



MOHAVE COUNTY
PERSONNEL POLICIES AND PROCEDURES
Merit System
Approved April 4, 2016

Revised 09/16/2024

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INTRODUCTION SECTION A – GENERAL

The Mohave County Personnel Policies and Procedures Manual, herein referred to as ‘Manual’, is intended to comply with relevant federal and state laws. In the event that there is a conflict, the federal and state laws take precedence. Should any section or portion of these Personnel Policies and Procedures be deemed unlawful or unenforceable, all other sections and/or provisions of this Manual shall remain in effect. In the event of any amendment of federal and/or state law, ordinances, etc., the policies and procedures set forth in this Manual shall be deemed amended in accordance with those changes. These policies and procedures supersede all previous policies, procedures and rules. All policies, procedures and rules adopted on a departmental basis will remain in full force and effect, except when in conflict with these rules.

These Personnel Policies and Procedures are intended to provide the Department Head with a uniform system of personnel administration in the managing of their department and development of sound personnel practices. A Department Head is defined as a Department Director or Elected Official managing a department. Personnel Policies and Procedures are not intended to apply to Board of Supervisors or Elected Officials, both of which are governed by statute.

The Superior Court is the State of Arizona’s general jurisdiction court and provides a separate Personnel Policy for their employees. The Presiding Judge oversees and administers the Superior Court through elected Judges, the Clerk of the Court and appointed Court Division Heads. The Presiding Judge also has oversight of the Justice Courts and the Probation Department.

This Manual applies to all Mohave County employees, unless specifically excluded. Nothing in this Manual modifies or waives the “at will” status of an unclassified employee.

Mohave County specifically reserves the right to repeal, modify, or amend these Personnel Policies and Procedures at any time, with or without notice. The provisions shall be deemed neither to create a vested or contractual right in any employee or limit the power of the County to repeal or modify these Personnel Policies and Procedures as needed. These Personnel Policies and Procedures do not constitute a guarantee of right of employment.

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INTRODUCTION SECTION B – POWERS AND DUTIES

COUNTY MANAGER RESPONSIBILITIES

The County Manager is the Chief Administrative Officer for the County and is responsible for the overall administration of these Personnel Policies and Procedures and is responsible for resolving all conflicts in these regards. Proposed amendments and modifications to these Personnel Policies and Procedures made by the Human Resources Director and approved by the County Manager affecting any covered employees shall be submitted for ratification to the Board of Supervisors on the County Manager's Report.

THE RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR

The Human Resources Director is responsible to determine and ensure compliance with these Personnel Policies and Procedures. In the event of a disagreement between a Department Head and the Human Resources Director in regards to these Policies, the issue shall be brought before the County Manager for determination.

The Human Resources Director acts in an advisory capacity with the Personnel Commission for the accomplishment of any personnel function affecting classified employees.

The Human Resources Director shall be the EEO Compliance Officer and ADA Compliance Officer for Mohave County.

To ensure compliance with these Personnel Policies and Procedures, the Human Resources Director shall:

- A. Give advice and counsel Department Heads regarding the application and provisions contained within these Policies.
- B. Propose new policies and amendments to the County Manager.
- C. Propose to the County Manager modifications resulting from errors in applying these Policies, omissions, or other exceptions to these Policies should they be required to correct a specific issue or exception not adequately addressed herein.
- D. Prepare and maintain a classification plan.
- E. Prepare and maintain a compensation and benefits plan.
- F. Coordinate recruitment and selection for positions in the classified and unclassified service.
- G. Provide employee development programs for employee training, safety and general welfare.



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- H. Perform all other duties required to administer the County Personnel Policies.
- I. Serve as the administrative arm of the Personnel Commission and maintain all records of the activities of the Commission.
- J. Perform any other lawful act considered necessary or desirable to carry out the purposes or provisions of these Policies.

THE RESPONSIBILITIES OF THE DEPARTMENT DIRECTOR AND ELECTED OFFICIALS, HEREIN WILL BE REFERRED TO AS DEPARTMENT HEAD

It is the responsibility of the Department Head to interpret, administer and enforce these Personnel Policies and Procedures in a fair and consistent manner.

The Department Head is encouraged to consult with the Human Resources Director with any questions regarding the interpretation of these Personnel Policies and Procedures. The Department Head is encouraged to also enlist the assistance of the Risk and Emergency Management Director, County Attorney's Office - Civil Division, or Financial Services Director, when necessary, to provide advice, guidance and direction.

The Department Head shall propose to the County Manager modifications resulting from errors in applying these Policies, omissions, or other exceptions to these Policies should they be required to correct a specific issue or exception not adequately addressed herein.

THE RESPONSIBILITIES OF THE DIVISION MANAGERS

Division Managers and those employees acting in a supervisory capacity shall fully inform their Department Head of any personnel issue, action or activity under the authority of the Department Head to ensure compliance with these Personnel Policies and Procedures.

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INTRODUCTION SECTION C – LOYALTY OATH

All employees shall read and sign a loyalty oath as required by A.R.S. §38-231.

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INTRODUCTION SECTION D – CODE OF ETHICS

- A. Employees are to maintain high standards of honesty, integrity and impartiality for the proper and efficient conduct of County business. All persons applying for or holding any position shall be required to meet the following general qualifications: integrity, honesty, respect for co-workers and the public, confidentiality, courtesy, cooperation, willingness and ability to assume and fulfill the responsibilities for employment compatible with the work assignment.
- B. Official positions shall not be used for personal gain. Public influence and confidential information shall not be used for personal advantage. All items produced or created by employees during working hours shall become the sole property of Mohave County.
- C. Employees shall avoid situations that create an appearance of impropriety or conflict of interest or that would tend to undermine the public trust. Employees who are involved in such circumstances shall immediately report the circumstances to their Department Head to determine (1) if an actual conflict exists that exceeds the definition of “remote interest” as stated in A.R.S. §38-502, and/or (2) whether corrective action(s) is needed to remedy the situation.
- D. Employees shall not accept or solicit, directly or indirectly, anything of economic value, such as a gift, gratuity, favor, entertainment or loan that is, or may appear to be, designed to influence official conduct in any manner.

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1.1 EQUAL EMPLOYMENT OPPORTUNITY (EEO)

The EEO Compliance Officer is the Human Resources Director. It is the policy of Mohave County to provide equal opportunity in employment to all job applicants and employees. The County shall not discriminate against any person in recruitment, examination, appointment, training, pay promotion, retention, discipline or any other aspect of personnel administration, term or condition of employment, due to race, color, religion, sex (including pregnancy), national origin, genetic information or disability, age (40 or older). (www.eeoc.gov)

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1.2 RECRUITMENT AND SELECTION

The goal of the recruiting and selection process is to attract, retain and promote qualified applicants and to comply with all state and federal employment laws. Within this context, the County has reserved the right to determine the best job related manner to conduct its recruiting and selection efforts, recognizing that the process may vary with each individual job.

