of the employee's job.
- B. The birth and care of a newborn child of the employee.
- C. The placement with the employee of a child for adoption or foster care.
- D. To care for the employee's spouse, child or parent with a serious health condition.
- E. To care for a covered servicemember of the Armed Forces with a serious injury or illness.
- F. Any qualifying exigency related to the active duty or call to active duty of a covered military member.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-7-2 Definitions

- A. Covered military member. The employee's spouse, son, daughter or parent on active duty status or call to active duty status as either a member of the regular component of the Armed Forces or a member of the Reserve components of the Armed Forces or a retired member of the regular Armed Forces or Reserve.
- B. Covered servicemember. The employee's spouse, son, daughter, parent or next of kin, as defined by federal regulations, who is either of the following:
 - 1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness or who is otherwise in outpatient status or is otherwise on the temporary disability retired list.
 - 2. A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces, including the National Guard or Reserves, at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.
- C. Group health plan. A plan (including a self-insured plan) of, or contributed to by, an employer or employee organization to provide health care (directly or otherwise) to the employees, former employees, the employer, others associated or formerly associated with the employer in a business relationship, or their families.
- D. Health care provider. Health care providers who may provide certification of a serious health condition include:
 - 1. Doctors of medicine or osteopathy authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices
 - 2. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of their practice under state law
 - 3. Nurse practitioners, nurse-midwives, and clinical social workers authorized to practice under state law and performing within the scope of their practice as defined under state law
 - 4. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts
 - 5. Any health care provider recognized by the City or the City's group health plan's benefits manager



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

6. A health care provider listed above who practices in a country other than the United States and who is authorized to practice under the laws of that country
- E. Key employee. A salaried FMLA-eligible employee who is among the highest paid ten percent of all City employees, as determined pursuant to the provisions of the FMLA and accompanying regulations.
- F. Serious health condition. An illness, injury, impairment, or physical or mental condition that involves any of the following:
1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility
 2. A period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider
 3. Any period of incapacity due to pregnancy, or for prenatal care
 4. Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.)
 5. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.)
 6. Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.)
- G. Serious injury or illness.
1. An injury or illness incurred by a member of the Armed Forces, including a member of the National Guard or Reserves, in the line of duty on active duty in the Armed Forces or an injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
 2. A qualifying injury or illness, as defined by the Secretary of Labor, incurred by a veteran in the line of duty on active duty in the Armed Forces or an injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that manifested itself before or after the member became a veteran.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

H. Veteran. A person who served in the active military, naval, or air service, and who was discharged or released from the service under conditions other than dishonorable.

Section 4-7-3 Eligibility

- A. An "eligible employee" under the FMLA is a classified or unclassified employee who has:
1. Worked for the City for at least 12 months; and
 2. Worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the FMLA leave.
- B. The 12 months required by paragraph (A)(1) above need not be consecutive months. If an employee is maintained on the payroll for any part of a week, including any periods of paid or unpaid leave (sick, vacation) during which other benefits or compensation are provided by the City (e.g., workers' compensation, group health plan benefits, etc.), the week counts as a week of employment. For purposes of determining whether intermittent/occasional/casual employment qualifies as "at least 12 months," 52 weeks is deemed to be equal to 12 months.
- C. Whether an employee has worked the minimum 1,250 hours is determined according to the principles established under the Fair Labor Standards Act (FLSA) for determining compensable hours of work.

Section 4-7-4 Leave Entitlement

- A. Eligible employees, other than employees qualifying for leave to care for a covered servicemember with a serious injury or illness, shall be granted up to a total of 12 weeks of unpaid FMLA leave within any 12-month period.
- B. Eligible employees qualifying for leave to care for a covered servicemember with a serious injury or illness shall be granted up to a total of 26 weeks of unpaid FMLA leave during a single 12-month period.
- C. Married employee couples may be restricted to a combined total of 12 weeks unpaid FMLA leave within any 12-month period for childbirth, adoption or placement of a foster child, or to care for a parent with a serious health condition.
- D. Married employee couples may be restricted to a combined total of 26 weeks unpaid FMLA leave within a single 12-month period to care for a covered servicemember with a serious injury or illness.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-7-5 Qualifying Exigency Leave under the NDAA

An eligible employee who has a spouse, son, daughter or parent who is a covered military member may take up to 12 weeks unpaid FMLA leave within any 12-month period for one or more of the following qualifying exigencies as defined by federal regulations:

- A. Short-notice deployment
- B. Military events and related activities
- C. Childcare and school activities
- D. Financial and legal arrangements
- E. Counseling
- F. Rest and recuperation
- G. Post-deployment activities
- H. Additional activities or events arising out of the covered military member's active duty or call to active duty status provided that the City and the eligible employee agree that the leave qualifies as an exigency and agree to both the timing and duration of the leave.

Section 4-7-6 How FMLA Leave is Measured

- A. Except for leave to care for a covered servicemember with a serious injury or illness, the City uses a rolling 12-month period to calculate FMLA eligibility. Each time an employee uses FMLA leave, the remaining leave entitlement is the balance of the 12 weeks that has not been used during the immediately preceding 12 months.
- B. For leave to care for a covered servicemember with a serious injury or illness, the "single 12-month period" begins on the first day the eligible employee takes FMLA leave to care for the covered servicemember and ends 12 months after that date.

Section 4-7-7 Use of Accrued Paid Leave

FMLA leave is unpaid leave, unless an employee uses accrued paid leave balances during the FMLA leave period as described in this section. The City requires employees to use all paid leave balances concurrently with approved FMLA leave before leave without pay is used.

Section 4-7-8 Request for Leave

- A. Eligible employees shall submit a written request for leave to the Human Resources Department at least 30 days in advance of foreseeable FMLA-qualifying events.



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

- B. Eligible employees shall submit a written request for leave to the Human Resources Department as soon as practicable for unforeseeable events or within no more than two working days after learning of the unforeseen need for FMLA-qualifying leave. An employee requesting unforeseen FMLA leave has the obligation to comply with the City's regular attendance and reporting requirements.

Section 4-7-9 Medical Certification

Employees requesting FMLA leave for their own serious health condition or for the serious health condition of a child, spouse or parent or for the serious injury or illness of a covered servicemember are required to submit a medical certification form from a health care provider verifying the serious health condition, injury or illness and the need to provide care in the case of a serious health condition, injury or illness of an eligible family member. The medical certification shall include the expected beginning and ending dates of the leave. The City shall allow the employee at least 15 calendar days to obtain the medical certification.

Section 4-7-10 Certification for Qualifying Exigency Leave under the NDAA

Employees requesting FMLA leave due to a qualifying exigency arising out of the active duty or call to active duty status of a covered military member shall provide certification describing appropriate facts regarding the qualifying exigency for which the leave is requested. The certification shall include information on the type of qualifying exigency for which leave is requested and any available written documentation that supports the request for leave. The certification shall also include the expected beginning and ending dates of the leave. The first time an employee requests leave for a qualifying exigency, the employee shall also be required to provide a copy of the covered military member's active duty order or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service.

Section 4-7-11 Designation of Leave as FMLA Leave

In all circumstances, it is the City's responsibility to designate leave, paid or unpaid, as FMLA-qualifying, and to give notice of the designation to the employee. If the employee's leave request gives the City sufficient reason to consider the leave as FMLA-qualifying, the City shall designate the leave as FMLA and inform the employee of the designation within five business days after receiving the employee's request for leave.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-7-12 Determination/Notice of Substantial and Grievous Economic Injury

- A. When a key employee gives notice of the need for FMLA leave and the City makes a good faith determination, based on the facts available, that substantial and grievous economic injury will occur to the City's operations if the key employee is reinstated at the conclusion of the leave period, the City shall provide written notice of the determination to the key employee as soon as practicable. The notice shall inform the employee that the City cannot deny FMLA leave, but that the City intends to deny restoration to employment upon completion of the key employee's FMLA leave. If FMLA leave has already commenced, the notice shall provide the key employee a reasonable time frame in which to return to work, taking into account the circumstances, such as the length of the leave and the urgency of the need for the employee to return.
- B. If the key employee commences the leave despite the City's notice, or if a key employee already on leave at the time of the notice does not return to work in response to the City's notice, the key employee's rights under FMLA continue unless and until the employee either gives notice that he or she no longer wishes to return to work, or the City actually denies reinstatement at the conclusion of the leave period.
- C. The City shall make the determination of whether the reinstatement of the key employee will cause substantial and grievous economic injury in accordance with the applicable provisions of the FMLA and accompanying regulations.
- D. If the City fails to provide timely notice of the determination to the key employee, the City shall reinstate the employee even if substantial and grievous economic injury will result from reinstatement.

Section 4-7-13 Intermittent Leave

Under some circumstances, employees may take FMLA leave intermittently, by taking leave in blocks of time or by reducing their normal weekly or daily work schedule.

- A. Employees requesting intermittent FMLA leave for a serious health condition or to care for a family member with a serious health condition or to care for a covered servicemember with a serious injury or illness shall provide a medical certification from a health care provider to the Human Resources Department documenting the medical necessity for such leave.
- B. Employees requesting intermittent FMLA leave for a qualifying exigency arising out of the active duty or call to active duty status of a covered military member shall provide an estimate of the frequency and duration of the qualifying exigency and an explanation regarding the necessity for such leave.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- C. An employee is not guaranteed Intermittent FMLA leave for childbirth, adoption or placement of a foster child. Such leave may be taken only upon approval by the City.
- D. The employee must attempt to schedule intermittent leave in a manner that does not unduly disrupt the City's operations.
- E. The City may temporarily transfer an employee on intermittent leave to a different position with equivalent pay and benefits if another position would better accommodate the employee's intermittent leave schedule.

Section 4-7-14 Maintenance of Group Health Plan Benefits

- A. Subject to the terms, conditions and limitations of the applicable group health insurance plans, the City of Coolidge shall maintain group health plan benefits, including family coverage, for an employee on FMLA leave on the same terms as if the employee continued to work.
- B. An employee who is on paid FMLA leave via the use of accrued leave balances shall continue to pay his or her share of the group health plan insurance premium, if any, through payroll deductions.
- C. An employee who is on unpaid FMLA leave shall make arrangements with the Human Resources and Finance Departments to make payments for his or her share of the group health plan insurance premium, if any. If payment is more than 30 days overdue, the City shall provide written notice to the employee that payment has not been received and that coverage will be dropped. The notice shall be mailed to the employee at least 15 days before coverage is to be dropped. If the City pays any of the employee's share of group health plan premiums, the City may require the employee to reimburse the City for the employee's share. If coverage is dropped, it shall be dropped retroactively to the date the unpaid premium payment was due and the provisions of the federal COBRA law shall apply.
- D. The City's obligation to maintain group health plan benefits under this section stops if and when the employee informs the City of an intent not to return to work at the end of the leave period or if the employee fails to return to work when the FMLA leave entitlement is exhausted. In some circumstances, the City may recover its share of premiums it paid to maintain group health plan insurance coverage for an employee who fails to return to work from FMLA leave.

Section 4-7-15 Maintenance of Other Benefits

- A. The City has no obligation to maintain insurance and other benefits, such as life insurance or disability insurance, that are not considered to be a "group health plan", while an



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

employee is on FMLA leave. The City will meet its responsibilities to provide equivalent benefits to the employee upon return from FMLA leave.

- B. An employee who is on paid FMLA leave via the use of accrued leave balances shall continue to pay his or her share of any non-group health plan insurance premiums through payroll deductions.
- C. An employee who is on unpaid FMLA leave must make payment arrangements with the Human Resources and Finance Departments for his or her share of any non-group health plan insurances premiums. If payment is more than 30 days overdue, the City shall provide written notice to the employee that payment has not been received and that coverage will be dropped. The notice shall be mailed to the employee at least 15 days before coverage is to be dropped. If the City pays any of the employee's share of non-group health plan premiums, the City may require the employee to reimburse the City for the employee's share. If coverage is dropped, it shall be dropped retroactively to the date the unpaid premium payment was due.

Section 4-7-16 No Break in Service

The use of FMLA leave is not considered a break in service for purposes of determining seniority or leave accrual rates.

Section 4-7-17 Additional Leave

- A. If the employee is unable to perform the full essential functions of his or her position, with or without a reasonable accommodation, at the conclusion of the FMLA leave period, or if the employee needs additional time to care for a child, spouse or parent with a serious health condition or a covered servicemember with a serious injury or illness, the employee may request administrative leave for medical purposes pursuant to Policy 4-8.
- B. The City may require updated medical certifications to support the need for the additional leave.
- C. The City is not obligated to grant administrative leave for medical purposes, but will review the request taking into consideration the City's operational needs and staffing requirements.

Section 4-7-18 Return to Work

- A. Employees returning from FMLA leave generally have the right to return to their same position or an equivalent position, with equivalent pay, benefits and working conditions at the conclusion of the leave, unless the employee informs the City of an intent not to



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

return from leave or the employee fails to return from leave or continues on a leave after exhausting his or her FMLA leave entitlement in a 12-month period.

- B. An employee on FMLA leave shall provide the Human Resources Department with at least two days' advance notice of the date the employee intends to return to work.
- C. An employee on FMLA leave for the employee's own serious health condition shall provide a certification of fitness to return to work from a health care provider to the Human Resources Department prior to or immediately upon returning to work. If the employee does not provide the certification, the City may delay restoring the employee to employment until the certification is provided. If any work restrictions are specified, the provisions of these Personnel Policies and Procedures related to alternative work assignments/light duty may apply.
- D. A key employee who has been notified that restoration to employment will cause substantial and grievous economic injury to the City's operations may still request reinstatement at the end of the leave period. The City shall then make a final determination as to whether reinstatement will cause substantial and grievous economic injury, based on the facts available at the time the employee requests restoration. If the City determines again that substantial and grievous economic injury will result, the City shall notify the key employee in writing of the denial of restoration.

Section 4-7-19 Termination of Employment

- A. If an employee is unable to perform the full essential functions of his or her position, with or without a reasonable accommodation, at the conclusion of the FMLA leave and a request for administrative leave for medical purposes has been denied, or the employee has been unable to perform the full essential functions of his or her regular position, with or without a reasonable accommodation, for greater than 12 weeks in a 12-month period, the City may initiate separation of employment. For purposes of tracking leave time, 12 months will be measured based on 2080 hours for full-time employees and pro-rated for part-time employees.
- B. If an employee voluntarily resigns his or her position before returning from FMLA, health insurance benefits are subject to COBRA law.
- C. If an employee fails to report to work at the conclusion of the FMLA leave period and has not submitted a written request to use other forms of leave, the employee is considered to have resigned.



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

POLICY 4-8 ADMINISTRATIVE LEAVE

The City of Coolidge may provide administrative leave with or without pay to eligible employees as described in this policy.

Section 4-8-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.

Section 4-8-2 Administrative Leave for Medical Purposes

- A. Eligible employees who are either not eligible for FMLA leave or who have exhausted the FMLA leave period may request administrative leave for medical purposes for any of the reasons that are listed in Section 4-7-1(A) through (E) of these Personnel Policies and Procedures. Employees may not use administrative leave for medical purposes for exigencies related to the active duty or call to active duty of a covered military member, as defined in the FMLA and the NDAA.
- B. Eligible employees shall submit a written request for administrative leave for medical purposes to the Human Resources Department at least 30 days in advance of foreseeable events.
- C. Eligible employees shall submit a written request for administrative leave for medical purposes to the Human Resources Department as soon as practicable for unforeseeable events or within no more than two working days after learning of the unforeseen need for administrative leave for medical purposes. An employee requesting unforeseen administrative leave for medical purposes has the obligation to comply with the City's regular attendance and reporting requirements.
- D. Requests for administrative leave for medical purposes must be accompanied by a medical certification from a health care provider documenting the medical necessity for and expected duration of the leave.
- E. The Human Resources Department shall review the request for administrative leave for medical purposes with the employee's Department Director and City Manager. In considering the leave request, the City shall consider the impact to the City's operations and staffing requirements.
- F. The City Manager, in consultation with the Department Director and the Human Resources Department may grant administrative leave for medical purposes in increments of up to 90 days at a time, provided that the total time the employee is unable



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

to perform the essential functions of his or her regular position, with or without a reasonable accommodation, does not exceed the equivalent of 12 months in any 24-month period. For purposes of tracking leave time, 12 months will be measured based on 2080 hours for full-time employees and pro-rated for part-time employees.

Section 4-8-3 Administrative Leave for Non-Medical Purposes

- A. Eligible employees who have completed one year of continuous employment with the City may request administrative leave for non-medical purposes, such as a sabbatical. Employees shall not use administrative leave for non-medical purposes to work for another employer or to pursue self-employment.
- B. Eligible employees shall submit a written request for administrative leave for non-medical purposes to their Department Director at least 30 days prior to the start of the requested leave.
- C. The Department Director shall review the request for administrative leave for non-medical purposes with the Human Resources Director. The Department Director and the Human Resources Director shall make a recommendation to the City Manager regarding the request for administrative leave for non-medical purposes. In considering the leave request, the City Manager, or designee, shall consider the impact to the City's operations and staffing requirements, as well as any potential benefit to the City resulting from the employee's leave.
- D. The City Manager may grant administrative leave for non-medical purposes in any increment, for a maximum of up to 90 total days of leave. Under extenuating circumstances, the City Manager may grant an extension of a leave period upon the written request by the employee. Such extension may not exceed 3 months and will be based on departmental as well as employee considerations.

Section 4-8-4 Compensation

- A. Administrative leave for medical or non-medical purposes may be paid or unpaid, as described in this section.
- B. The City requires employees to use all paid leave balances concurrently with approved administrative leave before leave without pay is used. The use of paid leave time is subject to the leave policies set forth in this chapter.
- C. If an employee does not have any accrued paid leave balances or exhausts all paid leave, the employee shall be placed on unpaid administrative leave.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-8-5 City-Assigned Administrative Leave

- A. In some cases, an employee may be granted administrative leave with pay in the event the City Manager grants a temporary emergency leave for a natural disaster or other situation that may jeopardize the safety and/or health of employees, such as weather, fire or flood or in a declared state of emergency, disaster or grief.
- B. The City Manager may approve an administrative leave with pay for an employee as requested by a Department Director for a fixed period of time when such administrative leave is considered by the City Manager to be beneficial to the City.
- C. The City Manager may also require an employee to take an administrative leave with pay for a fixed or indefinite period of time when such administrative leave status is considered by the City Manager to be in the best interests of the City.
- D. The City Manager may assign an employee to administrative leave with pay for a specific non disciplinary reason or purpose, such as pending the results of a fitness-for-duty examination.
- E. When an employee is assigned to administrative leave pursuant to this section, any documentation placed in the employee's official personnel file shall specifically note that the administrative leave is for non-disciplinary reasons.
- F. City-assigned administrative leave shall ordinarily not exceed 21 calendar days. The City Manager may authorize an extension in extenuating circumstances.