1.21 The following guidelines shall apply to the recruitment and selection process.

- A. Recruitment for classified positions shall be Open to the Public unless otherwise approved by the Board of Supervisors.
- B. If examinations for employment are necessary, they shall be conducted on a competitive basis. The testing shall be designed to be internally consistent and to fairly measure the skills required to successfully perform the duties of the position.

1.22 Job Vacancy Announcements

- A. Job vacancy announcements shall be posted on the County Website. The Human Resources Department shall disseminate postings and coordinate with departments to advertise positions with appropriate media.
- B. The job vacancy announcement shall include position title, minimum qualifications, essential job functions, department, salary, and location.
- C. The minimum time for posting a vacant position shall be ten (10) business days.
- D. Once the specific time for posting is established, the specific time shall not be shortened, unless the recruitment is terminated.

1.23 Selection and Hiring Process

- A. When an approved budgeted position becomes vacant, the Department Head shall submit a Request for Recruitment Action to Human Resources.
- B. All persons shall apply online for any vacant position. By applying online, the applicant is certifying that all information is complete and factual. Incomplete applications may not be considered. Applications shall be received by Human Resources on or before the closing date stated on the job vacancy announcement.
- C. The Department Head will evaluate applications for minimum qualifications unless the Department Head requests the assistance of the Human Resources Director. Human



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- Resources will coordinate with the Department Head as needed to arrange the next step in the hiring process.
- D. The Department Head may select, schedule, and conduct interviews with applicants and shall coordinate with Human Resources for pre-employment testing, if required.
 - E. The Department Head selects an applicant to fill the open position and informs Human Resources in writing.
 - F. The Department Head shall conduct reference checks and verify past employment with the assistance of the Human Resources Director or their designee as needed. All employment offers are conditional upon satisfactory completion of all pre-employment requirements.
 - G. If background and reference checks are acceptable, the Department Head shall complete the selection process.
 - H. Post-employment offer physical examination: A post-employment offer drug screening and/or physical examination may be required prior to beginning employment for specific job classes, at the department's expense.
 - I. The new employee shall attend Human Resources' New Employee Orientation (NEO) within 30 days of employment with the County.
 - J. Where the position requires the driving of a motor vehicle, employees shall obtain and maintain a valid Arizona Driver's License, unless an exception is granted by the Risk and Emergency Management Director. Applicants selected for hire shall provide the County with a 39 month driving history at the start of employment.
 - K. Only the Board of Supervisors has the authority to create and budget a new position.
 - L. Temporary positions: Justification for temporary positions shall be submitted by the Department Head to the Human Resources Director for review. If funding is available, the Financial Services Department shall forward the request to the County Manager for final approval. The County Manager may approve up to twelve months of temporary employment. The County Manager may extend a temporary employment.

1.24 Employee Temporary Assignments and Transfers

The County Manager reserves the right to transfer or temporarily assign employees within or between departments as required by business necessity without following the standard selection and hiring process identified above.



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1.25 Disqualification of Applicants

The Human Resources Director may refuse to examine an applicant, or after evaluation, may disqualify an applicant if it is found that the individual has been determined to be unsuitable for any job-related reason.

1.26 Hiring of Relatives (Nepotism)

Hiring of an employee who is related within the third degree to an existing employee within the chain of command shall be submitted to the Board of Supervisors for approval on the County Manager's Report. Persons related within the third degree include a spouse, child, parent, grandchild, grandparent, sister, brother, great grandchild, great grandparent, aunt, uncle, niece, nephew or first cousin. Elected Officials shall follow A.R.S. §38-481, and may enlist the assistance of the County Manager to ensure compliance with these Policies.

1.27 Background Checks

- A. The following check list shall be completed for applicants selected for employment, based on position.
1. Criminal background check (federal, state and local)
 2. Motor vehicle record check
 3. Reference check
 4. Verification of former employment
 5. Verification of employment eligibility (E-Verify)
 6. Sex offender database check
- B. For positions that require a college degree or an advanced degree, applicant's attainment of such a degree shall be verified.
- C. A credit report may be necessary based on specific job requirements.
- D. For positions which require a license or certification, applicant's possession of such license or certification shall be verified.
- E. In accordance with A.R.S. §15-512, County School Superintendent's applicants and any other applicants who work with juveniles as a regular part of their job will be required to submit to a fingerprint check. This requirement does not apply, however, to law enforcement employees



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who are covered by departmental policies. Fingerprint checks will be conducted in accordance with A.R.S. §41-1750.

- F. According to A.R.S. §46-141, Level I Fingerprint Clearance cards are required for individuals and volunteers who work with juveniles, seniors, and other vulnerable populations.
- G. The Human Resources Department shall conduct all background checks, for persons applying for a position with the exception of Mohave County Sheriff's Department and County Attorney's office. The fee for the background will be charged to the hiring department.

1.28 Errors and Omissions

After appropriate review, the Human Resources Director may approve an adjustment to the eligibility of an applicant for appointment to rectify an error or omission.

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1.3 EMPLOYEE PROBATION

A. Types of Probation.

1. Initial Appointment Probation: An employee new to the County or an employee who has had a break in service, shall serve an Initial Probationary Period when appointed to a classified position. An employee serving an Initial Probationary Period is considered an “at will” employee and may be terminated with or without cause and does not have the right to appeal to the Mohave County Personnel Commission. A classified employee that resigns from or is terminated from employment during the Initial Probationary Period shall not be compensated for any accrued PTO leave, except that, due to extended training requirements, employee(s) working as law enforcement, 911 operators, park rangers and detention officers who resign or are terminated from employment after the first 180 days of employment shall be compensated for any accrued PTO leave.
2. Reappointment, Promotional, Transferring Probation: A classified employee reappointed, promoted, or transferred into a new position, shall serve a Probationary Period. An employee serving a Reappointment, Promotional, or Transfer Probationary Period is considered an “at will” employee and may be terminated with or without cause and does not have the right to appeal to the Mohave County Personnel Commission. An employee who fails the Probationary Period may be reinstated to the original position if the position is vacant and with approval of the Department Head. A reappointed, promoted, or transferred employee who resigns or is terminated from employment during the probationary period shall be compensated for any eligible accrued PTO leave.

1.31 Duration of Probationary Periods

- A. Initial, Reappointment, Promotional, and Transferring Probation for classified employees, other than employees working as law enforcement, 911 operators, park rangers, and detention officers, shall be for a period of six (6) months.
- B. Initial, Reappointment, Promotional, and Transferring Probation for classified employees working as law enforcement, 911 operators, park rangers, and detention officers shall be for a period of twelve (12) months.
- C. Additional Probationary Periods for law enforcement, 911 operators, park rangers and detention officers relating to promotion, demotion, reappointment and transfer within a classification series within the same department shall be for a period of six (6) months.