Section 4-8-6 Maintenance of Benefits

- A. An employee who is on paid administrative leave via the use of accrued leave balances shall continue to pay his or her share of any group health plan and other insurance premiums through payroll deductions.
- B. An employee who is on unpaid administrative leave must pay both the employee's and the City's share of any group health plan and other insurance premiums in order to maintain coverage. The employee must make payment arrangements with the Human Resources and Finance Departments. If payment is more than 30 days overdue, the City shall provide written notice to the employee that payment has not been received and that coverage will be dropped. The notice shall be mailed to the employee at least 15 days before coverage is to be dropped. If the City pays any of the employee's or the City's share of group health plan or other premiums in order to maintain coverage, the City may require the employee to reimburse the City. If coverage is dropped, it shall be dropped retroactively to the date the unpaid premium payment was due and the provisions of the federal COBRA law shall apply.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- C. Any employee who has been granted administrative leave without pay shall retain his/her original date of hire but shall not accumulate any vacation or paid leave time during the unpaid leave of absence nor be entitled to holiday pay.

Section 4-8-7 Return to Work

- A. The City is not obligated to hold a position vacant or to return an employee to a position following an unpaid administrative leave that is not part of an approved FMLA absence.
- B. An employee on administrative leave for medical purposes shall provide the Human Resources Department with at least two days' advance notice of the date the employee intends to return to work.
- C. An employee on administrative leave for medical purposes for the employee's own serious health condition shall provide a certification of fitness to return to work from a health care provider to the Human Resources Department prior to or immediately upon returning to work. If the employee does not provide the certification, the City may delay restoring the employee to employment until the certification is provided. If any work restrictions are specified, the provisions of these Personnel Policies and Procedures related to alternative work assignments/light duty may apply.

Section 4-8-8 Termination of Employment

- A. If an employee is unable to perform the full essential functions of his or her position, with or without a reasonable accommodation, at the conclusion of administrative leave for medical purposes and a request for further leave has been denied, or the employee has been unable to perform the full essential functions of his or her regular position, with or without a reasonable accommodation, for greater than 12 months in a 24-month period, the City may initiate separation of employment. For purposes of tracking leave time, 12 months will be measured based on 2080 hours for full-time employees and pro-rated for part-time employees.
- B. If an employee fails to report to work at the conclusion of administrative leave and has not submitted a written request to use other forms of leave, the employee is considered to have resigned.

Section 4-8-9 No Right of Appeal

The denial of a request for administrative leave, or the placement of an employee on administrative leave, is not subject to appeal under the personnel action review procedures set forth in Chapter 5 of these Personnel Policies and Procedures.



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

POLICY 4-9 LEAVE DONATION

Eligible employees may receive contributions of leave from other employees as outlined in this policy if the employee is unable to return to work due to his or her own serious health condition or the serious health condition of an immediate family member as defined in this policy. Under extenuating circumstances, the City Manager may allow leave donation for additional reasons such as the death of an immediate family member.

Section 4-9-1 Definitions

- A. For purposes of this policy, "serious health condition" shall be defined as set forth in Policy 4-7 (Family and Medical Leave) of these Personnel Policies and Procedures.
- B. For purposes of this policy, "immediate family member" shall be defined as set forth in Policy 4-2 (Sick Leave) of these Personnel Policies and Procedures.

Section 4-9-2 Eligibility

- A. The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.
- B. To be eligible to receive and use donated leave, employees must meet all of the following criteria:
 - 1. Be on approved FMLA leave or administrative leave for medical purposes.
 - 2. Have exhausted all accrued paid leave balances that the employee is eligible to use.
 - 3. Have applied for any other available compensation and benefits that the employee may be eligible to receive under coverage provided by the City, such as workers' compensation.
 - 4. The employee is not eligible to receive payments from the retirement system of which he/she is a member; and
 - 5. The employee is not eligible to receive payments from Social Security.
- C. Eligible employees shall not be permitted to use donated leave if they have been unable to perform the full essential functions of their position, with or without a reasonable accommodation, for a period of time equivalent to 12 weeks in a 12-month rolling period. For purposes of tracking leave time, 12 months will be measured based on 2080 hours for full-time employees and pro-rated for part-time employees.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-9-3 Request for Donated Leave

- A. Employees may request donated leave by submitting a completed request form, available in the Human Resources Department, to the Human Resources Department. If it has not already been provided, the employee shall include a medical certification from a health care provider documenting the medical necessity for and expected duration of the leave with the completed form.
- B. Employees must submit a new request form for each FMLA leave or administrative leave for medical purposes period during which the employee desires to receive and use donated leave.
- C. The Human Resources Department will review the request to ensure the employee's eligibility. If the employee is eligible, the Human Resources Department will then post the request for donated leave in a location to be determined by the Human Resources Department.

Section 4-9-4 Donation of Leave

- A. All levels of employees may donate leave by submitting a completed leave donation form, available in the Human Resources Department, to the Human Resources Department. The identity of donating employees will be kept confidential.
- B. Employees must submit a new leave donation form for each FMLA leave or administrative leave for medical purposes period during which the employee desires to donate leave and for each person the employee desires to donate leave to.
- C. Employees may donate vacation or compensatory leave, pursuant to the following conditions:
 - 1. Donating employees must maintain a balance of 80 hours of vacation leave. If donating comp time there is no minimum to retain.
 - 2. Employees may donate as much vacation leave as they choose, provided that the mandated 80-hour balance is maintained.
- D. Employees must donate leave in one-hour increments on a dollar for dollar basis. That is, if the donating employee's hourly base rate of pay is \$15.00 and the receiving employee's hourly base rate of pay is \$10.00, the receiving employee receives 1.5 hours of donated leave.
- E. Employees must pledge up to a certain maximum amount of leave hours they will donate for a particular employee during a particular leave period. The pledged leave hours will remain in the donating employees leave banks unless and until they are needed by the



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

receiving employee, at which time the Finance Department will draw from the pledged leave hours.

- F. The Human Resources Department will review the leave donation form to ensure that the donation complies with the provisions of this policy. As the Finance Department draws from the pledged leave hours, the Finance Department will monitor the donation to ensure continued compliance with the mandatory 80-hour leave balance provision of this policy.
- G. There is no limit on the amount of donated leave eligible employees may receive, except that the total time the employee is unable to perform the essential functions of his or her regular position, with or without a reasonable accommodation, shall not exceed the equivalent of 12 weeks in any 12-month rolling period. For purposes of tracking leave time, 12 months will be measured based on 2080 hours for full-time employees and pro-rated for part-time employees.
- H. Donated leave hours may only be drawn from and used by the receiving employee while the donating employee is an active City employee.
- I. The receiving employee and the City are under no obligation to repay any used donated leave to the donating employee.

Section 4-9-5 Coordination with Other Payments

The employee's pay shall not exceed the employee's normal weekly earnings through any combination of donated leave and other payments received by the employee, such as workers' compensation benefits. If the combination of payments results in the employee being paid more than his or her normal weekly earnings, the City shall require the employee to reimburse the City for the overpayment.

Section 4-9-6 Maintenance of Benefits

An employee who is on leave and using donated leave shall continue to pay his or her share of any group health plan and other insurance premiums through payroll deductions.

Section 4-9-7 Leave Accrual

- A. An employee who is on leave and using donated leave shall continue to accrue sick and vacation leave during the leave period.
- B. An employee who is on leave and using donated leave at the beginning of a fiscal year shall still receive the full allotment of personal leave.



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

POLICY 4-10 GROUP BENEFITS

The City of Coolidge provides group benefits coverage as determined by the City Council for eligible employees. The Human Resources Department is responsible for implementation and administration of all group benefits and insurance plans.

Section 4-10-1 Group Insurance Coverage

- A. For purposes of this policy "group insurance coverage" may include health and life insurance plans contributed to by the City and employees.
- B. The City contributes to the costs of group insurance coverage for full-time employees whose normal work week is at least 40 hours per week. The City may also contribute to coverage for eligible dependents of these employees.

Section 4-10-2 Retirement Plans

- A. The City participates in the Arizona State Retirement System (ASRS) and the Public Safety Personnel Retirement System (PSPRS) for certified police and fire personnel. These retirement systems are governed by state law and the provisions of this policy are not intended to conflict with or supersede state law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with state law, state law shall control.
- B. Employees whose normal work week is 20 hours or more and who have met the eligibility requirements of the retirement plan are required to participate in ASRS or PSPRS.
- C. Retirement benefits accrue from both employee and employer contributions. The amount of the contributions is determined by state law.
- D. Employees are vested in accordance with the provisions of the retirement plan in which they are enrolled.
- E. If an employee terminates service without retiring, accrued contributions are refundable in accordance with the applicable plan's rules and state law.

Section 4-10-3 Employee Assistance Program

- A. The City provides an employee assistance program (EAP) to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, term-limited temporary employees and short-term temporary employees.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- B. When an employee voluntarily seeks assistance from the EAP, confidentiality is maintained. The City will not be informed that help has been sought unless the employee requests that the information be released.
- C. When stress or personal problems interfere with job performance, the City will encourage and may require participation in the EAP to deal with job-related performance issues. When participation is required, the EAP provider will maintain confidentiality and will only verify that the employee has participated as required by the City.
- D. Use of the employee assistance program may be a condition of continued employment if the City's drug and alcohol abuse policy is violated.
- E. No employee will have his or her employment or promotional opportunities jeopardized solely by participation in the EAP, nor will participation in the EAP protect the employee from disciplinary action for substandard performance or misconduct.

Section 4-10-4 Voluntary Benefits

The City may offer other voluntary benefits, such as benefits for dependents. Voluntary benefits are fully paid by the employee.

POLICY 4-11 WORKERS' COMPENSATION

Under Arizona law, it is mandatory for employers to secure workers' compensation insurance for their employees. Workers' compensation is a "no fault" system in which an injured or ill employee is entitled to receive benefits for a job-related injury or illness, no matter who caused the injury or illness. If an illness or injury is job-related, then the injured employee is eligible to receive medical benefits and may receive temporary compensation, if eligibility requirements are met. In some cases, a claimant may also receive permanent compensation benefits, job retraining, and supportive medical care.

The provisions of this policy are not intended to conflict with or supersede state law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with state law, state law shall control.

Section 4-11-1 Reporting Requirement

- A. Employees shall immediately report any job-related accident, illness or injury, regardless of severity, to their immediate supervisor. If the employee's immediate supervisor is not available, or if the employee's immediate supervisor is the employee's Department Director, the employee shall report the accident, injury or illness to the employee's Department Director.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- B. The employee's supervisor or Department Director shall ensure that the accident, injury or illness is reported to the Human Resources Department no later than the next business day.
- C. In addition, employees shall follow the reporting procedures established by the Human Resources Department, to include completing and submitting any required forms.

Section 4-11-2 Determination of Compensability

The City's workers' compensation carrier will determine compensability for job related injuries and illnesses.

Section 4-11-3 Types of Claims

- A. **Medical Only Claims.** Pursuant to state law, if an employee is off work for seven calendar days or less due to a job-related injury or illness determined to be compensable, the workers' compensation carrier will pay all of the employee's medical expenses associated with the job related injury or illness, but will not pay compensation benefits for lost wages. The day of the injury or onset of illness is not included in the calculation.
- B. **Time Lost Claims.** Pursuant to state law, if an employee is off work for more than seven calendar days due to a job-related injury or illness determined to be compensable, the workers' compensation carrier will pay all of the employee's medical expenses associated with the job related injury or illness and some compensation benefits for lost wages, depending upon the number of days the employee is off work. The day of the injury or onset of illness is not included in the calculation.
 - 1. If the employee is off work for more than seven calendar days but less than 14 calendar days, the workers' compensation carrier will provide compensation benefits for lost wages at the state-mandated percentage of the employee's average monthly wage for each day off work after the first seven calendar days.
 - 2. If the employee is off work for 14 calendar days or more, the workers' compensation carrier will provide compensation benefits for lost wages at the state-mandated percentage of the employee's average monthly wage for each day off work retroactive to the first day off work after the day of the injury or onset of illness.

Section 4-11-4 Use of Leave

- A. On the day of the accident, injury or illness, the employee will not be required to use sick or other leave for an absence that is a direct result of the accident, injury or illness. The employee shall record time spent during the work day addressing the accident, injury or



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

illness, such as seeking medical attention, as "industrial leave" on his or her time sheet or attendance record. The employee will not be paid wages for any time spent addressing the accident, injury or illness outside the employee's scheduled work day.

- B. Beginning with the first work day following the day of the accident, injury or onset of illness, the employee may use any accrued leave balances for absences related to the accident, injury or illness. Any request to use paid leave balances will be considered in accordance with the leave policies set forth in this chapter.
- C. If the employee used accrued leave balances for time lost and the workers' compensation carrier then provides retroactive compensation benefits for lost wages, the employee is required to turn over the checks they receive for temporary or partial disability. The City will then credit the employee's leave balances in the appropriate amount and type of leave for the time. If the employee did not use leave balances for time lost, they shall keep the checks issued by the worker's compensation carrier. The employee's pay shall not exceed the employee's normal weekly earnings through any combination of workers' compensation benefits, paid leave and other payments received by the employee. If the combination of payments results in the employee being paid more than his or her normal weekly earnings, the City shall require the employee to reimburse the City for the overpayment.
- D. For any absences during which the employee is receiving compensation benefits for lost wages from the workers' compensation carrier, the payroll liaison for the employee's department shall record the employee's time on a time sheet or attendance record allocating that portion of the employee's time that is being paid by the workers' compensation carrier as "industrial leave" and the remainder of the employee's time as paid or unpaid leave, as applicable.
- E. When an employee with a job-related injury or illness returns to work, either in his or her normal assignment or in an alternative work assignment (light/restricted duty), the employee must use sick leave or other approved leave for absences due to medical appointments, including physical therapy, for the job-related injury or illness. Any request to use paid leave balances will be considered in accordance with the leave policies set forth in this chapter.
- F. The City shall not approve the use of sick or vacation leave for an employee who has an injury, illness or disease incurred while employed by another employer.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-11-5 Maintenance of Benefits

- A. An employee who uses accrued paid leave balances to supplement compensation benefits for lost wages due to a job-related injury or illness shall continue to pay his or her share of any group health plan and other insurance premiums through payroll deductions.
- B. An employee who does not use accrued paid leave balances to supplement compensation benefits for lost wages due to a job-related injury or illness shall make arrangements with the Human Resources and Finance Departments to make payments for his or her share of any group health plan and other insurance premiums. If payment is more than 30 days overdue, the City shall provide written notice to the employee that payment has not been received and that coverage will be dropped. The notice shall be mailed to the employee at least 15 days before coverage is to be dropped. If the City pays any of the employee's share of group health plan or other premiums in order to maintain coverage, the City may require the employee to reimburse the City. If coverage is dropped, it shall be dropped retroactively to the date the unpaid premium payment was due and the provisions of the federal COBRA law shall apply.

Section 4-11-6 Coordination with the Supplemental Benefits Plan for Public Safety Employees

If any of the provisions of this policy conflict with the provisions of the supplemental benefits plan for public safety employees, as set forth in [Policy 4-12](#) of these Personnel Policies and Procedures, the provisions of the supplemental benefits plan shall govern for eligible public safety employees.

Section 4-11-7 Miscellaneous

- A. A job-related injury or illness may also be considered a "serious health condition" under the Family and Medical Leave Act (FMLA). In such cases, the City will designate the employee's absence as FMLA-qualifying, will give notice of the designation to the employee and the FMLA provisions described in these Personnel Policies and Procedures will apply.
- B. An employee returning from leave following a job-related injury or illness shall provide a certification of fitness to return to work from a health care provider to the Human Resources Department prior to or immediately upon returning to work. If the employee does not provide the certification, the City may delay restoring the employee to employment until the certification is provided. If any work restrictions are specified, the provisions of these Personnel Policies and Procedures related to alternative work assignments/light duty may apply.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

POLICY 4-12 SUPPLEMENTAL BENEFITS PLAN FOR PUBLIC SAFETY EMPLOYEES

Pursuant to A.R.S. §38-961, the City of Coolidge is required to provide a supplemental benefits plan for eligible public safety employees who are injured on the job and unable to perform the functions of their position.

The provisions of this policy are not intended to conflict with or supersede state law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with state law, state law shall control.

Section 4-12-1 Definitions

For purposes of this policy, "public safety employee" shall be defined as an individual who is a member of the Public Safety Personnel Retirement System (PSPRS).

Section 4-12-2 Eligibility

- A. To be eligible for the supplemental benefits plan, the employee must meet all of the following criteria:
1. Be a public safety employee employed full-time by the City at the time of injury.
 2. Be injured while on duty and eligible for workers' compensation benefits pursuant to A.R.S. § 23-1021 and [Policy 4-11](#) of these Personnel Policies and Procedures, as determined by the City's workers' compensation carrier.
 3. Be physically unable to return to work for the City in any capacity, including alternative work assignments or light duty, as determined by the City and as supported by the employee's physician or an independent medical exam (IME) ordered by the City directly or through its workers' compensation insurance provider. The employee's inability to work in a capacity assigned by the City, including inability to work light duty assignments, must be supported by appropriate medical documentation in order for the employee to remain eligible for the supplemental benefits plan.
 4. Be receiving compensation benefits for lost wages pursuant to A.R.S. § 23-1041 and [Policy 4-11](#) of these Personnel Policies and Procedures.
- B. To maintain eligibility for the supplemental benefits plan, the employee must comply with all risk management requirements of the City, including evaluation for light duty/alternative work assignment options and rehabilitation programs, and coordination of benefits. Failure to comply with the City's risk management requirements and decisions shall result in the termination of the employee's participation in the supplemental benefits plan.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-12-3 Supplemental Compensation

- A. Employees eligible for the supplemental benefits plan shall receive supplemental compensation from the City in an amount that, when added to the benefits being paid by the workers' compensation fund to the employee, less any deductions, results in the employee receiving approximately the identical salary the employee was receiving prior to the injury.
- B. The City shall pay the supplemental compensation for a period of up to six months from the date the employee receives first payment of workers' compensation benefits for lost wages pursuant to A.R.S. § 23-1041, provided that the employee continues to meet all eligibility criteria.

Section 4-12-4 Application Procedures

- A. To apply for the supplemental benefits plan, an employee must submit a written request to the Human Resources Department on a form provided by the Human Resources Department.
- B. All requests must be received by the Human Resources Department within 14 calendar days of the employee's receipt of his or her first lost wage replacement benefit paid under workers' compensation. An employee's failure to submit a request within the timeframe established in this paragraph shall be construed as a waiver of any rights under A.R.S. §38-961 and this policy.
- C. The Human Resources Department shall review the employee's request and shall provide the employee with a written determination of benefits eligibility within 14 calendar days of receipt of the employee's request.
- D. If an employee is denied participation in the plan for any reason other than a determination by the City's workers' compensation carrier that the employee is not eligible for workers' compensation benefits, he or she has a right to request review of the denial by filing a written request for review with the Human Resources Department within ten working days from receipt of the denial letter. The employee's request for review must state the reason for the request and facts that the employee wishes to have considered. The Human Resources Department shall forward the request for review to the City Manager.
- E. The City Manager shall render a written opinion affirming or denying the employee's eligibility within five working days of receipt of the employee's request for review. The City Manager's decision is final and not appealable within any City process.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- F. If an employee is denied participation in the plan due to a determination by the City's workers' compensation carrier that the employee is not eligible for workers' compensation benefits, the employee may appeal that decision through the procedures established by the workers' compensation carrier and state law.