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- D. The Department Head may extend a probationary period for an additional six (6) months beyond the periods specified herein if the employee does not meet standard performance expectations, exhibits unsatisfactory progress or for noncompliance by the employee with these Policies. In no case may an individual probationary period be extended for longer than six (6) months.

1.32 Additional Provisions

- A. An employee who completed an initial probation but was subsequently terminated by the County because of budget cuts, and who returns to County employment, is not required to complete an Initial Probationary Period.
- B. Employees working in the Initial Probationary Period who are allowed to transfer, promote, demote, or reappoint shall begin a new Initial Probationary Period beginning the date of change to the new position, but shall retain the original date of hire as their anniversary date upon successful completion. Employees meeting these criteria shall remain in an at-will status until the completion of their probationary period.

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1.4 PERFORMANCE PLANNING AND EVALUATION

The evaluation process shall be used as a means of providing performance feedback to all employees as well as to set standards for future performance. The performance plan and evaluation may be considered in determining salary changes, reappointment, transfers, promotions or demotions; and may also be considered in decisions related to lay-off and discharge.

1.41 Performance Planning

Performance planning for newly hired and continuing employees is encouraged.

1.42 Types of Performance Evaluations

- A. Annual performance evaluation: The annual evaluation date for classified employees shall be the initial date of hire, transfer, promotion, demotion or reappointment. The evaluation shall be conducted annually on the employee's anniversary date and submitted as soon as possible, no later than June 30th of each year. Should an employee separate and then return to County service for any reason other than the exceptions regarding recall/reinstatement from a reduction in force, the employee's anniversary date shall be the date the employee returned to County service.
- B. End-of-probation performance evaluation: Evaluations shall be conducted prior to completion of probation.
- C. Special performance evaluation: Special evaluations may be administered at any time to address performance issues occurring throughout the year in a non-disciplinary manner. Conducting a special evaluation does not pre-empt or limit in any way the ability of the County to take appropriate disciplinary action at any time for any given performance issue.

1.43 Documentation Requirements

- A. The annual performance evaluation shall be documented on an official performance evaluation form provided by Human Resources.
- B. Original performance evaluations shall be sent to the Human Resources Department to be filed in the employee's official personnel file.

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1.5 EMPLOYMENT STATUS

This section identifies employee categories and their eligibility for policy coverage, compensation and benefits.

1.51 Employee Categories

- A. Classified/Unclassified.
- B. Fair Labor Standards Act (FLSA) Exempt/Non-Exempt.
- C. Grant Funded.

1.52 Classified/Unclassified and Grant Funded Employees

- A. Classified employees are covered by the Personnel Policies and Procedures of the County.
- B. Unclassified employees are "at will" employees and are covered by the Personnel Policies and Procedures of the County. However, when dealing with due process, appeals, grievances and employment decisions, "at-will" employees may be separated for cause or no cause and shall not have the right to appeal. The County reserves the right to update this listing based upon the needs of the County. The following positions are designated as unclassified:
 - 1. Offices of the Elected Board of Supervisors: Confidential secretary(s) or administrative assistant(s).
 - 2. Offices of Elected Officials (Excluding Elected Board of Supervisors): One Chief Deputy who is designated either by statute or the Elected Official to act for and perform the duties of such Elected Official; one confidential secretary or administrative assistant.
 - 3. Contracted employees
 - 4. Clerk of the Board of Supervisors
 - 5. Deputy Clerk of the Board of Supervisors
 - 6. Temporary/volunteer employees
 - 7. Department Directors
 - 8. Attorneys-at-law appointed by the County Attorney, Public Defender, Legal Defender, Legal Advocate, Sheriff's Office and/or the Board of Supervisors.



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9. Initial or probationary employees occupying classified positions.
- C. Grant Funded Employees: An employee that is contingent upon availability of grant funding. An employee may be separated from employment or have their hours and/or benefits reduced or eliminated due to lack of, or change in, funding and have no appeal rights to the Personnel Commission. Any direct or indirect compensation in the form of wages, benefits, or other compensation at the time of separation will not be considered entitlement. Grant funded employees may be classified or unclassified.

1.53 FLSA Exempt/Non-Exempt

This section is intended to comply with the current provisions of the Federal Fair Labor Standards Act (FLSA).

- A. Exempt: Exempt employees are exempt from the overtime provisions of the FLSA. Employees in these positions do not receive overtime or compensatory time. Employees are considered exempt on the basis of their job description and actual duties performed in accordance with definitions and guidelines set forth by the FLSA.
- B. Non-Exempt: Non-exempt employees are covered by the overtime and minimum wage provisions of the FLSA. Non-exempt employees become eligible for overtime compensation after working 40 hours in a workweek. Non-exempt employees are eligible for compensation at one and one-half (1.5) times their normal pay rate for time worked over 40 hours. Overtime compensation may be paid out in the employee's check or may be allocated as compensatory time off as defined by these Policies and Procedures.

1.54 Types of Positions

- A. Full Time: A position is considered full time at 32 hours per week or more. Full-time employees are assigned to approved budgeted positions that are an ongoing part of the County's normal staffing plans.
- B. Part Time: Part-time employees are regularly scheduled for less than 32 hours per week.
- C. Temporary: Temporary employees are in positions that have specified ending dates. These positions are approved to meet County needs in peak work periods, for special programs and to fill department vacancies during the recruiting process. Temporary employees do not receive holiday pay or accrue leave. They are not eligible for health benefits but are covered by workers' compensation and shall receive retirement credit if they work more than 20 hours per week after 20 non-consecutive weeks within the fiscal year.

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1.6 LAYOFF, RECALL/REINSTATEMENT, RESIGNATION AND RE-EMPLOYMENT

1.61 Lay-Off

The purpose of this procedure is to provide guidelines for implementing Mohave County's reduction in work force. This procedure is intended to be implemented and interpreted to further the County's goal of maintaining an efficient and effective level of service to the citizens of Mohave County within the County's budgetary constraints. The procedure is also intended to assure that the reduction in workforce is implemented fairly and consistently.

- A. An employee may be laid off due to a change in duties, re-organization, or shortage of work or funds. A layoff may occur when a position is eliminated or when the number of positions in any given classification has to be reduced. Typically, the lay-off is a result of a reduction in funding or reorganization.
- B. When a layoff affects only one department, only employees in that department shall be considered for layoff. Employees in other departments shall not be affected.
- C. Lay-Off Plan.
 1. The decision as to which classification(s) shall be affected by layoff and when the layoff is to be effective shall be established by the Department Head. The Department Head shall submit a reduction in force plan to the Human Resources Director who will submit it to the County Manager for approval by the Board of Supervisors.
 2. When employees in a classification become subject to the layoff, the Department Head shall determine which employee(s) shall be laid-off based on the employee's job qualifications, service years and performance evaluations, in that order of priority. The Human Resources Director shall provide personnel information to the Department Head in making the layoff recommendations.
 3. The Human Resources Director shall prepare and maintain personnel information of affected employees' job qualifications, service years and performance evaluations to ensure that the layoff plan is administered fairly and consistently.
 4. When the department layoff plans are approved, the Human Resources Director shall notify the employees to be laid-off, in person and in writing, as soon as possible, but no later than ten (10) business days prior to the effective date of the layoff. The written notice shall be hand-delivered or sent by registered mail. A copy shall be sent to the Department Head. The notice shall inform the employee of the effective date of the layoff and of the pre lay-off reappointment and reinstatement procedures.



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5. In each instance the department layoff plan shall state, based on circumstances with the department, whether or not grant-funded employees shall be grouped with other employees for layoff purposes.
6. Employees who have been laid-off may apply for reinstatement and will be placed on the Reinstatement Register.
7. Pre-Layoff Reappointment: Following receipt of notice of the layoff, and before the effective date of the layoff, an affected employee may be considered by any Department Head in the County having a vacant position of the same or lower salary range for which the employee meets the acceptable qualifications.
 - a. If the employee wishes to seek a pre lay-off reappointment, the employee shall submit a written request with a completed application and resume to the Human Resources Director.
 - b. The Human Resources Director shall send the name of the employee(s) to the Department Head who has a vacancy for which the employee qualifies. The Department Head shall interview the employee(s) within ten (10) business days of receipt of the names. An offer of reappointment is at the discretion of the Department Head.
 - c. Upon a pre-layoff reappointment, the new salary of the employee shall be set in the same manner as for entrance salary as established by the Pay Determination Guidelines.
 - d. A pre-layoff reappointment shall be effective on or before the date on which the layoff would have been effective, so that a break in service does not occur.
 - e. Upon a pre-layoff reinstatement, the employee shall serve a six (6) month probationary period, unless extended by the Department Head for an additional six (6) months. Law enforcement, 911 operators, or detention officer shall serve a twelve (12) month period probationary period.
 - f. The employee shall retain all accrued EIB leave, compensatory time and PTO leave.
 - g. If the affected employee is offered and accepts a pre-layoff reappointment, then the employee forfeits the right to be placed on the Reinstatement Register.



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- h. If the affected employee is not offered or does not accept an offer of pre-layoff reappointment, on or before the effective date of the layoff, then the employee shall be laid-off.

1.62 Recall/Reinstatement

- A. Employees recalled from a layoff within six (6) months to the position from which they were laid off shall be reinstated into the County with credit for prior service. They shall not receive credit for the time they were out of work. These employees shall:
 - 1. Accrue PTO at the same rate as they had at the time of layoff. The accrual shall begin with the first payroll period.
 - 2. Be re-enrolled in the health plan with the normal waiting period, as specified by the EBT Summary Plan document. Any employee who is an active COBRA participant shall be allowed to re-enroll in the health plan without a waiting period.
- B. A recalled employee may or may not receive the same rate of pay they earned at the time of layoff. The County reserves the right to respond to budgetary and staffing considerations at the time of the recall.

1.63 Resignation

A classified employee wishing to leave County service shall submit a letter, no later than two weeks prior to leaving the County, to the Department Head stating the effective date of resignation. Failure to give separation notice as required by this policy may be cause for denying future employment with the County.

1.64 Job Abandonment (No call – no show)

In the event an employee is absent without approved leave for a period greater than three (3) business days may be considered to have abandoned their job and resigned their position. A letter of separation shall be delivered in person or mailed to the employee's last known address.

1.65 Re-employment

- A. Employees who provide the appropriate notice and leave the County in good standing may be eligible for re-employment. Employees who return to County employment in a classified position following a separation in service due to resignation shall be required to serve an Initial Probationary Period.
- B. Employees who were terminated may be considered for re-employment based on the circumstances surrounding the termination.



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1.66 Return of County Property

The Department Head shall be responsible for retrieving County property such as keys, credit cards, assigned equipment from separated employees.

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1.7 AMERICANS WITH DISABILITIES ACT (ADA)

Mohave County offers equal employment opportunity and reasonable accommodation according to the ADA requirements. (www.ada.gov)

1.71 Requests for Reasonable Accommodation

Individuals with qualifying disabilities may request reasonable accommodation in the essential functions of their job or with regard to other terms and conditions of employment.

- A. It is the responsibility of the applicant or employee to request, in writing to the ADA Compliance Officer, the reasonable accommodation.
- B. Upon notification by the applicant or employee requesting a reasonable accommodation, Mohave County shall engage in the interactive process with the employee to determine what accommodations may be provided without placing an undue burden upon the organization. It is the responsibility of the County to determine the specific nature of any reasonable accommodations that may be provided.
- C. The ADA Compliance Officer is the Human Resources Director.

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1.8 EMPLOYEE RECORDS

The official personnel file for each employee shall be maintained by Human Resources. Departments may keep supplemental records but shall limit the contents of these files to information relevant to the administrative operations of the department.

1.81 Disposition of Records

- A. **Public Records:** In accordance with A.R.S. §39-128, all records that are reasonably necessary or appropriate to maintain an accurate knowledge of employee performance to include performance evaluations, disciplinary actions, and employee responses to the same are considered public records. However, the County shall not release the home address, home telephone number, social security numbers, or other protected information of any employee without the employee's specific written consent. Protected information included on the application or other personnel documents shall be redacted prior to release.
- B. **Pictures:** Pictures of "eligible employees" shall only be released with the specific written consent of the employee except in instances described in A.R.S. §39-123 where such pictures meet the criteria of a public record. "Eligible employees" are identified in A.R.S. §39-123 as a peace officer, judge, county supervisor, public defender, prosecutor, code enforcement officer, adult or juvenile detention officer, detention support staff member, probation officer, law enforcement support staff member or a person who is protected under an order of protection or injunction against harassment, firefighter who is assigned to the Arizona counterterrorism center in the department of public safety or victim of domestic violence or stalking who is protected under an order of protection or injunction against harassment.
- C. Generally, the following records may be released over the telephone without a records request:
 - 1. Full name of the employee.
 - 2. Dates of employment.
 - 3. Current and previous job titles.
 - 4. Current and previous salaries.
 - 5. Name of current supervisor.
- D. Record of performance evaluations, the results of disciplinary actions or investigations, any employee responses to disciplinary results, and any commendations shall only be released to the public upon completion of a Request for Public Records form.