Section 4-12-5 Maintenance of Benefits

- A. The City shall maintain group health plan benefits for employees participating in the supplemental benefits plan on the same terms as if the employee continued to work. Thus, the City shall continue to pay its share of any group health plan insurance premium and the employee shall continue to pay his or her share, if any.
1. The employee shall continue to pay his or her share of any group health plan benefits through payroll deductions if the employee is receiving sufficient compensation from the City to cover his or her share of the premium.
 2. If the employee is not receiving sufficient compensation from the City to cover his or her share of the premium, the employee shall make arrangements with the Human Resources and Finance Departments to make payments for his or her share of the premium. If payment is more than 30 days overdue, the City shall provide written notice to the employee that payment has not been received and that coverage will be dropped. The notice shall be mailed to the employee at least 15 days before coverage is to be dropped. If the City pays any of the employee's share of group health plan premiums, the City may require the employee to reimburse the City for the employee's share. If coverage is dropped, it shall be dropped retroactively to the date the unpaid premium payment was due and the provisions of the federal COBRA law shall apply.
- B. While the employee is participating in the supplemental benefits plan, the City shall pay both the employer and employee contributions to PSPRS as applicable, based on the employee's pre-injury salary, unless the employee is no longer actively contributing to PSPRS. In such a case, the City shall continue to pay the employer contribution to the employee's retirement system and the employee shall continue to pay the employee contribution.
- C. An employee participating in the supplemental benefits plan is responsible for paying for any elective health care plan deductions, health related optional deductions, optional life insurance deductions or any other optional, employee-elected benefits.



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

Section 4-12-6 Paid Leave Balances

- A. An employee shall not accrue any additional sick, vacation, personal or compensatory leave while the employee is participating in the supplemental benefits plan.
- B. An employee's sick, vacation, personal and compensatory leave balances shall not be decreased while the employee is participating in the supplemental benefits plan.
- C. If the employee used accrued leave balances to supplement workers' compensation benefits for lost wages prior to being approved for the plan, the City shall reimburse the employee's leave balances in the appropriate amount and type of leave for the time lost that is retroactively paid through the supplemental benefits plan. The City will correct the overpayment to the employee in the next regular pay cycle or cycles by reducing the employee's hours paid by the City.

Section 4-12-7 Miscellaneous

To the extent the employee is eligible for and receives salary or benefit changes while participating in the supplemental benefits plan, the plan benefits will be adjusted accordingly.

POLICY 4-13 BENEFITS CONTINUATION/COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, amended by the Health Insurance Portability and Accountability Act (HIPAA) of 1996, provides that covered employees and their qualified beneficiaries may continue health insurance coverage under the City of Coolidge's health plan when a "qualifying event" would normally result in the loss of eligibility. The City shall follow all applicable federal and state laws in determining what constitutes a qualifying event.

The provisions of this policy are not intended to conflict with or supersede federal or state law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with federal or state law, federal or state law shall control.

Section 4-13-1 Payments

- A. Except as provided in this policy, employees or beneficiaries participating in COBRA benefits shall pay the full cost of coverage at the City's group rates plus an administration fee as prescribed by federal law.
- B. The City Manager, in his or her sole discretion, may authorize City payment of the costs of COBRA coverage for an employee or his or her beneficiaries for up to six months if the employee's qualifying event is a layoff as described in Chapter 8 of these Personnel Policies and Procedures.



CHAPTER 4 EMPLOYMENT BENEFITS AND LEAVES

Section 4-13-2 Written Notification of Eligibility

The Human Resources Director shall ensure that each eligible employee and/or beneficiary receives written notification regarding COBRA rights and benefits in accordance with applicable federal and state laws.

POLICY 4-14 ALTERNATIVE WORK ASSIGNMENTS/LIGHT DUTY

The City of Coolidge recognizes the value of allowing employees with work restrictions to temporarily work in an alternative work or light/restricted duty assignment. Alternative work assignments are intended for employees with medically documented temporary mental or physical illnesses or injuries sustained on or off the job who have work restrictions and who are expected to eventually return to unrestricted work. The Human Resources Department shall coordinate and administer all alternative work assignments for the City.

The provisions of this policy are not intended to conflict with or supersede federal or state law, nor should they be interpreted or construed to do so. If any provision of this policy conflicts with federal or state law, federal or state law shall control.

Section 4-14-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.

Section 4-14-2 Definitions

- A. For purposes of this policy, "alternative work assignment," "light duty" and "restricted duty" are used interchangeably and shall be defined as temporary work that is physically or mentally less demanding than the employee's regular job duties. An alternative work assignment or light/restricted duty may include a reduction in full time equivalency, limiting or altering duties in the employee's existing position, or temporarily reassigning the employee to another position which he or she is qualified and capable to perform.
- B. For purposes of this policy, "work restriction" shall be defined as a restriction that prevents an employee from performing the full scope of his or her job duties as outlined in the job description for the employee's position.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-14-3 Procedures

- A. When the Human Resources Department becomes aware that an employee has temporary work restrictions, the Human Resources Department will make every effort consistent with the provisions of this policy to offer the employee an alternative work assignment.
- B. In order to be considered for an alternative work assignment, an employee must present a medical certification from a health care provider specifying work restrictions and the expected duration of the restrictions to the Human Resources Department.
- C. Upon receipt of the certification, the Human Resources Department may communicate with the employee's health care provider to clarify and attain specificity on physical restrictions and limitations relative to specific job duties and responsibilities.
- D. The Human Resources Department shall coordinate with Department Directors to determine whether there are any alternative work assignments within the City which the employee can perform given the work restrictions. Primary consideration will be given to job placement within the employee's department and regular job duties. However, an employee may also be placed in an alternative work assignment in another department and/or in another position. An alternative work assignment may also result in a change in the employee's work hours.
- E. An employee may be placed in an assignment that is in a lower classification than the employee's regular job assignment; however, the employee's salary shall remain the same as it was in the employee's regular job assignment. Overtime, on-call/stand-by and call-out pay is not authorized for employees on light duty status.
- F. Under no circumstances will the City create a position solely for the purpose of providing work for an employee who is eligible to return to work under a temporary work restriction. Alternative work assignments shall involve productive work that is both useful to the City and achievable within the restrictions placed on the employee. If there is no alternative work assignment available for a particular employee, the employee shall remain on, or be placed on, an appropriate form of leave, pursuant to the policies set forth in this chapter.
- G. An employee who has previously been subject to work restrictions is required to inform the Human Resources Department immediately upon receiving a release to regular duty from a health care provider.

Section 4-14-4 Duration

An initial alternative work assignment may have a duration of up to 90 days. The City Manager may extend an alternative work assignment in increments of up to 90 days at a time,



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

provided that there remains a reasonable expectation that the employee will return to his/her regular duties within a reasonable amount of time and that the total time the employee is unable to perform the essential functions of his or her regular position, with or without a reasonable accommodation, does not exceed the equivalent of 12 months in any 24-month period. For purposes of tracking leave time, 12 months will be measured based on 2080 hours for full-time employees and pro-rated for part-time employees.

Section 4-14-5 Interaction with Other Laws and Policies

- A. An employee on FMLA leave is not required to accept an available alternative work assignment. The employee may continue on FMLA leave either until the employee is able to return to his/her job or an equivalent job, or until the 12-week FMLA leave entitlement is exhausted.
- B. An employee receiving workers' compensation benefits may forfeit the right to those benefits by refusing to accept an alternative work assignment, as determined by the City's workers' compensation carrier.

Section 4-14-6 No Right to Alternative Work Assignment

If granted, alternative work assignments are a privilege and shall not be considered a right or entitlement. An employee in an alternative work assignment has no rights to that assignment or any tasks associated with that assignment no matter the duration of the alternative work assignment.

Section 4-14-7 Miscellaneous

- A. Alternative Work Assignments will not be used to avoid the filling of vacancies within the department in question.
- B. An employee in an alternative work assignment is subject to all rules, regulations, standards, policies and procedures of the City and of the department to which the employee is assigned.
- C. Employees serving in alternative work assignments shall receive a formal performance appraisal document in accordance with the City's normal performance management process. The appraisal shall address the employee's job duties and performance for the relevant time period, including the employee's job duties and performance in the alternative work assignment.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- D. Employees serving in an alternative work assignment within the same classification as their regular position are eligible for merit increases based on job performance and availability of funding.
- E. Employees serving in an alternative work assignment outside the classification of their regular position will be considered for merit increases on a case-by-case basis, depending upon the level of work being performed compared to the employee's regular assignment.
- F. In no case will an employee authorized to participate in the Alternative Work Program be placed in an area that will pose a health or safety risk to the City, other staff or the injured employee.

Section 4-14-8 No Right of Appeal

The decision of the City to place or not to place an employee in an alternative work assignment is not subject to appeal or review under the personnel action review procedures set forth in Chapter 5 of these Personnel Policies or Procedures or under any other City review/appeal process.

POLICY 4-15 CIVIC DUTY

The City of Coolidge encourages employees to fulfill their civic responsibilities as citizens and provides civic duty leave to eligible employees as described in this policy.

Section 4-15-1 Eligibility

The provisions of this policy apply to all regular full- and part-time classified and unclassified employees, including those serving in an initial evaluation period, and term-limited temporary employees.

The periods of absence will be with pay and related benefits while serving on a jury, responding to a subpoena to appear as a witness or voting according to the provisions below.

Section 4-15-2 Jury Duty

- A. Eligible employees shall be granted up to ten days of paid jury duty leave during any rolling 12-month period.
- B. Employees shall provide a copy of the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee's absence.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

- C. Employees on jury duty shall be paid their regular base rate of pay provided that they submit any juror fee payments received from the court, excluding mileage and per diem payments, to the Finance Department. Employees may keep mileage and per diem payments.
- D. If an employee is required to serve on jury duty beyond the period of paid jury duty leave, the employee may request to use accrued vacation, personal or compensatory leave balances or may request unpaid administrative leave for non-medical purposes.
- E. Employees shall report for work while on jury duty whenever the court schedule permits.
- F. The Department Director may ask the employee to request an excuse or postponement from jury duty if, in the Department Director's judgment, the employee's absence would create serious operational difficulties.

Section 4-15-3 Witness Duty

- A. Eligible employees shall be granted up to 8 hours of paid time off for each instance in which the employee is subpoenaed to appear in court as a witness in a case. This section does not apply to employees who are subpoenaed to appear in court as a part of their regular job responsibilities, such as police officers. Employees who are subpoenaed to appear in court as a part of their regular job responsibilities are considered to be on duty while responding to the subpoena.
- B. Employees shall provide a copy of the subpoena to their supervisor immediately after it is received so that the supervisor may make arrangements to accommodate the employee's absence.
- C. Employees under subpoena shall be paid their regular base rate of pay provided that they submit any witness fee payments, excluding mileage and per diem payments, to the Finance Department. Employees may keep mileage and per diem payments.
- D. If an employee is required to appear in court beyond the period of paid leave provided by this section, the employee may request to use accrued vacation, personal or compensatory leave balances or may request unpaid administrative leave for non-medical purposes.
- E. Employees under subpoena shall report for work whenever the court schedule permits.
- F. Employees are not eligible for witness duty leave for time spent in court on personal matters without a subpoena. Employees shall request the use of accrued leave balances for these court matters.



CHAPTER 4

EMPLOYMENT BENEFITS AND LEAVES

Section 4-15-4 Voting

- A. Any employee eligible and registered to vote in any public election held within this state may request time off for voting. The employee must apply for leave for voting prior to the election day.
- B. The employee may be absent for up to three hours with pay on the day of the election for the purpose of voting. The amount of leave the employee is eligible for shall be determined in accordance with state law, which requires that an employee have three consecutive hours in which to vote. Employees are not entitled to voting leave if they have three consecutive non-working hours in which to vote.
- C. The Department Director may specify the hours during which the employee may be absent for the purpose of voting.
- D. Employees are expected to vote at a time that minimizes impact on the department operations.
- E. An employee may be required to provide evidence of eligibility to vote prior to approval for time off.

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 5. WORK RULES AND EMPLOYEE DISCIPLINE

Policy 5-1 Hours Of Work	3
Section 5-1-1 Normal Work Week and Work Hours	3
Section 5-1-2 Alternative or Flexible Work Schedules.....	3
Section 5-1-3 Absences and Tardiness	4
Section 5-1-4 Meal Breaks and Rest Breaks	5
Policy 5-2 Personnel Files	5
Section 5-2-1 Official Personnel Files	5
Section 5-2-2 Department Personnel Files.....	6
Section 5-2-3 Access to Personnel Files.....	7
Section 5-2-4 Updating Personnel Files	7
Section 5-2-5 Records Release	8
Section 5-2-6 Records Retention	8
Policy 5-3 Personal Appearance	8
Section 5-3-1 Acceptable Attire.....	8
Section 5-3-2 Unacceptable Attire	9
Section 5-3-3 Uniforms.....	9
Policy 5-4 Use of Communications Systems and Equipment.....	9
Section 5-4-1 No Expectation of Privacy	9
Section 5-4-2 Permitted Use	10
Section 5-4-3 Prohibited Use	10
Section 5-4-4 Additional Employee Responsibilities	11
Section 5-4-5 Software Copyright.....	11
Section 5-4-6 Consequences of Prohibited Use.....	11
Policy 5-5 Discipline System	11
Section 5-5-1 Progressive Discipline	12
Section 5-5-2 Applicability	12
Section 5-5-3 Types of Disciplinary Action.....	12
Section 5-5-4 Imposed Leave.....	14
Section 5-5-5 Grounds For Disciplinary Action.....	15
Section 5-5-6 Notice to Employee.....	17
Section 5-5-7 Pre-Action Meeting	17
Section 5-5-8 Disciplinary Decision.....	18
Policy 5-6 Formal Personnel Action Review Procedures	18
Section 5-6-1 Purpose.....	18
Section 5-6-2 Applicability	18
Section 5-6-3 Sole Remedy.....	18
Section 5-6-4 Disciplinary Actions Subject to Formal Personnel Action Review.....	19

Section 5-6-5 Employment Actions Not Subject to Formal Personnel Action Review	19
Section 5-6-6 Appeal to the Personnel Advisory Board (PAB).....	19
Section 5-6-7 Scheduling of Hearing.....	20
Section 5-6-8 Notice of Hearing	20
Section 5-6-9 Pre-Hearing Exchange of Information	21
Section 5-6-10 City Employee Witnesses.....	21
Section 5-6-11 Subpoenas	21
Section 5-6-12 Hearings before the PAB.....	22
Section 5-6-13 Submission to the PAB	25
Section 5-6-14 Findings of the PAB	25
Section 5-6-15 Decision of the City Manager	26
Section 5-6-16 Back Pay, Reasonable Costs and Attorney's Fees.....	26
Section 5-6-17 Miscellaneous Rules of Appeals.....	27
Policy 5-7 Personnel ADVISORY Board (PAB)	28
Section 5-7-1 Composition and Officers	28
Section 5-7-2 Appointment of PAB Members.....	28
Section 5-7-3 PAB Member Orientation	28
Section 5-7-4 PAB Member Terms.....	28
Section 5-7-5 Removal of PAB Members	29
Section 5-7-6 Replacement of PAB Members.....	29
Section 5-7-7 Appeal Hearings	29
Section 5-7-8 Special Appointment of PAB Members	30
Section 5-7-9 Voluntary Capacity	30
Section 5-7-10 Meetings of the PAB	30
Policy 5-8 Informal Personnel Action Review Procedures	31
Section 5-8-1 Purpose.....	31
Section 5-8-2 Applicability	31
Section 5-8-3 Sole Remedy.....	31
Section 5-8-4 Disciplinary Actions Subject to Informal Personnel Action Review.....	31
Section 5-8-5 Informal Personnel Action Review Steps	31
Section 5-8-6 General Rules	33



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

POLICY 5-1 HOURS OF WORK

An employee is expected to work the days and hours necessary to perform all assigned responsibilities and tasks in order to provide continuity of services to citizens and to facilitate teamwork and supervision. Attendance is an essential function of every City position and shall be a consideration in determining promotions, transfers, satisfactory completion of performance periods and continued employment with the City.

Section 5-1-1 Normal Work Week and Work Hours

- A. The work week will generally consist of five days within a 40 hour week or as determined otherwise by the City Manager. A work week generally begins every Saturday at 12:01 a.m. and ends the following Friday at 12:00 midnight. The City Manager or Department Director may stagger, rearrange and adjust the work hours of employees to enable the City to keep offices open at all times required.
- B. Most full-time employees will work during the core business hours of the City, from 8:00 a.m. to 5:00 p.m. Monday through Friday, with one unpaid meal break each day. Normal work schedules may be adjusted as provided within these policies and/or with the approval of the City Manager or designee.
- C. Modifications to the City's normal core business hours may be made, subject to any federal or State statutory or constitutional limitations relating to hours of work.

Section 5-1-2 Alternative or Flexible Work Schedules

- A. The City Manager may establish alternative or flexible work schedules, but at no time shall those schedules interfere with the normal operations of the City government.
 - 1. Flex time is an alternative work schedule that permits employees to choose their starting and quitting times within guidelines established by their supervisor.
 - 2. Compressed work week is an arrangement in which the City "compresses" its standard 5-day work week into fewer than 5 days. Examples include 4 days, each with a 10-hour shift; 3 days, each with a 12-hour shift. A compressed work week arrangement cannot result in overtime.
- B. Individuals with a medical need for an alternative or flexible work schedule should contact the Human Resources Department. Any arrangements shall be governed by these Personnel Policies and Procedures.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- C. Daily and weekly work schedules, including alternative or flexible work schedules, may be changed from time to time at the discretion of the City to meet varying work conditions. Changes in work schedules will be announced as far in advance as practicable.

Section 5-1-3 Absences and Tardiness

- A. Advance notice of all absences is expected. Employees shall provide notice of scheduled absences as far in advance of the absence, as possible, and no later than 24 hours before the absence. Employees shall provide notice of unscheduled absences within one-half hour before the scheduled start of their work day, unless other notice requirements are established by written departmental standard operating procedures. If the employee is physically unable to notify his or her supervisor within the time frame required by this policy, the employee shall provide notice as soon as possible. If applicable, the supervisor may request medical verification of an employee's incapacitation, from a licensed health care provider as provided in Error! Reference source not found. of these Personnel Policies and Procedures.
- B. Advance notice of anticipated tardiness is expected. Employees shall provide notice of anticipated tardiness as far in advance of the tardiness, as possible, and no later than 24 hours before the tardiness. Employees shall provide notice of unanticipated tardiness as soon as possible. The employee's supervisor shall determine if work time lost due to tardiness may be made up by the employee or if the employee will be required to use accrued leave balances or take leave without pay. If authorized by the employee's supervisor, the employee may make up work time lost due to tardiness only during the work week in which it occurs.
- C. Notification of an unscheduled absence or tardiness by another employee, friend or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification.
- D. Departments are responsible for establishing procedures for employee notification of unscheduled absences or tardiness. Generally, unless provided otherwise by a department procedure, employees are expected to speak with their direct supervisor regarding an unscheduled absence or tardiness within the time-frames provided by this policy.
- E. The City of Coolidge expects employees to report for work on time for every scheduled shift. An employee who is unable to report to work at the designated time is required to notify his or her supervisor in accordance with sick leave policy 4-2. Employees who fail to report to work for three consecutive business days without notifying the City of the absence will be considered as having voluntarily resigned as a result of job abandonment.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

If the employee is unable to contact the City due to extreme circumstances (such as a medical emergency or natural disaster that prohibits the employee from contacting the City within three days), he or she should ask a representative (such as a family member or friend) to do so on the employee's behalf. The employee or his or her representative must contact the city as soon as practicable to explain the situation. In extreme circumstances, the City will consider the explanation and its timing before determining if the voluntary resignation will be upheld.