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- E. Employee medical information does not constitute a public record and shall only be released with the individual's specific written consent.
- F. Official personnel records shall be maintained by Human Resources and are the property of Mohave County.
- G. Health Insurance Portability and Accountability Act (HIPAA) protected medical information shall always be treated as confidential and will be kept in a separate medical file within the Human Resources Department.
- H. With the exception of an employee wishing to view their own personnel file, Human Resources staff or Department Heads in the normal performance of their duties, all persons requesting access to an employee personnel file, shall complete a public records request. Only information defined as a public record shall be available for review.
- I. Granting agencies who conduct program and/or financial audits shall be allowed access to files of employees who are paid by the grant without an authorization from the employee.
- J. An employee or the employee's designated representative, who has specific and confirmable written authorization from the employee, may review the personnel file at Human Resources and may request copies of the contents. Personal information shall be redacted prior to release to an employee's designated representative, again, unless the employee specifically authorizes in writing releasing copies of this information to the representative. Fees shall be determined in accordance with A.R.S. §11-251.08 and A.R.S. §11-251.13.
- K. Notwithstanding the foregoing, employee records may be released as necessary for Mohave County to defend itself against claims made or litigation commenced by an employee, and any employee bringing such a claim waives their right to confidentiality to the extent necessary for the County to defend itself.

1.82 Applicant Records

- A. Job applicant records shall be considered confidential. Applications, resumes, and related information submitted to the County by a job applicant are the property of the County. The County reserves the right to distribute this applicant information as needed due to business necessity. This information shall not be available to the public, except for the names of the finalists for positions of public interest.
- B. Notwithstanding the foregoing, applicant records may be released as necessary for Mohave County to defend itself against claims made or litigation commenced involving claims of discrimination in hiring.



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1.83 Verification of Employment

All requests for verification of employment are to be referred to Human Resources. Only the employee's current classification, dates of employment and current rate of pay shall be verified. Release of additional employment information shall be provided by written consent of employee or a public records request.

1.84 Reference Checks on Current and Past Employees

All reference checks from prospective employers on former or current employees shall be performed by the Department Head, except as required by statute/Code of Federal Regulations (C.F.R.). The Department Head may request assistance from the Human Resources Director where upon, the Human Resources Director will perform the reference checks.

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1.9 EMPLOYEE PROPERTY, WORKPLACE PRIVACY LIMITATIONS, ATTENDANCE, DRESS CODES, AND BREAKS

1.91 Liability for Employee Property

Employees may bring their own personal property into the workplace with the approval of the Department Head. Mohave County shall not be liable for any damage that might result thereto from theft, fire, or any other type of loss.

1.92 Workplace Privacy Limitations

- A. Employees have no expectation of privacy when using County-provided equipment, resources and/or property, which includes but is not limited to: computers, computer files, records of all computer related activities performed by the employee, County owned cell phones and cell records, offices and cubicles, desks, lockers, file cabinets, storage containers or any other storage device, and County owned vehicles. Any County-provided property, equipment or resources is subject to monitoring, entry, search and inspection by authorized personnel without prior notice.
- B. Any privately owned property contained in such equipment that is visible upon gaining access to the County owned equipment, resources or property may be examined without prior notice and without permission. Contents of briefcases, purses or other personal effects being stored in County property or equipment shall not be subject to search unless probable cause exists that these items are being used to engage in criminal activity or other grievous workplace misconduct. Workplace searches shall be authorized by the County Manager, Human Resources Director or Risk and Emergency Management Director.

1.93 Attendance

The purpose of this policy is to promote the efficient operation of the County and minimize unscheduled absences. In accordance with federal and state laws, employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule.

A. Work Schedules and Hours.

1. Mohave County business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.
2. The hours of work for each department shall be at the discretion of the Department Head in accordance with federal, state laws, and the necessity of the department.



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B. Absent.

1. An employee is deemed absent when they are unavailable for work as scheduled and such time off was not approved in advance as required by their supervisor.
2. At the discretion of the Department Head, medical documentation after an absence of three (3) days may be required.
3. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

C. Tardy.

1. An employee is deemed to be tardy when they:
 - a. Fail to report for work at the scheduled work time.
 - b. Leave work prior to the end of scheduled work time without prior supervisory approval.
 - c. Take an extended meal or break period without approval.
 - d. Arrive to work past their scheduled start time.
2. If an employee is unable to report to work, notification shall be made to the immediate supervisor or authorized department representative prior to the start of the shift, but no later than two (2) hours after the start of the work shift. Exceptions to this Rule may be permitted if extenuating circumstances exist. Failure to notify without good reason shall constitute an unauthorized absence without pay and may lead to disciplinary action, up to and including termination.

D. Lunch Periods.

1. Generally, one hour is the allotted time for employee lunch periods.
2. Lunch periods shall be scheduled in such manner that County offices remain open throughout the entire business day.



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1.94 Breaks

- A. Morning and afternoon breaks are a benefit to the employee and not a right, as such, breaks may be granted at the discretion of the Department Head.
- B. Full time employees may be allowed a mid-morning and a mid-afternoon break, each break not to exceed 15 minutes.
- C. Employees may not combine morning and afternoon breaks to receive a longer period of time away from the job. Any break that is taken shall be taken at least one hour after the beginning of the duty day or one hour prior to end of the shift unless specifically authorized by the Department Head.
- D. Employees cannot in any way accrue or bank break time for compensation or future use.

1.95 Lactation Breaks

Nursing mothers shall adhere to Section 7 of the Fair Labor Standards Act – Break Time for Nursing Mother’s for a period of one (1) year following the birth of that employee’s child. (www.dol.gov)

1.96 Dress Codes

- A. Employees are expected to represent the County to its citizens in an exemplary, professional manner both in conduct and appearance. The attire worn by employees is to be clean, neat and in keeping with the nature of the duties performed. There are certain expected norms for professional appearance, neatness, and hygiene, which are applicable to all employees.
- B. The Department Head is responsible for determining and enforcing the dress code for their respective areas of responsibility.
- C. When uniforms are required, it is the responsibility of the Department Head to determine the standards for wear of the applicable uniform including the display of name tags, rank or other insignia, patches, etc.
- D. Mohave County strives to ensure the comfort and safety of our employees and visitors by encouraging an environment free from smoke, fragrances, and unpleasant smells. These odors are distracting and may trigger allergic reactions or create health problems for sensitive individuals. This policy is meant to cover noticeable odors from any source, including foods, personal items, perfumes, and grooming.

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1.100 CONSTRUCTIVE DISCHARGE

Under A.R.S. §23-1502, an employee may be required to notify an appropriate representative of the employer in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that constitutes a constructive discharge, if the employee wants to preserve the right to bring a claim against the employer alleging that the working condition forced the employee to resign.

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1.200 OUTSIDE EMPLOYMENT

A. Outside Employment Procedures.

1. An employee shall not engage in outside employment that impairs the employee's capacity to perform the County service duties and responsibilities in an acceptable manner.
2. Permission to perform outside employment shall require prior written approval of the Department Head. It shall be the responsibility of each Department Head to periodically review them to insure that they are current and not in conflict with the employee's County job requirements. It is the responsibility of the employee to report any change in the status of outside employment to the Department Head.
3. The approved requests shall be kept on file in the Risk and Emergency Management Department and a copy shall be kept in the employee's departmental personnel file. A list of approvals shall be included on Risk and Emergency Management Department's semi-annual report to the Board of Supervisors.
4. Any injury occurring during outside employment shall be reported to and recorded by the Department Head. Copies of the report shall be sent to the Human Resources Department and the Risk and Emergency Management Department.
5. Employees who fail to notify the Department Head may have disciplinary actions taken against them, up to and including dismissal.

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1.300 OUT-OF-STATE WORK

A. Policy

1. Mohave County employees must perform their regular work duties within the state of Arizona. Working full-time out of state is prohibited, except as outlined below. This policy does not apply to temporary, short-term (less than two consecutive weeks at a time) work performed out of state.

B. Procedure for Authorization to Work Full-Time Out of State

1. All requests for authorization to work full-time out of state must be submitted by the Employee's Department Head or Elected Official to the County Manager. Before submitting the request to the County Manager, the request must be submitted in writing to the Finance Department, Risk Management, and the Civil Division of the County Attorney's Office, each of which shall review the request and make a recommendation to the County Manager. The recommendations, along with the request, shall be forwarded to the County Manager for review.
2. The request for authorization to work full-time out of state must show that all of the following criteria are met:
 - a. The request must include the name of the state in which the employee wishes to work full time;
 - b. The request is supported by a compelling circumstance;
 - c. Working full-time out of state is in the best interest of Mohave County;
 - d. Working full-time out of state serves a legitimate business purpose that fulfills the mission and objectives of Mohave County and is not primarily for the personal benefit of an employee; and
 - e. The employee has developed a plan to show that the employee is able to adequately fulfill the employee's job responsibilities and comply with all County policies and procedures at the remote location.
3. Upon receipt of the written request and the recommendations from the departments identified above, the County Manager shall determine, in the County Manager's sole discretion, whether to approve or deny the request for authorization to work full-time out of state. Approval shall be made on a case-by-case basis and in consideration of the employee's performance, ability, job duties, the written request and the recommendations of the departments identified above.
4. Only after the County Manager has approved the request may an employee be permitted to work full-time out of state.



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C. Additional Items:

1. Authorization to work full-time out of state is not an entitlement, it is not a County-wide benefit, and it does not change the terms and conditions of employment with Mohave County.
2. Employees are responsible for making any necessary adjustments for their personal income taxes and benefits. Tax and legal implications for the business use of the employee's home or other off-campus work location are based on Internal Revenue Service rules and State and local government regulations. The employee is solely responsible for compliance with all Federal, State and local government restrictions, including any filing or permitting requirements. Mohave County makes no statements or claims as to the tax consequences of the employee working out of state or the location of the employee's workspace, nor will Mohave County assume additional tax liabilities. Employees are encouraged to seek their own independent advice from a tax professional.
3. Employees are responsible for working with the IT Department to ensure any technology necessary to perform their work is compatible, secure, and in good working order, and that they comply with the County's Technology Acceptable Use Policy.
4. Any employees working full-time out of state prior to the date the Board of Supervisors approved this policy need not receive written approval to continue working out of state at their present locations, but all remaining provisions of this 1.300 policy shall apply to them. Any employee authorized to work full-time out of state who wishes to relocate to another state and to continue working full-time must follow all of the provisions of 1.300, including the procedures for authorization to work out of state.
5. Mohave County is not responsible for any operating costs that are associated with the employee's preparation for, or use of, the employee's out of state work location, including but not limited to, home maintenance, insurance, furniture, utilities or adequate telephone or internet services.
6. All additional County costs that arise as a result of an employee working full-time out of state shall be the responsibility of the employee's department and subject to the department's approved budget.
7. The full-time out of state employee is responsible for ensuring that the employee's workspace is safe and shall take the necessary steps to minimize the risk of injury or harm. The full-time out of state employee agrees to allow virtual inspections of the



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employee's work space upon twenty-four prior notice from the employee's supervisor or the Risk Management Department to verify the work space is safe and does not pose a risk of injury or harm.

8. An employee's failure to obtain permission to work full-time out of state, or to follow the conditions outlined in 1.300 herein, is a violation of the Mohave County Personnel Policies and Procedures and may be grounds for discipline, up to and including termination of employment.

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2.1 CLASSIFICATION SYSTEM

Classification and Compensation policies apply to all employees, including Superior Court employees. For purposes of this section, where used in this section, the County Manager and Superior Court Presiding Judge are interchangeable, as applicable.

2.11 Classification

- A. Nature of the Plan: The County's classification system, as approved by the Board of Supervisors, is a system that provides an inventory of County positions. The system standardizes job titles and descriptions, each of which indicates a range of duties and responsibilities, knowledge, skills and abilities, and minimum qualifications. The Human Resources Director shall maintain the official classification specifications in the classification plan. The Human Resources Director, at the Department Head's request, may establish new classifications and divide, combine, alter or abolish existing classifications upon approval of the County Manager and Board of Supervisors.
- B. Interpretation of Classification Specifications.
1. Nature and interpretation of classification specifications: Classification specifications are descriptive and explanatory and are not restrictive. The language of classification specifications is not all inclusive and shall not be construed as limiting or modifying the authority of the Department Head to recommend additions, deletions, or revisions of duties and responsibilities, with the assistance of Human Resources.
 2. Classification title: The classification title of a position shall be used in all employment, financial and personnel documents.
 3. Minimum qualifications:
 - a. Minimum qualifications are the minimum requirements as to education, experience, and special qualifications that are required for each position.
 - b. When a job classification's minimum qualifications are increased, the educational requirements may not act against incumbents in the classification as to their eligibility for continued employment in the class except where required by law. All subsequent applicants for the classification shall qualify under the changed minimum qualifications.
- C. Classification Administration.



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1. Classification factors: Every position in the classified service shall be allocated by the Human Resources Director, after consultation with the Department Head, to the appropriate classification in the classification plan. Positions shall be allocated to the same classification if they meet the following requirements:
 - a. Sufficient similarity with respect to essential job functions, duties and responsibilities, training, experience, knowledge, skills, and abilities.
 - b. Same schedule of compensation.

D. Official Position Audit Requests.

An employee who believes they are performing duties outside of their classification may file a written request for a review with their Department Head who shall review the situation and take the following action:

1. Resolve the concern through informal discussion with the employee and document the material resolution. Consultation with the Human Resources Director or designated representative may be necessary for clarification of the classification. It is the responsibility of the Department Head to consider all possible options to resolve the situation without causing the employee to work outside of their classification.
2. If the Department Head believes that there is sufficient justification, and upon notification to the County Manager, the Department Head may request, in writing, an official position audit by the Human Resources Department. Documentation, in the form of a Position Classification Questionnaire (PCQ) supporting the request shall be forwarded to the Human Resources Director.
3. Upon formal action of a reclassification request, additional official audit requests on the same position may not be submitted more than once during a fiscal year.