Section 5-1-4 Meal Breaks and Rest Breaks

- A. City employees who are considered non-exempt under the Fair Labor Standards Act (FLSA) and who work a regular 8-hour work day will normally receive a minimum of one 30-minute unpaid meal break. However, due to operational needs the Department Director, in his or her sole discretion, may require an employee to engage in work during the employee's meal break, in which case the employee will be paid for all compensable time. The duration of meal breaks shall be determined by the Department Director in order to avoid overtime whenever possible. Meal breaks shall not be taken at the beginning or end of a work shift and cannot be combined with paid rest breaks.
- B. City employees who are considered non-exempt under the Fair Labor Standards Act (FLSA) and who work a regular 8-hour work day may be granted paid rest breaks of short duration, from five to 20 minutes. Work demands may preclude the granting of a rest break; therefore, rest breaks shall be granted at the sole discretion of the appropriate supervisor or Department Director. Rest breaks shall not be taken at the beginning or end of a work shift and cannot be combined with meal breaks.

POLICY 5-2 PERSONNEL FILES

The Human Resources Department maintains an official personnel file and a separate medical file on each employee. The personnel file contains documentation regarding all aspects of the employee's tenure with the City, such as performance appraisals, disciplinary action notices, and employment history. The medical file contains documentation such as drug and/or alcohol screenings and medical leave information.

Section 5-2-1 Official Personnel Files

- A. The Human Resources Department is responsible for maintaining official personnel files and must approve materials for inclusion in personnel files.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- B. An employee may submit a written statement for inclusion in his/her official personnel file if he or she believes that any of the included materials requires correction and/or clarification.

Section 5-2-2 Department Personnel Files

- A. The employee's current department may also maintain a personnel file regarding the employee's tenure with the department. If maintained, the department personnel file may contain the following items:
 - 1. Name
 - 2. Emergency contact information
 - 3. Personnel Action Forms and supporting documentation
 - 4. Performance assessment documents
 - 5. Documents of all formal disciplinary actions and grievance/appeal actions not alleging discrimination
 - 6. Outside employment documents
 - 7. Employment application(s)
 - 8. Employee time and leave records including leave request documents and time sheets
 - 9. Education reimbursement application forms
- B. Employees may provide work-related documents, such as letters of commendation, school transcripts, and updated resumes for inclusion in the employee's official or department personnel file.
- C. Each department should also maintain copies of the non-medical portions of risk management files related to workers' compensation reports and supervisor's copies of accident/injury reports.
- D. Department personnel files shall be relocated to the receiving department upon employee transfer. The transferring department may retain only the following information:
 - 1. Name
 - 2. Address
 - 3. Personnel Action Forms and supporting documentation



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- E. As a general rule, departments shall maintain only the employee records listed in this section in department personnel files. Questions regarding the contents of department personnel files should be referred to Human Resources.

Section 5-2-3 Access to Personnel Files

- A. Official and department personnel files and employment records shall be kept confidential except as required by law. During the normal course of employment, only the following individuals shall be permitted access to personnel files and employment records:
1. Personnel within the Human Resources Department
 2. The City Manager or designated administrator
 3. The City Attorney or designated attorney
 4. The employee or the employee's designated representative who has written authorization from the employee
 5. State and federal auditors or law enforcement authorities in the course of their duty, when required, and only after presentation of proper identification and notification of audit or investigation
 6. The employee's current or prospective Department Director or designee
- B. Access to official and department personnel files under this section shall only be permitted during normal working hours and for appropriate business purposes. A Human Resources Department representative must be present when the official file is reviewed.

Section 5-2-4 Updating Personnel Files

- A. Department Directors are responsible for forwarding documents to the Human Resources Department for inclusion in the official personnel files of those employees assigned to their department.
- B. To ensure that personnel files are up-to-date at all times, employees should notify their supervisor or the Human Resources Department of any changes in name, telephone number, home address, marital status, number of dependents, beneficiary designation, scholastic achievements, emergency contacts and other similar information.
- C. Employees may inspect their official personnel file to ensure accuracy and completeness of the file. A Human Resources Department representative must be present when a file is reviewed.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-2-5 Records Release

- A. Personnel files and employment records of public employees are considered public records. Upon receipt of a proper public records request, records that are not made confidential by law may be released to the extent required by Arizona's public records law, A.R.S. § 39-121 et seq.
- B. Employment records may be released pursuant to a valid subpoena or court order.
- C. Employee names, dates of service, positions held, and compensation may be released without legal inquiry.
- D. In the absence of a public records request, subpoena, or court order, other information contained in an employee's personnel file will only be released with the express written permission of the employee.

Section 5-2-6 Records Retention

- A. An employee's personnel and department personnel files shall be retained in accordance with the City's records retention and disposition schedule as approved by the Arizona State Library, Archives and Public Records department or in accordance with federal law, whichever requires a longer period of retention. During this retention period, nothing will be removed from the personnel file.
- B. The employee's name, position held, dates of service, compensation, and reason for separation will be retained indefinitely.

POLICY 5-3 PERSONAL APPEARANCE

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the organizational image the City of Coolidge presents to the general public. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Department Directors are responsible for determining and enforcing the dress code for their respective areas of responsibility.

Section 5-3-1 Acceptable Attire

Because of the changing nature of fashion, regulations pertaining to acceptable employee attire and grooming are flexible. There are, however, certain expected norms of professional appearance, of personal neatness, cleanliness and good grooming that are applicable to all employees.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-3-2 Unacceptable Attire

The City of Coolidge reserves the right to advise any employee at any time that his or her grooming, attire or appearance is unacceptable. After having been so advised, the employee shall make any changes required by his or her supervisor. Failure to do so will result in the employee's suspension without pay until corrective action by the employee is taken. Repeated lack of compliance may result in further disciplinary action, up to and including discharge.

Section 5-3-3 Uniforms

- A. Employees who are required to wear a uniform of any type in the performance of their duties will be provided a uniform by the City. Employees who are required to wear a uniform but are not provided uniforms by the City may be provided with a uniform allowance.
- B. The City may engage a uniform service company for laundering of uniforms. Laundering, cleaning and general upkeep of uniforms is the responsibility of each employee, whether the employee chooses to use the uniform service company or to self-wash uniforms.
- C. Employees should be aware that the furnishing of uniforms and maintenance or replacement allowance, if any, may, under certain circumstances, be considered a taxable benefit.
- D. Employees shall return all articles of uniform apparel still in their possession to their supervisor upon termination of their employment with the City. Supervisors shall count the articles returned to ensure all are received. Employees will be required to replace any missing articles of uniform apparel at the employee's expense. Failure to do so may result in the value of any unreturned City property being deducted from the employee's final paycheck.

POLICY 5-4 USE OF COMMUNICATIONS SYSTEMS AND EQUIPMENT

Electronic mail (e-mail), voice-mail, telephone, on-line subscriber services and the Internet are all information management and communications tools that are important parts of the way that the City of Coolidge does business. Employees shall use these systems and associated equipment in an appropriate manner at all times.

Section 5-4-1 No Expectation of Privacy

- A. All electronic storage and communication systems and equipment (including without limitation facsimiles, copiers, computers, software and telephones) and all information transmitted by, received from or stored in these systems are the property of the City.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- B. Employees should have no expectation of privacy regarding the use of these systems and equipment or the transmission, receipt or storage of information in these systems or equipment.
- C. The City may monitor an employee's use of these systems and equipment at any time at its discretion. Such monitoring may include, but is not limited to, monitoring, tracking, and review of all employee communications including all information created, stored, and disseminated using the City's computer, network and telephone systems and all information viewed, downloaded, copied, sent, or processed using the City's computer, network and telephone systems.

Section 5-4-2 Permitted Use

The City's communications systems and equipment shall be used primarily for City business purposes associated with the performance of each employee's job. Any use of these systems for non-work related purposes beyond limited incidental use, is prohibited.

Section 5-4-3 Prohibited Use

Improper use of the City's electronic storage and communications equipment is strictly prohibited. Improper use includes, but is not limited to, the following uses.

- A. Any communications which violate City policy, including, but not limited to, abusive, harassing, intimidating vulgar, obscene and offensive communications, communications that defame or libel others, and communications that infringe upon the privacy rights of others.
- B. Disparaging communications or jokes which are based on race, national origin, marital status, sex, sexual orientation, disability, age, religion, or any other characteristic protected under federal, state or local law.
- C. Communications of any copyrighted materials, trade secrets, proprietary information, or any other highly sensitive confidential information, except with management permission in the course of an employee's job.
- D. Solicitation of others for commercial ventures or religious, social or political causes.
- E. Accessing, viewing, downloading, copying or sending information that is illegal, sexually explicit or obscene.
- F. Using on-line services or the Internet to gamble or wager.
- G. Acts that damage, interfere with, or congest the City's computer or network systems or interfere with the work of other employees.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-4-4 Additional Employee Responsibilities

- A. Employees shall maintain the secrecy of all passwords, identification numbers, or other means of entry onto the City's computer systems and networks. The City is the holder of all passwords, identification numbers, and other means of entry and no employee will use a pass code or voice mail access code that is unknown to the City or that is not expressly authorized by the City. The City Manager may establish administrative directives regarding the establishment and use of passwords.
- B. Employees shall cooperate with authorized City officials in any investigation involving the City's electronic communications systems.
- C. Employees may load outside files from an acceptable and known source onto the City's computer system. Employees shall obtain approval from the Information Technology Services Department for all other outside files prior to loading such files in the City's computer system.
- D. An employee shall not install new software without prior approval from the Information Technology Services Department.
- E. Employees are prohibited from using City communications systems and equipment to access social media sites unless the employee is expected to use social media to conduct City business as a part of the employee's official job responsibilities.

Section 5-4-5 Software Copyright

The City purchases and licenses various computer software for business purposes and does not own the copyright to this software or its related documentation. Employees may not reproduce such software or use it on more than one computer unless authorized to do so by the software license agreement. Employees with questions or concerns regarding the use of software or its related documentation should contact the Information Technology Services Department.

Section 5-4-6 Consequences of Prohibited Use

Any violation of this policy may result in disciplinary action, up to and including termination of employment.

POLICY 5-5 DISCIPLINE SYSTEM

Each supervisor shall have the responsibility and authority, with the approval of the Department Director, to administer appropriate discipline to subordinates using a positive progressive discipline process as a corrective measure. The City will comply with all applicable state or



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

federal laws including, but not limited to A.R.S. title 38, chapter 8, article 1, when administering discipline to subordinates.

Section 5-5-1 Progressive Discipline

- A. Progressive discipline is an employee disciplinary system that provides a graduated range of responses to employee performance or conduct problems. The City's discipline system includes a series of increasingly severe disciplinary actions, ranging from a corrective action memorandum to termination. However, this does not mean that every step in the graduated range of disciplinary actions will occur in an ordered sequence in every case.
- B. Progressive discipline is a general guideline for supervisors. The totality of the circumstances will dictate the appropriate level of discipline for each incident. Review of the particular facts and circumstances, such as the severity of the offense and an employee's disciplinary history, whether for the same type of offense or not, may indicate that more severe disciplinary measures, up to and including termination, are appropriate.
- C. All employees are subject to termination when, in the sole opinion of management, an employee's job performance or conduct threatens the well-being of the City, its employees or its citizens, regardless of whether progressive discipline steps have been administered.

Section 5-5-2 Applicability

- A. The provisions of this policy apply to all regular full- and part-time classified employees who have completed the initial evaluation period as defined in these Personnel Policies and Procedures.
- B. The provisions of this policy do not apply to unclassified employees or other at-will employees, as defined in these Personnel Policies and Procedures. Unclassified employees and other at-will employees shall be held to acceptable standards of employee performance and conduct and may be subject to discipline; however, unclassified employees and other at-will employees do not have the same due process rights as those afforded to regular full- and part-time classified employees by this policy, [Policy 5-6](#) and [Policy 5-8](#).

Section 5-5-3 Types of Disciplinary Action

- A. Corrective Action Memorandum: A written memorandum to the employee documenting the reason for disciplinary action.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

1. The corrective action memorandum shall be given to the employee in a private meeting. The supervisor may have an appropriate witness present during this meeting.
 2. The supervisor shall inform the employee that the supervisor is issuing a corrective action memorandum that the employee is being given an opportunity to correct the issue(s) which led to the action, and that if the issue(s) is/are not corrected, the employee will be subject to more severe disciplinary action.
 3. The original corrective action memorandum shall be signed by the employee and placed in the employee's official personnel file. If the employee refuses to sign acknowledging receipt of the corrective action memorandum, then the supervisor and one other witness shall note on the memorandum that the employee received a copy and refused to sign it. A copy of the correction action memorandum shall be given to the employee and included in the employee's department personnel file.
- B. Written Reprimand: A written notice to the employee documenting the reason for the disciplinary action.
1. The written reprimand shall be given to the employee and its contents shall be explained to the employee by the issuing supervisor in a private meeting. The supervisor may have an appropriate witness present during this meeting.
 2. The original written reprimand shall be signed by the employee and placed in the employee's official personnel file. If the employee refuses to sign acknowledging receipt of the written reprimand, then the supervisor and one other witness shall note on the reprimand that the employee received a copy and refused to sign it. A copy of the written reprimand shall be given to the employee and included in the employee's department personnel file.
- C. Suspension Without Pay: Involuntary time off with loss of pay. This type of action may be taken when the offense is of a serious nature but when circumstances related to an employee's overall performance would not warrant discharge. The number of days of suspension will depend on the severity of the infraction, but shall not exceed 15 working days.
- D. Demotion: A reassignment to a lower position classification. This type of action may be taken for serious improper conduct and/or consistent inability to meet job performance expectations. Generally, it will occur in a situation in which it is determined the employee is either unwilling or unable to perform his or her responsibilities of that position. Demotion is not a substitute for dismissal when dismissal is warranted.
1. Employees who fail to complete an initial evaluation period in a promotional position and who are restored to their former position under the provisions of these Personnel



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- Policies and Procedures are not considered to have been disciplined with a demotion. Therefore, the provisions of this policy do not apply to such action and the action is not subject to review under the personnel action review procedures of this chapter.
- E. Reduction in Pay: A reassignment to lower pay within the same position classification. This type of action may be taken as the result of consistent poor employee performance. A reduction in pay may be imposed for either repeated poor performance or flagrant violations of rules and regulations and is considered to be a final behavior correction opportunity.
1. No change in classification occurs as a result of a reduction in pay.
 2. Employees who fail to complete an initial evaluation period in a promotional position and who are restored to their former position under the provisions of these Personnel Policies and Procedures are not considered to have been disciplined with a reduction in pay. Therefore, the provisions of this policy do not apply to such action and the action is not subject to review under the personnel action review procedures of this chapter.
 3. Assignments, transfers or reassignments, including those to or from lead positions or special positions, are not considered a reduction in pay for purposes of these Personnel Policies and Procedures.
- F. Termination: The involuntary, permanent removal of an employee from employment with the City. The terms "termination" and "discharge" are sometimes used interchangeably in these Personnel Policies and Procedures. Termination does not include a layoff as defined in these Personnel Policies and Procedures.
1. Employees serving in an initial evaluation period either as a new hire or in a promotional position are at-will employees as defined in these Personnel Policies and Procedures. As such, during the initial evaluation period, employment may be terminated at any time, with or without cause. The decision to terminate employment requires the concurrence of the employee's Department Director, Human Resources Director and the City Manager. The employee shall be notified in writing that he or she has failed to successfully complete the initial evaluation period. The decision to terminate employment during the initial evaluation period for either a new hire or an employee in a promotional position is not subject to review under the personnel action review procedures set forth in this chapter.

Section 5-5-4 Imposed Leave

- A. A Department Director may, after consultation with the Human Resources Director and approval by the City Manager, place an employee on imposed leave with pay to remove



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

an employee from the work site in order to allow the City to investigate behavior that is suspected of being illegal, that is not in the best interests of the City or that places other employees or citizens in jeopardy. Imposed leave shall ordinarily not exceed 21 calendar days. The City Manager may authorize an extension or extensions when a comprehensive investigation will require more time to reach a conclusion.

- B. If the investigation reveals employee misconduct, disciplinary action commensurate with the nature of the offense shall be taken. Such disciplinary action may include recovery of salary and benefits paid during the imposed leave.
- C. If the investigation reveals no employee misconduct, the employee will be restored to duty and a letter of exoneration will be placed in the employee's official personnel file.

Section 5-5-5 Grounds For Disciplinary Action

Grounds for disciplinary action, up to and including termination, include, but are not limited to, the following:

- A. Dishonesty, including intentionally giving false information, intentionally falsifying records or making false statements when applying for employment, lying to supervisors in connection with the employee's job, or falsifying time sheets or other payroll records.
- B. Discrimination or failure to abide by Equal Employment Opportunity regulations, including sexual or other harassment of a protected class.
- C. Reporting to work under the influence of alcohol or drugs or using such substances while on City property.
- D. Theft or removal of City money, merchandise or property, including property in the custody of the City, without permission.
- E. Intentional or Negligent abuse or misuse of City property.
- F. Unauthorized or unlawful possession of firearms, other weapons or explosives in City facilities or while on City business.
- G. Conviction of a criminal offense.
- H. Acts of workplace violence, including violence or threats of violence in the workplace or against other employees or members of the public.
- I. Insubordination.
- J. Failure to maintain the minimum qualifications of the employee's position.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- K. Inability to perform the full essential functions of the employee's regular position, with or without a reasonable accommodation, for greater than 12 months in a 24-month period, as defined in [Policy 5-8](#) of these Personnel Policies and Procedures.
- L. Being absent from work without permission or failure to report to the supervisor or Department Director when one is absent.
- M. Being habitually absent or tardy for any reason.
- N. Failure to follow the orders of one's supervisor(s).
- O. Inability or unwillingness to perform the assigned job; failure to perform assigned work in an efficient or effective manner.
- P. Participation in prohibited political activities.
- Q. Acceptance of fees, gifts or other valuable items in the performance of the employee's official duties for the City.
- R. Any action, on or off the job, bringing discredit to the City.
- S. Violation of any City policies, administrative directives, or City ordinances, or state or federal law.
- T. Violating safety rules and regulations; being wasteful of material, property or working time; failure to observe proper security or safety procedures.
- U. Inability to get along with fellow employees so that the work being done is hindered and not up to required levels; speaking critically or making derogatory or false accusations so as to discredit other employees or supervisors.
- V. The use of profanity or abusive language towards a fellow employee or member of the general public while performing official duties as a City employee.
- W. Abuse of sick leave privileges by reporting sick when not sick or obtaining sick leave pay falsely or under false pretenses.
- X. Divulging or misusing confidential information, including removal from City premises without proper authorization of any employee lists, records, designs, drawings or confidential information of any type.
- Y. Improper use of the City's electronic storage and communications equipment, as set forth in these Personnel Policies and Procedures and any administrative directives established by the City Manager.
- Z. Such other act, error or omission detrimental to the mission of the City.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-5-6 Notice to Employee

- A. An employee to whom this policy applies, as set forth in [Section 5-5-2](#), shall receive at least 24-hour written notice whenever the City intends to take a disciplinary action resulting in termination, reduction in pay, demotion or suspension without pay.
- B. Notice under this section is not required for other types of actions including, but not limited to, corrective action memoranda, written reprimands, imposed leave, layoffs, assignments, transfers or reassignments, including those to or from lead positions or special positions. Notice under this section is also not required for those employees to whom this policy does not apply, as set forth in [Section 5-5-2](#).
- C. The notice required under this section shall provide the following information:
 - 1. Notice of the intended disciplinary action and the proposed date of implementation.
 - 2. The reasons for the action.
 - 3. The date and time, not less than 24 hours after the notice is given to the employee, of a pre-action meeting at which the employee may respond, verbally or in writing, to the written notice of intended disciplinary action.
- D. The original notice of intended disciplinary action shall be signed by the employee and placed in the employee's official personnel file. If the employee refuses to sign acknowledging receipt of the notice, then the supervisor and one other witness shall note on the notice that the employee received a copy and refused to sign it. A copy of the notice shall be given to the employee and included in the employee's department personnel file.
- E. Once an employee has been provided the notice required under this section, the employee may be placed on imposed leave under [Section 5-5-4](#) pending the pre-action meeting.

Section 5-5-7 Pre-Action Meeting

- A. The pre-action meeting is a meeting between the employee, the supervisor proposing the discipline and the Department Director. A Human Resources Department representative may also attend the meeting. The purpose of the meeting is to give the employee the opportunity to respond, verbally or in writing, to the written notice of intended disciplinary action.
- B. The employee may have a non-attorney co-worker of the employee's choosing present during the pre-action meeting. The co-worker may not speak on behalf of the employee and may only participate as an observer. The employee shall be permitted reasonable breaks of limited duration during the pre-action meeting to consult with the co-worker or others who are immediately available, telephonically or otherwise.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- C. Any relevant information presented by the employee during the pre-action meeting regarding the proposed disciplinary action shall be considered by the supervisor and the Department Director.
- D. Failure by the employee either to attend the pre-action meeting or to timely submit a written response to the notice of intended disciplinary action shall be deemed a waiver of the employee's right to do so and the proposed disciplinary action may be implemented as written.

Section 5-5-8 Disciplinary Decision

After the pre-action meeting, the Department Director shall advise the employee in writing of the decision regarding the imposition of discipline. This decision will normally occur within ten business days of the pre-action meeting. The Human Resources Director may authorize an extension with good cause shown by the Department Director. A copy of the written disciplinary decision shall be included in the employee's department personnel file as well as the official personnel file.

POLICY 5-6 FORMAL PERSONNEL ACTION REVIEW PROCEDURES

Section 5-6-1 Purpose

The City of Coolidge provides formal personnel action review procedures as a means to ensure that employees receive fair and equitable treatment and to provide an orderly procedure for resolving disciplinary actions that are subject to formal appeal.

Section 5-6-2 Applicability

- A. The provisions of this policy apply to all regular full- and part-time classified employees who have completed the initial evaluation period as defined in these Personnel Policies and Procedures.
- B. The provisions of this policy do not apply to unclassified employees or other at-will employees, as defined in these Personnel Policies and Procedures.

Section 5-6-3 Sole Remedy

This policy is the sole and exclusive internal remedy available to employees for resolving disciplinary actions that are subject to formal personnel action review.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-6-4 Disciplinary Actions Subject to Formal Personnel Action Review

Only the following disciplinary actions shall be subject to formal personnel action review under this policy:

- A. Termination
- B. Reduction in pay
- C. Demotion
- D. Suspension without pay for more than 40 hours in a rolling 12-month period.

Section 5-6-5 Employment Actions Not Subject to Formal Personnel Action Review

Only the disciplinary actions specifically listed in [Section 5-6-4](#) are subject to formal personnel action review under this policy. All other employment actions are not subject to formal personnel action review. The following is an illustrative, but not exhaustive, list of employment actions that are not subject to formal personnel action review under this policy.

- A. Corrective action memoranda, written reprimands and suspensions without pay for 40 hours or less in a rolling 12-month period.
- B. Termination during the initial evaluation period for either a new hire or an employee in a promotional position.
- C. Placement of an employee in, or the content or the structure of, the City's classification plan.
- D. Placement of an employee in, or the content or structure of, the City's salary plan.
- E. The content or structure of the City's benefits programs.
- F. An employee's performance assessment.
- G. Extension of an evaluation period.
- H. Assignments, promotions, transfers or reassignments, including those to or from lead positions or special positions.
- I. Municipal finance or budgetary issues.
- J. Layoffs.

Section 5-6-6 Appeal to the Personnel Advisory Board (PAB)

- A. To request formal appeal to the City's Personnel Advisory Board (PAB), the employee must file a written appeal with the Human Resources Director within ten business days



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

after the employee's receipt of a written disciplinary decision that is subject to formal appeal.

- B. The appeal shall be on a form provided by the Human Resources Department.
- C. Upon receipt of the employee's written appeal of a disciplinary decision that is subject to formal appeal, the Human Resources Director shall provide a copy of the appeal to the City Manager, the City Attorney, the employee's Department Director and the PAB, by and through the PAB Chairperson.
- D. If the Human Resources Director determines that the employment action is not subject to formal appeal under this policy, the Director shall so inform the employee in writing within five business days of receiving the employee's request for appeal.

Section 5-6-7 Scheduling of Hearing

- A. Within 20 business days of the Human Resources Director's receipt of the employee's written appeal, the City Manager or his or her designee in conjunction with the PAB Chairperson, shall set a date for a hearing.
- B. The hearing should take place within 60 business days of the Human Resources Director's receipt of the employee's written appeal, unless the time is extended by the PAB, or unless the PAB is unable to hear the appeal within that time, or for other good cause.
- C. In no event shall the hearing take place later than six months from the date the Human Resources Director receives the employee's written appeal.
- D. Hearings shall be conducted at a mutually agreed upon time and place that affords a fair and reasonable opportunity for all persons entitled to be present to attend.

Section 5-6-8 Notice of Hearing

- A. The Human Resources Director, in conjunction with the Chairperson of the PAB and direction of the City Manager, shall give written notice to the appealing employee and to the PAB of the date, time and location of the hearing.
- B. The appealing employee's notice shall include appropriate notification of any potential executive session under A.R.S. § 38-431.03(A)(1).
- C. The notice of hearing shall be provided to the parties at least 15 business days before the scheduled hearing.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-6-9 Pre-Hearing Exchange of Information

- A. Within ten business days before the hearing, the City and the appealing employee shall disclose to each other a list of the witnesses each anticipates calling at the hearing and any documents each anticipates presenting to the PAB that have not previously been disclosed.
- B. Within ten business days before the hearing, the City and the appealing employee shall also disclose to each other the names, work addresses, and work telephone numbers of any individuals who will be acting as representatives for either party.
- C. Either party may request to interview the other party's witnesses prior to the hearing. Witnesses listed by either party may decide whether they wish to be interviewed prior to the hearing at their own discretion. Neither the City nor the appealing employee shall interfere with any decision of a witness regarding whether to be interviewed prior to the hearing.
- D. The parties shall also comply with the provisions of A.R.S. title 38, chapter 8, article 1 where applicable.

Section 5-6-10 City Employee Witnesses

- A. A City employee who is listed as a witness by either party and who has been notified in writing of the date, time and location of the hearing and of his or her scheduled testimony, shall appear at the hearing as directed. An employee's intentional and willful failure to appear as directed will result in disciplinary action, up to and including termination.
- B. The supervisor and/or Department Director of a City employee directed to appear at a hearing as a witness shall allow the employee to attend the hearing as directed. A supervisor or Department Director who intentionally and willfully fails to allow an employee to attend a hearing pursuant to this policy shall be subject to disciplinary action, up to and including termination.
- C. Neither party shall be required to issue a formal subpoena to a City employee who is disclosed as a witness. Written notice to the employee is sufficient to require the employee to appear.

Section 5-6-11 Subpoenas

Pursuant to A.R.S. § 12-2212, any member of the PAB may issue subpoenas to compel the attendance of witnesses and/or the production of documentary evidence. If any person fails to appear and/or produce a document in response to a duly issued subpoena, any member of the PAB may, by affidavit setting forth the facts, apply to the Superior Court for relief.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-6-12 Hearings before the PAB

A. General Rules

1. The appealing employee shall appear personally before the PAB at the time and place of the hearing, unless the employee is physically unable to do so.
2. The hearing shall be of sufficient duration to allow adequate time for the matter to be presented.
3. The appealing employee may be represented by any person or attorney (other than a PAB Member or a City employee) who is willing to represent the employee and who is not a witness or otherwise involved in the matter.
4. The City may also be represented by an attorney or other representative acting on the City's behalf.
5. The PAB may be assisted by an attorney who is appointed by the City Council for that purpose. The PAB attorney will remain the same through individual appeals. The City and the PAB shall be represented by separate attorneys.
6. The parties are individually responsible for their own attorney's fees, except that a law enforcement officer, as defined in A.R.S. § 38-1001(4), may request reasonable costs and attorney's fees under the provisions of A.R.S. § 38-1004(C),
7. Each party may call witnesses who were disclosed to the other party pursuant to this policy and who are believed to be relevant. Each party is responsible for securing the attendance of his or her own witnesses. The City will make City employees available for the hearing, if the identity of the City employee/witness is timely disclosed pursuant to this policy.
8. In the absence of good cause, no witnesses or documents shall be considered by the PAB that were not disclosed during the pre-hearing exchange of information unless the party offering the evidence can show that the evidence was newly discovered and could not have been timely discovered and disclosed in the exercise of reasonable diligence, that the evidence was promptly disclosed when discovered, and that the evidence is crucial.
9. The PAB may, at its discretion, exclude certain witnesses or documents even if timely disclosed if it finds such evidence to be irrelevant, cumulative, redundant, or overly inflammatory.
10. The hearing shall be limited to the specific cause(s) of the disciplinary action giving rise to the appeal.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

11. The City bears the burden of demonstrating just cause for the disciplinary action by a preponderance of the evidence.
12. The hearing shall be recorded by audio or video recorder, or by other mechanical or electronic means and/or by a court reporter.
13. The cost of a copy or copies of any transcription of the hearing, including preparation of the transcript, shall be paid by the party or parties ordering the copy or copies.
14. The appealing employee may submit a written request to the Human Resources Director to withdraw the appeal at any time prior to the decision by the PAB.

B. General Conduct of the Hearing

1. The Chairperson shall call the hearing to order, introduce all parties, summarize the issues and relief requested, outline the hearing sequence, and swear in all witnesses.
2. The hearing shall take place in a public meeting unless a majority of the members constituting a quorum of the PAB publicly vote to hold the hearing in executive session pursuant to A.R.S. § 38-431.03(A)(1).
3. The hearing shall take place in a public meeting if the appealing employee, upon receiving appropriate notice pursuant to A.R.S. § 38-431.03(A)(1) of the potential executive session, demands in writing that the hearing take place in public.
4. If the hearing takes place in a public meeting, the PAB may, upon a public majority vote of the members constituting a quorum of the PAB, hold an executive session at any time for the purposes listed in A.R.S. § 38-431.03(A)(1), (2) and/or (3).
5. The hearing is informal and the technical rules of evidence shall not apply. The Chairperson shall preside over the hearing in such a manner as will best ensure the receipt of reliable evidence and fairness for the parties within the general guidelines of these procedures. The Chairperson shall maintain appropriate decorum throughout the conduct of the hearing. The decisions of the Chairperson on the conduct of the hearing shall be final, unless overruled by a majority of the members constituting a quorum of the PAB.
6. If the hearing is held in a public meeting, the PAB may, and at the request of either party shall, exclude prospective witnesses from the hearing during opening statements and the testimony of other witnesses. If witnesses are excluded from the hearing under this paragraph, the Chairperson shall also direct the witnesses not to communicate with each other until the closing arguments of both parties have concluded.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

7. If the hearing is held in executive session, attendance at the hearing is limited to the appealing employee, the responsible Department Director or designee (who may be the supervisor who is directly involved in the matter), each party's attorney or representative, the PAB members, the attorney for the PAB, any Human Resources Department staff needed to assist the PAB with administrative tasks, and each witness during his or her testimony. The Chairperson shall instruct each person present at the executive session that discussions and testimony made at executive session shall be kept confidential.

C. Default Decision

If, after receiving proper notice, the appealing employee or responsible Department Director or designee fails to attend or participate in the hearing within fifteen minutes of the time set for the hearing, the PAB may enter a default against the party failing to appear. The PAB may reconsider a default decision upon a party's submission to the PAB of proof of exigent circumstances within ten calendar days of the default decision.

D. Statements and Questioning of Witnesses

1. The City or its representative may make an opening statement.
2. The appealing employee or the employee's representative may then make an opening statement. The employee or representative may reserve his or her opening statement until the close of the City's evidence.
3. The City shall present its case first, calling witnesses and presenting its evidence to establish the reasons for the employment action that is the subject of the appeal.
4. The appealing employee or the employee's representative may ask questions of the City's witnesses after the City has completed the questioning of each witness.
5. The City may then ask further questions of its witness, limited to those areas raised in the appealing employee or representative's questioning of the witness.
6. After the City's witness testifies and the appealing employee or representative and PAB members have had an opportunity to ask questions, the witness will be dismissed.
7. When all witnesses of the City have been heard, the appealing employee/representative will present his/her witnesses and evidence in the same format. The City may ask questions of the employee's witnesses after the appealing employee/representative has completed questioning the witness. The appealing employee/representative may then ask further questions of the witness, limited to those areas raised in the City's questioning of the witness.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

8. Rebuttal witnesses may be permitted to testify as the PAB determines appropriate.
9. PAB members may ask questions of a witness at any time.
10. After all witnesses have been questioned, the City may make a closing argument. The appealing employee or representative may then make a closing argument. Because the City has the burden of supporting its decision, the City may make a second closing argument in rebuttal to the employee's closing argument.
11. Because the City has the burden of supporting its decision, the appealing employee and/or representative will not be permitted to make a second closing argument.

Section 5-6-13 Submission to the PAB

- A. If the hearing was held in a public meeting, the PAB may, upon a public majority vote of the members constituting a quorum of the PAB, vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(1) for deliberations, unless the appealing employee requests that the deliberations take place in a public meeting. If the appealing employee so requests, any deliberations shall take place in a public meeting. However, the PAB may, upon a public majority vote of the members constituting a quorum of the PAB, vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(2) or (A)(3) for discussion or consultation for legal advice with the attorney for the PAB.
- B. If the hearing was held in executive session pursuant to A.R.S. § 38-431.03(A)(1), after all the evidence has been submitted and closing arguments have been made, the parties and their representatives shall be excused and the PAB shall then deliberate in private, unless the appealing employee requests that the deliberations take place in a public meeting. If the appealing employee so requests, any deliberations shall take place in a public meeting. However, the PAB may, upon a public majority vote of the members constituting a quorum of the PAB, vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(2) or (A)(3) for discussion or consultation for legal advice with the attorney for the PAB.

Section 5-6-14 Findings of the PAB

- A. Following deliberation, whether in a public meeting or in executive session, the PAB shall render its findings regarding the disciplinary action via a public majority vote of the members constituting a quorum of the PAB. The voting shall be by roll call.
- B. The findings of the PAB shall be in the form of an advisory opinion to the City Manager. The PAB may recommend that the disciplinary action be upheld, overturned or modified.
- C. Within ten business days of the conclusion of the hearing, the PAB shall provide a written advisory opinion to the City Manager. The opinion shall include the recommendation of



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

the PAB regarding the disciplinary action and the reasons for the recommendation. The advisory opinion shall also be distributed to the appealing employee, the Human Resources Director and the employee's Department Director.

Section 5-6-15 Decision of the City Manager

- A. Within ten business days of receipt of the written advisory opinion of the PAB, the City Manager shall render a written decision regarding the disciplinary action being appealed. The City Manager may accept, modify or reverse the recommendation of the PAB. The City Manager's written decision shall be distributed to the appealing employee, the employee's Department Director and the Human Resources Director.
- B. In reaching a decision, the City Manager shall review the evidence and testimony presented to the PAB and his or her decision shall be based upon the official record of the proceedings before the PAB. The City Manager may seek legal advice during deliberation from an attorney or attorneys representing the City.
- C. If the City Manager modifies or reverses the recommendation of the PAB, the City Manager shall state in writing his or her reasons for modification or reversal.
- D. All decisions of the City Manager are final and not appealable within any City process.

Section 5-6-16 Back Pay, Reasonable Costs and Attorney's Fees

- A. If the City Manager modifies or reverses the disciplinary action, the appealing employee may receive back payment for wages and benefits lost, if any, as a result of the disciplinary action, subject to reduction for any wages actually earned by the employee during the time period in question, including any unemployment compensation that is not subject to repayment by the employee.
- B. If the City Manager modifies or reverses the disciplinary action, a law enforcement officer to whom the provisions of A.R.S. § 38-1004(C) apply, may also make written request to the PAB for reasonable costs and attorney's fees pursuant to the provisions of that statute. If necessary, the PAB may set a hearing to make findings as to the amount of the costs and attorney's fees, if any, to award to the appealing employee.
- C. Any hearing regarding costs and attorney's fees shall take place within 20 business days of the City Manager's written decision and shall be conducted in compliance with the rules set forth in this policy.
- D. Within five business days of any hearing regarding costs and attorney's fees, the PAB shall render a written advisory opinion to the City Manager. The opinion shall include the recommendation of the PAB regarding costs and attorney's fees and the reasons for the



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

recommendation. The advisory opinion shall also be distributed to the appealing employee, the Human Resources Director and the employee's Department Director.

- E. Within five business days of receipt of the written advisory opinion of the PAB, the City Manager shall render a written decision regarding costs and attorney's fees. The City Manager may accept or reject the recommendation of the PAB. The City Manager's written decision shall be distributed to the appealing employee, the employee's Department Director and the Human Resources Director.
- F. The decision of the City Manager is final and not appealable within any City process.
- G. Any award of costs and attorney's fees to a law enforcement officer shall be in compliance with the provisions of A.R.S. § 38-1004(C).

Section 5-6-17 Miscellaneous Rules of Appeals

- A. After an issue has been initially presented for review, neither party may, without good cause, add new allegations at a subsequent step.
- B. Time limits provided in these procedures may be extended to a date certain by mutual written agreement of the City and the appealing employee.
- C. In the absence of good cause, the employee's failure to timely pursue any step in the appeal process shall result in the termination of the appeal process and the dismissal of any appeal, and the employment action shall stand.
- D. No discipline, retaliation, or threats of retaliation shall be taken against any employee, representative, witness or other participant, whether testifying or not, in these personnel action review procedures because of such participation. Such discipline, retaliation or threats of retaliation constitute grounds for disciplinary action, up to and including termination.
- E. All information obtained during the processing of a request for personnel action review will be maintained confidentially to the extent permitted by law. Information may be released pursuant to a public records request under the Arizona public records law, A.R.S. § 39-121 et seq.
- F. For pay and benefits purposes, time spent by employees in discussions with management or in testifying before the PAB is considered time worked.
- G. Disciplinary actions subject to formal personnel action review may be resolved or settled at any step in the process. The request for formal personnel action review shall be processed until the employee is satisfied, the employee does not file a timely appeal, as defined in this policy, or a decision has been made in the final step.