2.12 Reclassification

Any salary change shall be submitted for approval to the Board of Supervisors on the County Manager's Report.

- A. Effective Date: The effective date of all classification actions shall be the first day of the pay period following the approval by the Board of Supervisors.
- B. The pay of a reclassified employee shall be determined through consultation of the Department Head, Human Resources Director and County Manager. Employees whose positions are reclassified are deemed to be qualified to perform the duties of the reclassified position.



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- C. Reclassified Positions Due to Organizational Redesign: A position resulting from approved reorganization may be reclassified non-competitively with the approval of the Department Head, Human Resources Director, and the County Manager.
- D. Notification to Employee: Human Resources shall inform the Department Head and the employee of the final results of an official position audit.
- E. Pay Determination Guidelines with Consideration of Financial Constraints: Salaries above the maximum of each range shall be approved by the Board of Supervisors.
 - 1. Movement of Pay Ranges: If an employee is reclassified to a position that is above or below their current pay range, the employee shall receive a pay increase or decrease, based on the Step Placement Requirements, Step Determination Guidelines, market comparisons and budget availability on a case-by-case basis.

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2.2 COMPENSATION PROGRAM

It is the policy of Mohave County to provide compensation that will achieve the strategic business goal in attracting and retaining the most qualified employees. Any salary change shall be submitted to the Board of Supervisors for approval on the County Manager's Report.

2.21 FLSA Public Employer Exempt Status

- A. Employees shall be paid in compliance with current FLSA standards. (29 C.F.R. 541.710)
- B. Exempt employees may be eligible for Management Leave.

2.22 Compensation

Every County employee shall be paid within the salary range assigned to the position for which they were hired. It is the intent of these Policies to not penalize or disadvantage County employees when hired, promoted, or reappointed into a position. Therefore, the Hire Rate for employees, whether promoted, appointed, or reappointed into a higher position, shall be the same and shall not differentiate between existing employees and those new hires not employed by the County.

- A. Step Placement Requirements.
 - 1. In order to establish an objective, equitable system for determining where an employee shall be placed within a range, the County shall, in each instance, look at the requirements of each individual job as documented in the job description and the experience of the individual to be hired into the job.
 - 2. The following process shall be used by the Department Head in determining the appropriate within-range step placement for each individual case.
 - a. Department Head shall coordinate with Financial Services Department to confirm budget availability.
 - b. Review job description for minimum requirements.
 - c. Review application and other documentation for relevant experience beyond minimum requirements.
 - d. Review application and other documentation for relevant education beyond minimum requirements.



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- e. Review Job Class Analysis to see where incumbents are placed for potential compression issues.
- f. Review market comparisons and “hot job” status.
- g. Place as follows based on conclusions from above review:

STEP PLACEMENT REQUIREMENTS	
Experience	Placement
Meets minimum requirements	Step 01
Relevant Experience BEYOND Minimum Requirements:	
1 Years	Step 02
2 Years	Step 03
3 Years	Step 04
4 Years	Step 05
5 Years	Step 06
6 Years	Step 07
7 Years	Step 08
8 Years	Step 09
9 Years	Step 10
10 Years	Step 11
11 Years	Step 12
12 Years	Step 13
13 Years	Step 14
14 Years	Step 15
15 Years	Step 16
16 Years	Step 17
17 Years	Step 18
18 Years	Step 19
Education	
Bachelor’s Degree in relevant field beyond minimum requirements:	Add 1 Step
Master’s or advanced Degree in relevant field beyond minimum requirements: hiring manager can make recommendation on certificate/relevant education	Add 1 Step



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B. Step Determination Guidelines.

STEP DETERMINATION GUIDELINES	
➤ Step 1 thru Step 8	Determination is at the discretion of the Department Head
➤ Step 9 thru Step 12	Requires written justification for determination based on the training, experience, and knowledge to perform the position responsibilities at the higher level of pay. The Department Head must submit the request and justification for consideration and determination through Human Resources for consideration and determination by the County Manager, or for Superior Courts, the Presiding Judge.
➤ Step 13 to top of Scale	Requires written justification for determination based on the Step Placement Requirements. The Department Head must submit the request and justification for consideration and determination through Human Resources and County Manager, providing the supporting justification for consideration and determination by the Board of Supervisors.

C. Step Placement.

1. Full and part-time employees: All full and part-time employees shall be hired on a step within the pay range of the assigned position. The placement may be authorized in conjunction with the Step Placement Requirements, Step Determination Guidelines, market comparisons and budget availability.
2. The salary of appointees to the Attorney, Assessor, Recorder, Sheriff, Superintendent of Schools, Supervisors and Treasurer shall be at the discretion of the Elected Official subject to budget approval of the Board of Supervisors. Chief Deputy County Attorney will be appointed in accordance with A.R.S. 11-419.
3. Department Heads: The salary of the appointed Department Head shall be negotiated between the incumbent and the County Manager where applicable, with the assistance of the Human Resources Director or their designee as needed. The County Manager shall place the salary offer on the agenda for consideration and affirmation by the Board of Supervisors. The salary of the appointed Department Head shall be maintained within the assigned salary range for the position to which they will be filling.
4. At the request of the Department Head and upon recommendation of the Human Resources Director, the County Manager may recommend an upward salary adjustment to the Board of Supervisors in unusual circumstances and in the best interest of the County.



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D. Initial Hire Rate.

The Department Head shall have considerable flexibility in the initial appointment hire rate. The rate shall be based on the Step Placement Requirements, Step Determination Guidelines, market comparisons and budget availability.

E. Underfill Appointments:

1. When a vacancy is to be filled and there are no qualified applicants, the Department Head may request Human Resources to approve that a position be underfilled. Individuals hired into such positions may be moved to appropriate classification when the acceptable qualifications and/or requirements are met.
2. Employees hired into an underfill position shall serve a probationary period as is appropriate to the classification.

F. Promotions: An employee who is promoted or reappointed to a position in a higher salary range shall receive a salary increase based on the Step Placement Requirements, Step Determination Guidelines, market comparisons and budget availability.

G. Lateral Transfers: An employee transferred to a position in the same classification in the same department or division, in the same salary range, shall be paid the same salary (same percent in salary range currently held) that was received prior to the transfer.

H. Demotions – Voluntary/Involuntary: Demotions may include reclassifications, departmental reorganizations, reduction in force or disciplinary actions.

1. An employee who is demoted voluntarily or involuntarily may receive a reduction in salary, based on the Step Placement Requirements, Step Determination Guidelines, market comparisons and budget availability on a case-by-case basis.
2. If a promotion is followed by a demotion, the employee's salary shall not exceed the amount that would be due if no promotion had occurred.