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- H. Upon reversal of the decision at any step in the formal personnel action review process, the successful employee may recover any wage and/or benefits losses incurred from the effective date of the disciplinary action pursuant to the provisions of this policy.

POLICY 5-7 PERSONNEL ADVISORY BOARD (PAB)

Section 5-7-1 Composition and Officers

- A. The City of Coolidge Personnel Advisory Board (PAB) shall be composed of five members, all of whom shall be residents of the City of Coolidge.
- B. At its first regular meeting, and each year thereafter, the PAB shall select a Chairperson and Vice-Chairperson from its members.

Section 5-7-2 Appointment of PAB Members

- A. PAB members shall be appointed by the City Council pursuant to applicable City Code provisions.
- B. Preference shall be given to applicants who have human resources and/or personnel management experience.

Section 5-7-3 PAB Member Orientation

Upon the appointment of any new PAB member(s), the Human Resources Director shall schedule and conduct an orientation session. The purpose of the orientation session shall be to familiarize the PAB members with these Personnel Policies and Procedures and with their roles and responsibilities as PAB members.

Section 5-7-4 PAB Member Terms

- A. The first PAB members appointed after the effective date of this policy shall serve the following terms:
 - 1. Three PAB members shall serve terms of four years.
 - 2. Two PAB members shall serve initial terms of two years.
- B. Thereafter, the term of office for each PAB member shall be four years



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

Section 5-7-5 Removal of PAB Members

Notwithstanding the PAB member terms set forth in this policy, the City Council, by a majority vote of its members constituting a quorum, may remove any PAB member with or without cause.

Section 5-7-6 Replacement of PAB Members

If it becomes necessary to replace a PAB member at any time, the Human Resources Director shall ensure that an appropriate replacement is selected and approved by Council in accordance with this policy and applicable City Code provisions. A replacement PAB member shall finish the original term of the PAB member being replaced.

Section 5-7-7 Appeal Hearings

- A. When an appeal hearing is scheduled in accordance with the provisions of this chapter, the PAB Chairperson, or the Human Resources Director with the concurrence of the PAB, shall designate three PAB members to hold the hearing and take testimony.
- B. If the PAB Chairperson is not among the members holding the hearing, the Vice-Chairperson shall serve as the Chairperson for that hearing. If neither the PAB Chairperson nor Vice-Chairperson are among the members holding the hearing, the PAB members holding the hearing shall select one of their members to serve as Chairperson for that hearing.
- C. A PAB member shall be disqualified from serving on the PAB for a specific appeal hearing under any of the following circumstances:
 1. The PAB member is a witness to or is otherwise personally involved in the matter on appeal to the PAB.
 2. The PAB member is related either by blood or marriage to, or has a similar personal relationship or friendship with, the appealing employee, the appealing employee's supervisor, the appealing employee's Department Director, either party's representative or any person listed as a witness by either party.
- D. The Human Resources Director shall, in conjunction with the PAB Chairperson, make a determination as to whether a PAB member shall be disqualified for a specific appeal hearing.
- E. A PAB member may request to be excused from serving on the PAB for a specific appeal hearing due to extenuating personal circumstances or unavailability. The PAB member shall submit such a request to the Human Resources Director who shall, in conjunction



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

with the PAB Chairperson, make a determination as to whether the PAB member shall be excused for the appeal hearing in question.

- F. If a PAB member is disqualified or excused from an appeal hearing, that disqualification or excuse shall only apply to the specific appeal hearing in question.
- G. The three PAB members designated to serve for a specific appeal hearing shall serve for that entire appeal hearing.

Section 5-7-8 Special Appointment of PAB Members

If at any time there is an insufficient number of eligible PAB members to conduct an appeal hearing, the City Council may appoint pro-tem members as needed to ensure appropriate representation on the PAB as described in this policy.

Section 5-7-9 Voluntary Capacity

All PAB members serve in a voluntary capacity. PAB members shall not be compensated nor shall they receive any benefits from the City for their service on the PAB.

Section 5-7-10 Meetings of the PAB

- A. The PAB may hold regular meetings at its discretion, but shall meet at least once annually at such time and place within the City as is designated by the PAB Chairperson in conjunction with the Human Resources Director.
- B. The PAB may hold special meetings upon the call of the Chairperson or a majority of the members of the PAB.
- C. The Human Resources Director shall act as secretary to the PAB, shall keep its minutes and records of its work and shall assist the PAB in scheduling meetings and hearings. The Human Resources Director shall provide staff as needed to assist the PAB with any administrative tasks and to carry out its meeting functions.
- D. A majority of the members of the PAB shall constitute a quorum for the transaction of business. Any decision of the PAB shall require the majority vote of the members constituting a quorum of the PAB.
- E. Meetings, including appeal hearings, shall be properly noticed and conducted in accordance with Arizona's open meeting laws, A.R.S. § 38-431 et seq., and such operational rules and procedures as shall be adopted by the PAB.
- F. Meetings, including appeal hearings, shall be recorded and accurate minutes, prepared to comply with the requirements of the open meeting law, shall be approved by the PAB and



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

forwarded to the City Clerk. Minutes of executive sessions shall be maintained confidentially and shall be disclosed only in compliance with the open meeting law.

G. The PAB may be assisted by the PAB attorney at any meeting of the PAB.

POLICY 5-8 INFORMAL PERSONNEL ACTION REVIEW PROCEDURES

Section 5-8-1 Purpose

The City of Coolidge provides informal personnel action review procedures as a means to ensure that all employees receive fair and equitable treatment and have recourse to seek review of disciplinary actions that are not subject to formal personnel action review.

Section 5-8-2 Applicability

- A. The provisions of this policy apply to all regular full- and part-time classified employees who have completed the initial evaluation period as defined in the Coolidge City Code and these Personnel Policies and Procedures.
- B. The provisions of this policy do not apply to unclassified employees or other at-will employees, as defined in the Coolidge City Code and these Personnel Policies and Procedures.

Section 5-8-3 Sole Remedy

This policy is the sole and exclusive internal remedy available to employees for resolving disciplinary actions that are not subject to formal personnel action review.

Section 5-8-4 Disciplinary Actions Subject to Informal Personnel Action Review

Only the following disciplinary actions shall be subject to informal personnel action review under this policy:

- A. Corrective action memoranda
- B. Written reprimands
- C. Suspensions without pay for 40 hours or less in a rolling 12-month period.

Section 5-8-5 Informal Personnel Action Review Steps

- A. Step One



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

1. To request review of a disciplinary action that is subject to informal review under this policy, the employee must file a written request for review with the supervisor who issued the discipline within ten business days of the date the employee receives notice of the disciplinary action.
2. The request for review shall be on a form provided by the Human Resources Department.
3. Within ten business days of the supervisor's receipt of the employee's request for review, the supervisor shall provide a written response to the employee on the form provided.
4. If the Department Director is the supervisor who issued the disciplinary action, the employee shall file the written request for review with any Manager designated by the City Manager to receive such requests. The informal review process ends at this step in this situation, and the designated Manager's decision is final and not appealable within any City process.

B. Step Two

1. If the procedure in Step One does not resolve the issue to the employee's satisfaction and does not involve a final decision of the designated manager, the employee may request review of the disciplinary action by filing the written request for review, on the form provided, with the next level manager, if any. The employee must file the request for review within five business days of receipt of the supervisor's written response. The request for review must include a written response to the supervisor's comments, indicating the areas of disagreement with the supervisor's comments and a proposed solution.
2. Within five business days of the manager's receipt of the employee's request for review, the manager shall provide a written response to the employee on the form provided.
3. If there is no next level manager between the supervisor issuing the discipline and the Department Director, the employee may proceed directly to Step Three.

C. Step Three

1. If the procedure in Step Two does not resolve the issue to the employee's satisfaction, the employee may request review of the disciplinary action by filing the written request for review, on the form provided, with the Department Director. The employee must file the request for review within five business days of receipt of the manager's written response. The request for review must include a written response



CHAPTER 5

WORK RULES AND EMPLOYEE DISCIPLINE

- to the manager's comments, indicating the areas of disagreement with the manager's comments and a proposed solution.
2. Within five business days of the Department Director's receipt of the employee's request for review, the Department Director shall provide a written response to the employee on the form provided.
 3. The Department Director's decision is final and not appealable within any City process.

Section 5-8-6 General Rules

- A. In the absence of good cause, the employee's failure to timely pursue any step in the review process shall result in the termination of the review process and the employment action shall stand.
- B. If a supervisor or manager does not respond to the employee within the time allotted by this policy, the employee may proceed to the next step in the process.
- C. No discipline, retaliation, or threats of retaliation shall be taken against any employee as a result of the employee's participation in this review process. Such discipline, retaliation or threats of retaliation constitute grounds for disciplinary action, up to and including termination.
- D. Disciplinary actions subject to informal personnel action review may be resolved or settled at any step in the process. The request for informal personnel action review shall be processed until either the employee is satisfied, the employee does not file a timely appeal, as defined in this policy, or a decision has been made in the final step.
- E. Upon reversal of the decision at any step in the informal personnel action review process, the successful employee may recover any wage and/or benefits losses incurred, from the effective date of the disciplinary action pursuant to the provisions of this policy.
- F. The employee may have a non-attorney co-worker of the employee's choosing as a representative at any step in the review process. The co-worker may not speak on behalf of the employee and may only participate as an observer. The employee shall be permitted reasonable breaks of limited duration during any step in the review process to consult with the co-worker or others who are immediately available, telephonically or otherwise.

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 6. PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

Policy 6-1 Performance Management	1
Section 6-1-1 Initial Evaluation Period	1
Section 6-1-2 Extension of the Initial Evaluation Period	3
Section 6-1-3 Performance Management Process	4
Policy 6-2 Education Assistance	5
Section 6-2-1 Purpose	5
Section 6-2-2 Budget Appropriation and Capacity	5
Section 6-2-3 Reimbursement	6
Section 6-2-4 Eligibility for Participation	6
Section 6-2-5 Criteria for Approval	6
Section 6-2-6 Application and Reimbursement Procedures	7
Section 6-2-7 Termination of Employment	7
Policy 6-3 City-Sponsored and Required Training	8
Section 6-3-1 Definition	8
Section 6-3-2 Procedures	8
Policy 6-4 Special Licenses and Membership Fees	9
Section 6-4-1 As a Condition of Employment	9
Section 6-4-2 As a Condition of Professional Growth	9



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

POLICY 6-1 PERFORMANCE MANAGEMENT

The City Manager shall establish a performance management program that relies on a system of establishing goals, strategies and performance benchmarks for the organization and identifying how individual and team efforts contribute to the overall achievement of City strategic objectives. At a minimum, the performance management program will link to City-wide goals and strategies, set appropriate expectations, share ongoing and timely feedback, and provide opportunities for coaching. The Human Resources Director shall be responsible for ensuring implementation of an employee performance management system in accordance with this policy.

Section 6-1-1 Initial Evaluation Period

- A. The initial evaluation period is a period of time constituting the final step in the screening process for appointment to a regular full- or part-time classified position.
- B. Except as otherwise set forth in this section, the following employees shall serve in an initial evaluation period:
 - 1. All full- and part-time employees hired in a classified position.
 - 2. All full- and part-time employees laterally transferred to a classified position in a different classification title or in a different department than the employee was in prior to transfer.
 - 3. All full- and part-time employees demoted or promoted from one classified position to another.
- C. The duration of the initial evaluation period shall be as follows:
 - 1. For employees in all departments six months from the date of hire, transfer, demotion or promotion.
 - 2. For all Police Department employees except those specified in subparagraph 3 below, 6 months from the date of hire, transfer, demotion or promotion.
 - 3. For newly hired Police Department employees who will begin their employment with the City by attending a police academy, 16 months from the date of hire.
- D. Notwithstanding the provisions of this section, the following employees will not be required to complete an initial evaluation period:
 - 1. An employee who is demoted, promoted or transferred due to a reclassification of a position and who has been performing the duties of the reclassified position for six months or longer prior to the reclassification.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

2. An employee who is laterally transferred or demoted if the employee has previously completed an initial evaluation period in the same classification and in the same department.
 3. An employee who is laterally transferred or demoted if the lateral transfer or demotion is due to a City-initiated reorganization or restructuring.
- E. Employees who are required to complete an initial evaluation period pursuant to this section will not be considered finally appointed to a full- or part-time classified position until successful completion of the initial evaluation period.
1. Successful completion of the initial evaluation period is evidenced by a performance assessment which must be completed and reviewed at least two weeks prior to the date that the employee's initial evaluation period is scheduled to conclude.
 2. Notwithstanding the two-week time frame discussed in this paragraph, managers and supervisors shall review and discuss performance deficiencies with employees as soon as possible to allow the employee the opportunity to correct the deficiencies prior to the completion of the initial evaluation period.
- F. Employees serving in an initial evaluation period are at-will employees as defined in these Personnel Policies and Procedures. As such, during the initial evaluation period, employment may be terminated at any time, with or without cause.
1. The decision to terminate employment shall be made by the employee's Department Director after consultation with the Human Resources Director and approval by the City Manager.
 2. The employee must be notified in writing that he or she has failed to successfully complete the initial evaluation period prior to the conclusion of the initial evaluation period. If the employee is not notified of unsuccessful completion prior to the conclusion of the initial evaluation period, the employee will be considered to have successfully completed the initial evaluation period.
 3. The decision to terminate employment during the initial evaluation period is not subject to appeal under the personnel action review procedures set forth in Error! Reference source not found. of these Personnel Policies and Procedures.
- G. Notwithstanding that an employee serving an initial evaluation period as a lateral transfer or due to a promotion is an at-will employee, the employee who does not successfully complete the initial evaluation period in a transfer or promotion may be restored to his or her former position, or may be referred to other job openings. Such restoration is not mandatory, but is optional at the request of the Department Director and approved by the City Manager, and within the limits of available authorized positions. If another position



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

is not secured, the employee may be placed on administrative leave without pay for a period of time not to exceed 15 working days to see if a position that can be secured becomes available, or terminated.

1. If an employee is restored to his or her former position, restoration shall include restoration of the employee's former pay and all other benefits to which he or she would have been entitled if the transfer or promotion had not occurred, except that any compensatory time that was paid out to an employee who transferred or promoted into an exempt position will not be restored if the employee returns to a non-exempt position.
- H. The Human Resources Department is responsible for maintaining records of employee appointments and promotions and the duration of initial evaluation periods. Department Directors are responsible for ensuring that training, informal feedback about performance, and formal performance assessments are completed in a timely manner during the initial evaluation period.
- I. Successful completion of the initial evaluation period does not create any contractual rights for the employee.
- J. Promotions, Demotions, and Transfers do not change the employee's employment anniversary date. However, the performance evaluation anniversary date for future performance evaluations and pay adjustments will be revised to coincide with the promotion date.

Section 6-1-2 Extension of the Initial Evaluation Period

- A. The City may extend an employee's initial evaluation period if it is determined that more time is necessary to evaluate the performance of the employee.
- B. All extensions of the initial evaluation period shall be recommended by the Department Director, reviewed by the Human Resources Department, and approved by the City Manager.
- C. The employee shall receive a written notice of the extension no later than the last day of the initial evaluation period. If the employee is unavailable to receive such a notice in person, the City shall send a letter to the last known address of the employee on file with the Human Resources Department. In either case, the date of the letter shall be deemed the effective date of the notice. A copy of the notice of extension will be forwarded to the Human Resources Department for inclusion in the employee's Official and Department Personnel Files.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

- D. Under no circumstances may the total time for the initial evaluation period exceed 24 months.
- E. The initial evaluation period may be extended under, but not limited to, the following circumstances:
 - 1. The employee has had a leave of absence during the initial evaluation period that exceeds 15 calendar days.
 - 2. The employee's performance is not satisfactory, but the Department Director believes that with more time and supervision the employee may succeed in the position. In such cases, the Department Director shall develop a documented plan of action for improvement.
 - 3. Supervisor continuity is interrupted during the initial evaluation period.
 - 4. The work assigned to the employee's position is cyclical and the initial evaluation period did not provide an opportunity to adequately evaluate all aspects of an employee's performance.

Section 6-1-3 Performance Management Process

- A. Classified employees who have completed the initial evaluation period shall receive feedback regarding their performance on a regular basis during their employment as directed by the City Manager and implemented by the Human Resources Director as follows:
 - 1. The supervisor is responsible for completing the performance evaluation and discussing it with the employee. The evaluation and recommended pay adjustments shall be forwarded to the Department Director. Pay adjustments are not discussed with the employee at this time. The Department Director may change the recommended adjustment or return it for reconsideration due to budget considerations, the evidence of rating error, bias or other relevant factors.
 - 2. All regular full-time and regular part-time employees shall be evaluated at least once a year within 30 days of the performance evaluation anniversary date. Department Directors may choose to evaluate employees more often.
 - 3. Completed evaluations and recommended adjustments are subject to review and approval by the Department Director, whose determination shall be final.
 - 4. A completed Personnel Action Form and completed performance evaluation are submitted to the Human Resources Department for processing.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

5. The original employee performance evaluation and employee comments, if any, are placed in the Official Personnel File and will remain filed for the length of time per the City's records retention schedules.
6. If, after discussion of the evaluation between the employee and the supervisor, there is disagreement about the evaluation, the supervisor's comments shall take priority. The employee may submit a separate page that explains the employee's disagreement and includes documentation, if available, to support the employee's comments.
7. Evaluations may be appealed within 3 working days of the completion date of the evaluation to the next higher supervisor, with final appeal to the City Manager or the City Manager's Delegate.

POLICY 6-2 EDUCATION ASSISTANCE

The City of Coolidge may provide education assistance in the form of tuition reimbursement to eligible employees.

Section 6-2-1 Purpose

The City of Coolidge recognizes that the skills and knowledge of its employees are critical to the success of the organization. The education assistance program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within the City.

Section 6-2-2 Budget Appropriation and Capacity

- A. The education assistance program is subject to any limitations imposed by the City's budget appropriations and capacity and the availability of funds. If the City Council is unable to appropriate sufficient funds for the program, the City shall be under no obligation to provide tuition reimbursement to employees.
- B. Available funds shall be disbursed to eligible employees on a first-come, first-served basis for any given fiscal year. Once available funds in a fiscal year are expended, no further reimbursement to employees will occur.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

Section 6-2-3 Reimbursement

- A. Employees approved for participation in the education assistance program shall receive reimbursement from the City for 75 percent of approved tuition costs, as defined by this Policy. The employee shall be responsible for any remaining balances.
- B. The maximum assistance available to any one employee is \$2,000 per fiscal year.
- C. The employee shall be responsible for all other expenses, including, but not limited to, books, supplies, parking, and application and registration fees.

Section 6-2-4 Eligibility for Participation

- A. All regular full-time employees with satisfactory work and attendance records who have successfully completed the initial evaluation period are eligible to participate in the education assistance program.
- B. Employees who receive grants, scholarships, or veteran's benefits that cover tuition costs are eligible to participate, but the City will only reimburse the employee for those tuition costs that are not covered by these external funds.
- C. Only courses that begin after a new employee's initial evaluation period ends will be eligible for reimbursement.
- D. Employees participating in the program must earn a grade of "C" or higher in graded courses or a grade of "pass" in pass/fail courses in order to remain eligible. Employees shall provide proof of satisfactory grades in the form of an original grade report or transcript to the Human Resources Department within 45 calendar days of the completion of each course.
- E. Generally, only those courses requiring attendance during off-work hours will be considered for tuition assistance.

Section 6-2-5 Criteria for Approval

- A. All courses shall be directly related either to the employee's present job or to a position within the City to which the employee could logically progress in the future or a part of a planned program leading to an undergraduate or graduate degree in a field that has applicability to City business (e.g., accounting, engineering, criminal justice).
- B. All courses shall be taken on the employee's own time, during off duty hours.
- C. All courses shall be taken at accredited colleges, universities or community colleges or at City-approved vocational and trade schools.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

Section 6-2-6 Application and Reimbursement Procedures

- A. Employees shall complete a tuition reimbursement application, available through the Human Resources Department, before registering for any courses.
- B. All applications must have the prior approval of the employee's Department Director, as indicated by the Department Director's signature on the application.
- C. Applications shall be reviewed and approved or disapproved by the Human Resources Director and the City Manager or designee. Employees shall not be reimbursed for any courses enrolled in prior to receiving written confirmation of approval from the Human Resources Director and the City Manager or designee.
- D. If the application is approved, employees must submit a completed request for reimbursement, along with proof of satisfactory grade(s), within 45 calendar days of the completion of each course. Failure to submit the completed request as required within the time limit shall result in disqualification for tuition assistance.
- E. Requests for reimbursement shall be reviewed by the Human Resources Director and then routed to the City Manager. Upon final approval of the request for reimbursement by the City Manager, reimbursement shall be distributed to the employee.
- F. The approval of an employee's participation in the education assistance program is not a guarantee that the employee will receive reimbursement. Reimbursement is based upon the employee's continued satisfactory work performance.

Section 6-2-7 Termination of Employment

- A. Employees participating in the education assistance program who separate from City employment for any reason within three years of receiving reimbursement shall be required to repay the City in accordance with the following:

Date of Separation	Percentage of Reimbursement Withheld from Final Paycheck
Up to 12 months after receiving reimbursement	100%
13 to 24 months after receiving reimbursement	75%
25 to 36 months after receiving reimbursement	50%

- B. The amount of repayment to the City based on the percentages set forth above shall be withheld from the employee's final paycheck.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

- C. If the amount of the employee's final paycheck is not sufficient to cover the cost of repayment to the City, the employee shall be required to reimburse the City for the amount due at the time of termination.

POLICY 6-3 CITY-SPONSORED AND REQUIRED TRAINING

It is the policy of the City to encourage and coordinate training opportunities for employees and supervisors to enhance the efficiency and effectiveness of City services.

Section 6-3-1 Definition

For purposes of this policy, "training" is defined as any work-related seminar, conference, convention or workshop attended by an employee when registration and expenses are funded in whole or in part by the City.

Section 6-3-2 Procedures

- A. The employee's Department Director must approve attendance at training programs within the state prior to registration by the employee.
- B. The City Manager must approve attendance at training programs out-of-state prior to registration by the employee.
- C. After returning from a training program, employees will normally summarize for the Department Director what new expertise they have gained that may be shared with other employees. The Department Director will disseminate the information as appropriate.
- D. City-sponsored and required training shall generally be arranged during regularly scheduled work hours. A Department Director may change the standard work hours of an employee to accommodate or require attendance at training activities. Required training shall be considered hours worked.
- E. Employees who acquire training on their own time and expense are encouraged to notify the Human Resources Department so the information can be noted in the employee's Official Personnel File. A copy of any certificates awarded should be forwarded for inclusion in the employee's Official Personnel File.
- F. The Human Resources Department shall maintain an employee training history and shall periodically audit training attendance and policy compliance.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE DEVELOPMENT

POLICY 6-4 SPECIAL LICENSES AND MEMBERSHIP FEES

Membership in outside organizations relevant to the operations of the City shall be in the name of the City, if possible.

Section 6-4-1 As a Condition of Employment

- A. The City will pay the current annual dues or fees for each employee who is required to be a member of a professional organization or who must maintain current a particular certification or license as a condition of employment.
- B. The employee must present a dues statement or other verification of the amount due to his or her Department Director. Payment will be made upon approval by the Department Director.
- C. Whenever possible, the City will pay the dues or fees directly to the professional organization or licensing agency on behalf of the employee. If the City cannot pay the dues or fees directly to the professional organization, the City will make a lump sum payment to the employee in the amount of the current annual dues or fees.

Section 6-4-2 As a Condition of Professional Growth

- A. Employees who belong to professional organizations that are not required as a condition of employment, but that promote individual professional growth, competence and effectiveness in functioning as City employees are encouraged to attend local, state and national meetings subject to approval by the Department Director and budgetary limitations.

Payment of dues and fees for these non-mandated organizations is the responsibility of the individual employee unless approved for City payment by the City Manager.



CHAPTER 6

PERFORMANCE MANAGEMENT AND EMPLOYEE
DEVELOPMENT

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 7. SAFETY AND HEALTH

Policy 7-1 Safety and Loss Management	1
Section 7-1-1 Employee Support for Safe Work Practices	1
Section 7-1-2 Safety Coordinator	1
Section 7-1-3 Evaluation of Safety Performance	1
Section 7-1-4 Use of City Equipment and Vehicles	2
Policy 7-2 No Smoking	2
Section 7-2-1 Smoking Areas	2
Section 7-2-2 Smoking Breaks	2
Section 7-2-3 Smoking Cessation	2
Policy 7-3 Violence in the Workplace	2
Section 7-3-1 Consequences of Prohibited Conduct	2
Section 7-3-2 Infringement on Safe Workplace	3
Section 7-3-3 Complaint Procedure	3
Policy 7-4 Drug- and Alcohol-Free Workplace	3
Section 7-4-1 Consequences of Prohibited Conduct	3
Section 7-4-2 Definitions of Prohibited Conduct	3
Section 7-4-3 Use of Legal Drugs	4
Section 7-4-4 Types of Authorized Drug and Alcohol Testing	4
Section 7-4-5 Authorization for Previous Test Records of CDL Holders	6
Section 7-4-6 Drug Testing	6
Section 7-4-7 Alcohol Testing	7
Section 7-4-8 Substance Abuse Evaluation, Return-to-Duty, and Follow-Up Testing	8
Section 7-4-9 Discipline and Appeals	9
Section 7-4-10 Contractors and Visitors	9
Section 7-4-11 Not a Contract	9



CHAPTER 7 SAFETY AND HEALTH

POLICY 7-1 SAFETY AND LOSS MANAGEMENT

The City is committed to providing a safe and healthy working environment. In this connection, the City makes every effort to comply with relevant federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies and programs conducive to such an environment. The City's policy is aimed at minimizing the exposure of its employees and visitors to its facilities to health or safety risks.

Section 7-1-1 Employee Support for Safe Work Practices

- A. All employees are expected to work diligently to maintain safe and healthy working conditions and to adhere to proper operating practices and procedures designed to prevent injuries and illnesses.
- B. The responsibilities of all employees in this regard include:
 - 1. Exercising maximum care and good judgment at all times to prevent accidents and injuries;
 - 2. Reporting to supervisors and seeking first aid for all injuries, regardless of how minor;
 - 3. Reporting unsafe conditions, equipment or practices to supervisors;
 - 4. Using safety equipment provided by the City at all times;
 - 5. Observing conscientiously all safety rules and regulations at all times;
 - 6. Notifying their supervisor, before the beginning of the work day, of any medication they are taking that may cause drowsiness or other side effects that could lead to injury to them and their co-workers; and
 - 7. Participating in appropriate safety training.

Section 7-1-2 Safety Coordinator

The City designates a full-time employee as its Safety Coordinator. The Safety Coordinator, along with the City Manager, Department Directors, supervisors and Human Resources staff, will monitor and encourage compliance with safety and loss prevention programs, including education and training.

Section 7-1-3 Evaluation of Safety Performance

Employees are rated on appropriate safety performance as part of their performance evaluation.



CHAPTER 7

SAFETY AND HEALTH

Section 7-1-4 Use of City Equipment and Vehicles

The improper, careless, negligent, destructive or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action up to and including termination of employment.

POLICY 7-2 NO SMOKING

Pursuant to Ordinance No. 02-03; smoking is prohibited throughout the City's buildings and immediate workplace and in City vehicles. Additionally, employees on duty shall not, spit snuff, or chew tobacco while in view of the general public except when on a lunch or coffee break. This policy applies equally to all employees and visitors.

Section 7-2-1 Smoking Areas

The City does not encourage the use of cigarettes or other tobacco products by City employees. Employees who smoke may do so outside of the City buildings in the properly designated areas.

Section 7-2-2 Smoking Breaks

Smoking breaks shall normally be limited to the same number of breaks that other City employees receive. The immediate supervisor may limit smoking breaks, particularly if they interfere with work.

Section 7-2-3 Smoking Cessation

Employees who smoke but who want to quit should contact Human Resources staff for information on possible medical insurance carrier and community resources, literature or smoking cessation programs that may be available.

POLICY 7-3 VIOLENCE IN THE WORKPLACE

Section 7-3-1 Consequences of Prohibited Conduct

Any threats or acts of violence made by an employee against another person's life, health, well-being, family or property are entirely unacceptable and are cause for immediate dismissal, even for a first offense. This policy holds for any threats made on City property, at City events or under other circumstances that may negatively impact the City's ability to conduct its business.



CHAPTER 7

SAFETY AND HEALTH

Section 7-3-2 Infringement on Safe Workplace

- A. Acts or threats of violence, whether made directly or indirectly, explicitly or implied, by words, gestures or symbols, infringe upon the City's right or obligation to provide a safe workplace for its employees and are prohibited.
- B. Possession of firearms, explosives or weapons not authorized by the City are considered threats of violence and is prohibited. The consequences of such prohibited possession is disciplinary action, up to and including immediate discharge.

Section 7-3-3 Complaint Procedure

Any employee who believes that he or she has been, is or may be the target of threats or acts of violence or has witnessed or otherwise learned of violent conduct by another employee or by a third party, should contact a supervisor, Department Director, Human Resources Director or Police Department immediately.

POLICY 7-4 DRUG- AND ALCOHOL-FREE WORKPLACE

It is the policy of the City of Coolidge that its employees be free of substance and alcohol abuse. Consequently, the use of illegal drugs by employees is prohibited. Further, employees shall not use alcohol during work hours or engage in "prohibited conduct" as defined in this policy. The overall goals of this policy are to ensure a drug-free and alcohol-free work environment and to reduce accidents, injuries and fatalities.

Section 7-4-1 Consequences of Prohibited Conduct

Illegal drug use, alcohol abuse and failure to participate in the City's alcohol and drug testing policy are grounds for discipline up to and including discharge, even for a first offense.

Section 7-4-2 Definitions of Prohibited Conduct

- A. Illegal Drug Use includes possessing, using, purchasing, distributing, or selling illegal drugs, or reporting to work with illegal drugs in the employee's body. Under this policy, "illegal drugs" include any drug or drug-like substance that:
 - 1. Is not legally obtainable;
 - 2. May be legally obtainable but has not been legally obtained; or
 - 3. Is being used in a manner or for a purpose other than as prescribed.
- B. Alcohol Abuse includes possessing, using, purchasing, distributing, or selling alcoholic beverages at any time during the hours between the beginning and ending of the



CHAPTER 7 SAFETY AND HEALTH

employee's work day, or reporting to work or working while impaired by alcohol in any way.

- C. Failure to Participate in the City's drug and alcohol testing policy includes:
1. Failure to timely submit to drug or alcohol testing;
 2. Failure to report immediately for drug or alcohol testing when requested to do so;
 3. Refusal to sign all appropriate consent forms; or
 4. Any other failure to cooperate to the City's complete satisfaction.

Section 7-4-3 Use of Legal Drugs

- A. While this policy does not prohibit the use of legal drugs, employees are required to notify their supervisors if the use of any legal drug may endanger their safety or the safety of others. For example, an employee should tell their supervisor if they are using any legal drug that warns about drowsiness or cautions against operating heavy machinery after use.
- B. "Legal drugs" as used in this policy include prescribed and over-the-counter drugs or medications that have been legally obtained and are being used only for the purpose for which they were prescribed or manufactured.
- C. Anyone who fails to notify his or her supervisor about his use of legal drugs that could impair the employee's work performance or who reports to work or works while impaired by the use of legal drugs will be subject to disciplinary action up to and including discharge, even for a first offense.

Section 7-4-4 Types of Authorized Drug and Alcohol Testing

The City has implemented four circumstances for drug and alcohol testing.

A. Pre-Employment Testing (Post Job Offer)

Candidates selected for employee positions must normally submit to a drug test. Any potential hire who tests positive for drug use will be ineligible for employment with the City.

B. Testing for Commercial Driver License (CDL) holders.

All employees with a CDL Driver License will be subject to Substance Abuse testing under separate policy for CDL drivers.



CHAPTER 7 SAFETY AND HEALTH

C. Post-Accident Testing for Non-CDL Employees

All other City employees shall be required to submit to a drug and/or alcohol test immediately following an accident in which the employee was involved while operating a City-owned vehicle where physical injury to any person or property damage occurs. The employee is required to notify his or her supervisor immediately after such an accident occurs.

D. Reasonable Suspicion Testing

The City will require an employee to submit to alcohol and/or drug testing when there is reasonable suspicion to believe that the employee is engaged in illegal drug use, alcohol abuse, or is impaired by the use of a legal drug.

1. For purposes of this policy, "reasonable suspicion" will be based on specific observations concerning the appearance, behavior, speech or body odors of an employee, including, without limitation, slurred speech, red eyes, dilated pupils, incoherence, unsteadiness, unexplained carelessness or accidents, erratic behavior, inability to perform the job and other unexplained behavioral changes.
2. These observations will be made by a supervisor, a police officer or other City official who has been trained to recognize signs of alcohol and/or drug use.

E. Self-Identification Process and Testing

Employees are encouraged to self-identify to management for a chemical dependency or alcohol problem before it affects safety or on-the-job performance. This one time self-identification opportunity during your tenure with the City is available for employees and must be totally voluntary. Self-identification must occur prior to an employee receiving notification of the requirement for a test.

1. Employees who self-identify will:
 - a. Be removed from any driving or safety-sensitive position until released by the SAP (substance abuse professional).
 - b. Agree to successfully participate in a City approved treatment rehabilitation program at his or her cost and comply with the program conditions.
 - c. Sign a Last Chance Agreement. This Agreement outlines the additional condition of continued employment with the City and is offered in lieu of termination for violation of the City's substance abuse rule.
 - d. Agree to unscheduled alcohol and/or controlled substance tests, as directed by the SAP or the City, for a minimum of six tests in the first twelve (12) months and not to exceed sixty (60) months from the date the employee returns to work.



CHAPTER 7 SAFETY AND HEALTH

Voluntary self-identification shall not relieve the employee from the responsibility of adequate job performance, nor prevent a recommendation for termination in the event that the employee tests positive for any illegal controlled substance, non-prescribed medication or alcohol, after follow-up testing has begun.

Section 7-4-5 Authorization for Previous Test Records of CDL Holders

As a condition of employment, any employee who is required to hold a commercial driver's license (CDL) for the position shall sign a release authorizing the City to obtain drug and alcohol testing records from the employee's previous employers for the previous two years. The City will verify that no prior employer of the employee has records indicating a violation of any DOT rule pertaining to controlled substance or alcohol use within the previous two years. Any potential hire who has records indicating a violation of any DOT rule pertaining to controlled substance or alcohol use within the previous two years will be ineligible for employment with the City.

Section 7-4-6 Drug Testing

Drug testing will be performed through urinalysis or blood testing. Urinalysis or blood testing will test for the presence of drugs and/or metabolites of the following controlled substances: marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP) and all other controlled substances.

A. Laboratory Testing

The procedure starts with the collection of a urine or blood specimen.

1. Specimens will be submitted to a Substance Abuse Mental Health Services Administration (SAMHSA) -certified laboratory for testing.
2. As part of the collection process, the specimen provided will be split into two vials; a primary vial and a secondary vial.
3. The SAMHSA-certified laboratory will perform initial screening on all primary vials.
4. In the event that the primary specimen tests positive, a confirmation test of that the primary specimen will be performed prior to the laboratory reporting the results to the City.

B. Laboratory Results

All laboratory results will be reported by the laboratory to the Human Resources Director for the City. At the Human Resources Director's sole discretion, a determination will be made as to whether a result is positive or negative.



CHAPTER 7 SAFETY AND HEALTH

1. Negative test results will be reported to the City Manager.
2. Before reporting a positive test result to the City Manager, the Human Resources Director will attempt to contact the employee to discuss the test results. If the Human Resources Director is unable to contact the employee directly, the Human Resources Director will notify the City Manager, who shall contact the employee and direct the employee to contact the Human Resources Director. Upon being so directed, the employee shall contact the Human Resources Director immediately. If the employee fails to contact the Human Resources Director within 5 days after notification, the Human Resources Director may verify the test as positive.
3. After any positive verification, the employee may petition the Human Resources Director to reopen the case for reconsideration.

C. Confidentiality

Individual test results for employees will be released to the City and will be kept strictly confidential unless consent for the release of the test results has been obtained from the employee or such disclosure is required by law.

D. Request for Results and Re-Test

1. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of the drug testing upon timely written request.
2. An individual who tests positive may make a request of the Human Resources Director to have the secondary vial tested. The request for testing of a secondary specimen is timely if it is made to the Human Resources Director within 72 hours of the individual being notified by the City of a positive test result.
3. The secondary vial must be tested by a different SAMHSA-certified laboratory than tested the primary specimen.
4. The individual making the request for a test of the second specimen must pre-pay all costs associated with the test.

Section 7-4-7 Alcohol Testing

- A. The City will perform alcohol testing using a device that is on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List (CPL) and meets the DOT's testing requirements. This may be a breath testing device, a saliva-testing device or any other approved device and may be provided through a trained supervisor or the Coolidge Police Department.



CHAPTER 7

SAFETY AND HEALTH

1. The device will be operated by a technician who is certified and trained on the specific device he or she will be operating.
 2. The employee shall report to the alcohol testing site as notified by the City. The employee shall follow all instructions given by the alcohol technician.
- B. Any initial test indicating a Blood Alcohol Concentration (BAC) of .02 or greater will be confirmed on a breath testing device. The confirmation test will be performed no sooner than 15 minutes and no later than 30 minutes following the completion of the initial test.
1. In the event the confirmation test indicates a BAC of .02 to .0399, the employee shall be removed from duty for 24 hours or until his/her next scheduled on-duty time, whichever is longer.
 2. Employees with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination, even for a first offense.
- C. All alcohol tests shall be performed just prior to, during or just after duty.

Section 7-4-8 Substance Abuse Evaluation, Return-to-Duty, and Follow-Up Testing

- A. Any employee who engages in prohibited conduct shall be provided with the names, addresses and telephone numbers of qualified Substance Abuse Professionals (SAPs). If the employee desires to become requalified for employment with the City, the employee must be evaluated by a SAP and submit to any treatment the SAP prescribes.
- B. Following evaluation and treatment, if any, in order to become requalified for employment with the City, an employee must submit to and successfully complete a return-to-duty drug and/or alcohol test.
- C. The employee is also subject to follow-up testing. Follow-up testing is separate from and in addition to the City's reasonable suspicion, post-accident and random testing procedures. The schedule for follow-up testing shall be unannounced and in accordance with the instructions of the SAP. Follow-up testing may continue for a period of up to 60 months following the employee's return to duty. No fewer than 6 tests shall be performed in the first 12 months of follow-up testing.
- D. The costs of any SAP evaluation of prescribed treatment shall be borne by the employee. The City does not guarantee or promise a position to the employee should he/she regain qualified status.



CHAPTER 7

SAFETY AND HEALTH

Section 7-4-9 Discipline and Appeals

- A. The disciplinary procedures included in this policy are subject to the notice provisions of the Discipline System Policy and appeal provisions included in the Problem Resolution Policy.
- B. The disciplinary guidelines contained in this policy supersede the progressive discipline policies of the Discipline System Policy.

Section 7-4-10 Contractors and Visitors

Contractors and their employees or representatives and visitors will be notified that the City of Coolidge prohibits the use, possession, sale or distribution of drugs or alcohol on its property or at its work sites. Any person who is reasonably suspected to have drugs in his or her system or to be impaired by alcohol while on City of Coolidge property or work site is in violation of this policy. Contractors and their employees or representatives and visitors violating this policy will be refused entry onto City property or City work sites. In addition, appropriate legal entities may be contacted as required and appropriate.

Section 7-4-11 Not a Contract

THIS POLICY IS NOT INTENDED NOR SHOULD IT BE CONSTRUED AS A CONTRACT BETWEEN THE CITY AND THE EMPLOYEE. THIS POLICY MAY BE CHANGED AT ANY TIME AT THE SOLE DISCRETION OF THE CITY COUNCIL.

CITY OF COOLIDGE

REVISED PERSONNEL POLICIES AND PROCEDURES

Table of Contents

CHAPTER 8. TERMINATION OF EMPLOYMENT

Policy 8-1 Employment End.....	2
Section 8-1-1 Service Retirement	2
Section 8-1-2 Retirement with Sick Leave Benefit	2
Section 8-1-3 Disability Retirement.....	2
Section 8-1-4 Resignation.....	2
Section 8-1-5 Termination During Initial Evaluation Period	3
Section 8-1-6 Termination.....	3
Section 8-1-7 Layoff and Recall.....	3
Policy 8-2 Exit Process	7
Section 8-2-1 Exit Clearance	7
Section 8-2-2 Exit Interview	7
Section 8-2-3 Final Pay Check	8
Section 8-2-4 Continuation of Benefits.....	8
Section 8-2-5 Final Work Day	8
Policy 8-3 Verification of Previous City Employment.....	9
Policy 8-4 Re-Employment	9
Section 8-4-1 Eligibility	9
Section 8-4-2 Initial Evaluation Period	9
Section 8-4-3 Compensation and Benefits	10
Section 8-4-4 Personnel File.....	10
Section 8-4-5 Military Service.....	10
Section 8-4-6 PSPRS.....	11
Section 8-4-7 Re-Employment and Seniority	11



CHAPTER 8 TERMINATION OF EMPLOYMENT

POLICY 8-1 EMPLOYMENT END

Employment with the City of Coolidge may be ended voluntarily or involuntarily.

Section 8-1-1 Service Retirement

Service retirement is voluntary termination after the employee has satisfied the employment requirements of the applicable retirement system.

Section 8-1-2 Retirement with Sick Leave Benefit

Employees who become eligible for medical or normal retirement as defined in the Arizona Revised Statutes are eligible to receive a sick leave benefit. When an employee becomes eligible for retirement and separates from the City in good standing, the employee will receive payment for one half (1/2) of their accrued unused sick leave paid at the employee's base hourly rate of pay at the time of separation.

Section 8-1-3 Disability Retirement

Disability retirement is voluntary termination necessitated by an injury or illness that renders the employee incapable of performing the essential tasks of his or her usual job. The termination is preceded by a letter from the employee to his or her supervisor advising of the disability ruling, date of termination, supporting documentation, and a ruling by the appropriate agency verifying the disability and approving the retirement.

Section 8-1-4 Resignation

Resignation is voluntary termination for any reason other than formal retirement. It is customary and expected that an employee wanting to leave the City in good standing will provide a written resignation to his or her immediate supervisor at least 14 calendar days prior to the effective date of resignation. During this 14-day period, the employee will be expected to perform the normal functions of his or her job and to be available to assist in the training of a replacement or in the transition of job duties to another employee. Employees may request to use vacation or personal leave during this 14-day period; however, the supervisor may deny a request on the grounds that the granting of leave will impede the operational needs of the department. Employees may use sick leave during this 14-day period in accordance with the City's sick leave policies and procedures. Exceptions to the time limit requirement may be granted by the City Manager.



CHAPTER 8 TERMINATION OF EMPLOYMENT

Section 8-1-5 Termination During Initial Evaluation Period

During the initial evaluation period, an employee may be terminated at any time, with or without cause. The Department Director shall make the decision to terminate after consultation with the Human Resources Director, and with the approval of the City Manager.

Section 8-1-6 Termination

Termination is the involuntary, permanent removal of an employee from employment with the City. The terms "termination" and "discharge" are sometimes used interchangeably in these Personnel Policies and Procedures.

Section 8-1-7 Layoff and Recall

A. Definitions

1. A layoff is a reduction in the City's work force due to a shortage of work or funds or a material change in duties or organization as determined by the City Manager. Layoffs shall not be used in lieu of discipline.
2. For purposes of this section, seniority shall be defined as an employee's total length of continuous service with the City as a probationary/regular employee. If there is a tie in seniority, seniority shall then be determined by the date of the employees' entry into the job classification occupied. If there is still a tie, seniority shall then be determined by comparing the first letters of the employees' last names or, if the employees' last names start with the same letter, by comparing the first letters of the employees' first names. In the first fiscal year in which this tiebreaker is applied, letters appearing earlier in the alphabet (i.e., A - Z) shall confer more seniority on an employee. In the next fiscal year in which this tiebreaker is applied, letters appearing later in the alphabet (i.e., Z - A) shall confer more seniority on an employee. Thereafter, the City will continue applying this alternating pattern whenever this tiebreaker is applied.

B. Applicability

1. The provisions of this section apply to all regular full- and part-time classified employees who have completed the initial evaluation period as defined in these Personnel Policies and Procedures.
2. The provisions of this section do not apply to unclassified employees, probationary employees or other at-will employees, as defined in these Personnel Policies and



CHAPTER 8

TERMINATION OF EMPLOYMENT

Procedures. However, unclassified employees, probationary employees and other at-will employees may be subject to job elimination or termination due to a shortage of work or funds or a material change in duties or organization.

C. Bumping

1. The bumping provisions described in this section shall only apply to Arizona Peace Officer Standards and Training (AZPOST)-certified employees serving in the Police Department and Police Department employees attending a police academy.
2. Any regular AZPOST-certified Police Department employee who is identified for layoff in accordance with this section may be permitted to "bump", that is, assume a position in the next lower classification within the department, provided that:
 - a. The employee has more seniority than at least one employee in the lower classification; and
 - b. The employee has successfully completed an initial evaluation period in the lower classification in the department; and
 - c. The employee meets the minimum qualifications of the position and can perform the essential functions of the position.
3. If another lower classification exists within the department, the employee who is bumped from a position may be permitted to bump into or assume a position in the next lower classification within the department, provided that the employee meets the qualifications set forth in subparagraph [2 above](#).

D. Layoff Plans

1. Layoffs shall be accomplished on a department basis in accordance with a layoff plan prepared by the Department Director and approved by the City Manager, the Human Resources Department and the City Attorney.
2. The layoff plan shall include the reason for the layoff, a list of each position subject to lay off by classification and a list of the employees holding the positions within the specified classification(s). The layoff plan shall also include a description of any bumping rights applicable to any of the employees included in the layoff plan.
3. Regular full- and part-time classified employees in grant-funded positions shall not be subject to layoff.
4. In any approved layoff plan, all vacant positions in the specified classification(s) within the department shall first be eliminated. Next, all temporary and/or probationary employees occupying the specified classification(s) within the department shall be terminated prior to the layoff of any regular employees in the



CHAPTER 8

TERMINATION OF EMPLOYMENT

specified classification(s) within the department. Regular employees within the specified classification(s) within the department shall then be laid off in inverse order of seniority.

5. Employees who have the option of exercising bumping rights shall be given notice of the layoff plan and of their right to bump into the next lower classification within the department. The notice shall inform the employee of the employee's opportunity to request a meeting with the Chief of Police in order to respond to the seniority calculation that is the basis for the bumping rights. Within 30 calendar days of receipt of this notice, the employee shall inform the City in writing whether he or she will exercise those bumping rights. Upon receipt of the employee's written notification, the layoff plan will be finalized and implemented in accordance with this section.

E. Notice of Proposed Layoff

1. After finalization of the layoff plan, the Department Director shall issue a notice of proposed layoff to each employee who will be laid off. The notice shall inform the employee of the employee's opportunity to present a written response to the proposed layoff and to attend a pre-layoff review meeting with the Human Resources Director and Department Director at a scheduled date, time and location.
2. The notice of proposed layoff shall be issued to each affected employee at least seven calendar days prior to the pre-layoff review meeting.

F. Pre-Layoff Review Meeting

1. The pre-layoff review meeting shall take place at least 14 calendar days prior to the proposed effective date of the layoff.
2. The pre-layoff review meeting shall not be an adversarial hearing. The purpose of the meeting is to give the employee the opportunity to respond, verbally or in writing, to the written notice of proposed layoff.
3. The employee may have a non-attorney co-worker of the employee's choosing present during the pre-layoff review meeting. The co-worker may not speak on behalf of the employee and may only participate as an observer.
4. Any relevant information presented by the employee during the pre-layoff review meeting regarding the proposed layoff shall be considered by the Department Director.
5. Failure by the employee either to attend the pre-layoff review meeting or to timely submit a written response to the notice of proposed layoff shall be deemed a waiver of the employee's right to do so and the proposed layoff shall be implemented as specified in the layoff plan.



CHAPTER 8

TERMINATION OF EMPLOYMENT

G. Notice of Layoff

1. After the pre-layoff review meeting, the Department Director shall advise the employee in writing of the decision regarding the proposed layoff. The decision shall be approved by the City Manager, the Human Resources Department and the Legal Department. This notice of layoff shall be issued as soon as possible and at least 14 calendar days prior to the effective date of any layoff.
2. The original notice of layoff shall be submitted to the Human Resources Department and a copy shall be provided to the employee.

H. Personnel Action Board (PAB) Review

1. Employees who are laid off pursuant to the provisions of this section may request to have the layoff decision reviewed by the City's Personnel Action Board (PAB).
2. To request PAB review, eligible employees must submit a written request for review, on a form provided by the Human Resources Department, to the Human Resources Director within ten calendar days after the effective date of the layoff.
3. Within ten calendar days of receipt of the employee's request for review, the Human Resources Director shall submit the request for review to the PAB.
4. Upon receipt of the employee's request for review, the PAB, or the Human Resources Director in conjunction with the PAB Chairperson, shall set a date for a review hearing. The hearing should take place within 30 calendar days of the PAB's receipt of the request for review, unless the time is extended by the PAB, or unless the PAB is unable to hold the hearing within that time, or for other good cause.
5. The review by the PAB shall be only to ascertain whether the City has complied with the provisions of these Personnel Policies and Procedures relating to layoffs. The PAB has no authority to and shall not review whether the shortage of work or funds or the material change in duties or organization justified the layoff or whether alternative means may have been available to the City. In all other respects, the hearing shall proceed in the manner set forth in Error! Reference source not found. of these Personnel Policies and Procedures or as otherwise determined by the PAB.
6. Upon conclusion of the review hearing, the PAB shall render a written decision which shall contain findings as to whether the provisions of these Personnel Policies and Procedures relating to layoffs have been complied with. The decision of the PAB shall be final and is not appealable within any City process.
7. Failure by the employee to file a written request for review within ten calendar days after the effective date of the layoff, unless explained to the satisfaction of the PAB, shall operate as a bar to further recourse by the employee.



CHAPTER 8 TERMINATION OF EMPLOYMENT

I. Pre-Layoff Transfer

1. Layoff decisions shall be coordinated among City departments to provide possible transfer of employees to positions in other departments for which the employees qualify.
2. An employee subject to a pre-layoff transfer retains all accrued sick and vacation leave and compensatory time.
3. The employee shall serve an initial evaluation period in the classification the employee transfers into unless the employee has previously completed an initial evaluation period in that classification and in that department.

J. Recall

1. An employee who has been laid off pursuant to the provisions of this section shall be recalled within one year of the layoff if the employee's previously-held job is reopened or if a similar job for which the laid off employee is qualified becomes available. The City is not required to follow the competitive hiring process to recall a laid off employee.
2. An employee subject to a pre-layoff transfer is subject to recall in the same manner as an employee who is laid off.

POLICY 8-2 EXIT PROCESS

The Human Resources Department is responsible for coordinating the exit process with the Department Director, and the Finance Department.

Section 8-2-1 Exit Clearance

The employee's Department Director shall ensure that all City-issued equipment, materials and supplies, including, but not limited to keys, identification cards, City credit cards and uniforms have been returned as part of the employee's final exit clearance.

Section 8-2-2 Exit Interview

Regular full- and part-time employees will normally participate in an exit interview scheduled prior to the last day of employment. Documented comments gathered from the exit interview shall be maintained separately from the employee's personnel file. Temporary employees do not ordinarily participate in an exit interview unless they volunteer to complete the interview.



CHAPTER 8

TERMINATION OF EMPLOYMENT

Section 8-2-3 Final Pay Check

- A. The Finance Department shall be notified of the employee's separation date through a Personnel Action Form. Employees shall receive pay for work performed through the last hour worked and for unused benefits as stipulated by City policy and laws governing final payments.
 - 1. Terminated employees must be issued their final pay check within three working days of the effective date of the termination or at the end of the next regular pay period, whichever is sooner.
 - 2. Employees who leave the employment of the City by means other than termination will be paid at the close of the next regular pay period.
 - 3. Costs of unreturned City property will be deducted from the final paycheck.
 - 4. The City will distribute the final pay check to the employee via direct deposit.
- B. It is the responsibility of the Department Director to ensure that the employee has completed final clearance and that all items, including the Personnel Action Form, the exit clearance checklist and the final time sheet/attendance record, have been properly completed and forwarded to the Human Resources Department and the Finance Department within the required time frames for issuance of the final pay check.

Section 8-2-4 Continuation of Benefits

- A. The continuation of benefits is subject to the provisions of each benefit plan and coverage may vary.
- B. City-provided insurance benefits will continue through the last day of the month of termination.
- C. Employees eligible to continue health benefits through COBRA and HIPAA will receive notification within the time limits determined by law.

Section 8-2-5 Final Work Day

Employees are expected to be present and to work on their final work day to facilitate the exit clearance process. Requests to use vacation or personal leave will be considered as described in [Section 8-1-4](#) of these Personnel Policies and Procedures. Employees may use sick leave in accordance with the City's sick leave policies and procedures



CHAPTER 8

TERMINATION OF EMPLOYMENT

POLICY 8-3 VERIFICATION OF PREVIOUS CITY EMPLOYMENT

All requests for verification of employment or wages of former employees, whether written or oral, must be forwarded to the Human Resources Department for processing. The Human Resources Department will provide information regarding a former employee's dates of employment, job classification(s), rate(s) of pay, department(s) worked in and eligibility for rehire in response to standard requests for employment verification. If the requestor submits a written authorization for release of information signed by the former employee, the City may provide additional information in conformance with the written release.

POLICY 8-4 RE-EMPLOYMENT

Section 8-4-1 Eligibility

- A. Regular employees who resign from City service in good standing may be considered for re-employment to an equivalent or lower classification in which the employee had previously completed an initial evaluation period without going through a competitive recruitment process, if the employee returns within six months of resignation and if the re-employment is approved by the Department Director.
- B. Promoted employees who resign during their promotion evaluation period are not eligible for re-employment in that position or class but may be re-employed in the position occupied before promotion.
- C. The former employee must notify the Human Resources Department of his or her desire to be re-employed. However, re-employment is not guaranteed. Former employees may also apply for posted openings through the regular competitive recruitment process.

Section 8-4-2 Initial Evaluation Period

- A. Re-employed employees who return to City employment within six months of their resignation are not required to complete an initial evaluation period if they had previously completed the initial evaluation period in the same classification and in the same department prior to resignation.
- B. Re-employed employees who return to City employment more than six months after their resignation must serve the initial evaluation period required by the position, regardless of whether the employee previously completed the initial evaluation period in the same classification and the same department prior to resignation.
- C. All re-employed employees must serve an initial evaluation period for any subsequent demotions, transfers or promotions, regardless of whether the employee previously



CHAPTER 8

TERMINATION OF EMPLOYMENT

completed the initial evaluation period in the same classification and the same department prior to resignation.

Section 8-4-3 Compensation and Benefits

- A. An employee re-employed in his or her former position within six months after the employee's resignation will be paid at the same pay at the time he or she left the City.
- B. Compensation of an employee re-employed to a position other than the former position will be subject to the compensation policies and practices for new hires regardless of the employee's previous compensation at the time of separation.
- C. Future performance pay increases for a re-employed employee will be in accordance with the performance management policies and procedures set forth in [Error! Reference source not found.](#) of these Personnel Policies and Procedures.
- D. An employee re-employed in his or her former position or another position within six months after the employee's resignation will accrue vacation leave at the same accrual rate as the employee accrued at the time of the employee's resignation. In addition, the employee's previous City service time will be credited toward the employee's length of service for purposes of vacation leave accrual. However, the time between resignation and re-employment will not be credited toward the length of service for this purpose. The employee will not be required to serve the waiting period described in [Error! Reference source not found.](#) of these Personnel Policies and Procedures before using vacation.
- E. An employee re-employed in his or her former position or another position within six months after the employee's resignation shall have his or her previous accumulated sick leave balance restored.
- F. Depending upon the provider and the plan, separation and re-employment may be considered a break in service for purposes of insurance benefits and the employee may be required to serve the required waiting period before receiving insurance benefits.

Section 8-4-4 Personnel File

A former employee's personnel file will be re-activated upon re-employment with the City, if the personnel file has not been disposed of in accordance with the City's records retention schedule.

Section 8-4-5 Military Service

An employee who resigns from City service to enter active duty in the armed forces, voluntarily or involuntarily, will be subject to the provisions of the Uniformed Services



CHAPTER 8 TERMINATION OF EMPLOYMENT

Employment and Reemployment Rights Act of 1994 (USERRA) and any applicable Arizona law.

Section 8-4-6 PSPRS

Police and fire employees who retire under the Public Safety Personnel Retirement System (PSPRS) are subject to the re-employment provisions of PSPRS. If any of the provisions of this policy conflict with the re-employment provisions of PSPRS, the provisions of PSPRS shall govern for those employees covered by PSPRS.

Section 8-4-7 Re-Employment and Seniority

Separation and re-employment is not considered continuous service when determining seniority for layoff purposes.