I. Special Detail Assignment: Special Details are temporary assignments which exceed thirty (30) business days to a position other than the position to which an employee is regularly assigned. Special Detail Assignments could be used to cover vacant positions or while an employee is out on an approved leave of absence. An employee detailed to a position in a higher classification shall receive a within-range salary increase equivalent to the entry of the salary range to which detailed \leq Step 8 based on the Pay Determination Guidelines, whichever is greater, provided the appropriate funding exists and is confirmed in writing by the Financial Services Director or their designee.



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1. Additional pay increases > Step 8 of the pay range minimum may be recommended by the Human Resources Director, approved by the County Manager, and reported to the Board of Supervisors. The complexity, responsibility, and potential increased workload requirements may be considered in the pay determination process.
 2. Once an employee returns from special detail assignment to their regular assignment, their salary shall return to the previous rate of pay plus any general pay changes.
- J. No salary increase/decrease as provided for by this section shall have the effect of causing an employee to exceed the maximum compensation level for the classification in which employed, unless approved by the Board of Supervisors.

2.23 Effective Dates

Promotions, Lateral Transfers, Demotions, Special Detail effective dates shall be the beginning of a pay period. Exceptions to effective dates shall be submitted to the County Manager for approval.

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2.3 OVERTIME (OT)

This policy is designed to be consistent with the FLSA. Only non-exempt FLSA covered employees are eligible for overtime compensation. Overtime work is time actually worked in excess of 40 hours in any single workweek excluding any paid leave. (www.dol.gov)

2.31 Prior Authorization of Overtime

- A. Employees shall get prior authorization from their Department Head before working in excess of their scheduled workday/workweek.
- B. Employees who work overtime without prior authorization shall be compensated for the time worked; however, they may be disciplined for failing to obtain prior authorization.

2.32 Official Records

The Mohave County Payroll records shall be the official recognized records of time and overtime worked. It is the responsibility of the employee and their supervisor to ensure the time sheet submitted to payroll is accurate and reflects actual hours worked each day. Any corrections shall be reported to payroll as soon as possible. Employees shall be notified of any corrections to their timesheet before being submitted to Payroll.

2.33 Distribution of Overtime

Overtime work shall be allocated as evenly as possible among all qualified employees and at the discretion of the Department Head. Preference may be given to those employees volunteering to work overtime; however, all employees are required to work overtime when requested.

2.34 Straight Time Off During Same Workweek

- A. A non-exempt employee who works more hours in a day than their scheduled workday may receive time off during the same 40-hour workweek in order to avoid the payment of overtime. If the employee does not take the time off and works more than 40 hours, the overtime provisions shall apply.
- B. Time off during the same workweek shall be granted on a straight hour-for-hour basis. For example, an employee who works 10 hours on Monday might work only six (6) hours on Tuesday (or only seven (7) hours on Wednesday and Thursday) to offset the two extra hours worked on Monday.



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2.35 Compensation for Overtime

Non-exempt employees who work overtime shall be compensated by one of the following methods per agreement between the employee and the Department Head, in accordance with department policy.

- A. Direct Payment: Overtime is paid at the rate of 1.5 times the employee's regular hourly rate for each hour worked over 40 hours within the scheduled workweek.
1. If an employee has less than 40 hours of actual work in the workweek, regardless of the hours worked during one single day the employee is not eligible for overtime and all hours worked shall be paid at the regular hourly rate.
 2. Overtime is only paid for "hours worked." Bereavement leave, employee illness bank (EIB), holiday time, jury duty, military leave, paid time off (PTO), etc., are not counted toward "hours worked" during a workweek.
- B. Compensatory ("comp") Time:
1. Compensatory time is paid time off at the rate of one and one-half (1.5) hours of compensatory time for each hour worked over 40 hours within the scheduled workweek. If an employee has less than 40 hours of actual work in the workweek, the employee is not eligible for compensatory time.
 2. A maximum of 60 hours of compensatory time may be accrued ("banked"). After an employee has accrued 60 hours of compensatory time, all subsequent overtime hours worked shall be paid at the rate of 1.5 times the employee's regular hourly rate. Accurate record-keeping of overtime hours worked and compensatory time credited on the employee's time sheets is mandatory.
 3. Accrued compensatory time shall be used within a reasonable time frame. Should the employee fail to use the compensatory time, the Department Head, at their sole discretion, may direct the employee in writing which days they shall be taking off for compensatory time purposes.
 4. Accrued compensatory time shall be exhausted before accrued PTO may be used.
 5. Upon termination of employment, retirement, or change of status from non-exempt to exempt, an employee's accrued compensatory time shall be cashed out at the employee's current rate of pay.



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2.36 Hours of Work

- A. The normal workweek for full-time employees is forty (40) hours. The normal workweek begins on Saturday morning at 12:01 a.m. and ends at 12:00 midnight the following Friday.
- B. 4/10 Schedule: At the sole discretion of the Department Head, employees may be required to work a 4/10 schedule where they work ten (10) hours per day for four (4) days rather than the traditional eight (8) hours per day for five (5) days per week work schedule.
 - 1. When a non-exempt employee working the 4/10 schedule takes an authorized absence from work on their regularly scheduled ten (10) hour workday, the employee shall be charged for ten (10) hours of leave time.
- C. At the sole discretion of the Department Head, work schedules (to include shift rotations: day shift, swing shift, grave shift) switching to or from a 4/10 schedule, may be changed at any time for the purposes of business necessity and without requiring the agreement of the employee.

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2.4 CALL BACK PAY AND SHIFT EXTENSIONS

2.41 Call Back Time and Pay

- A. A FLSA non-exempt employee called back to work for a non-scheduled or emergency situation outside of the employee's regularly scheduled shift shall be compensated at the rate of one and one-half (1.5) times the employee's regular hourly rate or compensatory time.
- B. In no case shall the FLSA non-exempt employee who responds to such call back receive compensation for less than one (1) hour of time worked.
- C. Time credited for call back shall include any such time the FLSA non-exempt employee is actively engaged in work activity, which includes reasonable commute time.
- D. Call Back during the week of PTO: If a FLSA non-exempt employee has scheduled paid time off (PTO) that has been approved by the supervisor, and the employee is called back to work during the week of scheduled PTO, the employee may choose to either (a) apply both the scheduled PTO and the call back time toward the employee's work week, or (b) apply the call back time toward the scheduled work week and save the unused PTO for future use. To illustrate how this works, refer to the following example:
 - 1. Employee A is regularly scheduled to work forty (40) hours during the work week. Employee A would like to take paid time off (PTO). Employee A submits a request, and receives approval, to take forty (40) hours of PTO during a scheduled week in the near future. During the week that Employee A is scheduled to take his approved PTO, employer calls Employee A back to work. Employee A works ten (10) hours of call back time during the week he was scheduled to take PTO.

At the conclusion of the week, Employee A may calculate his work time as follows:

- a. Submit forty (40) hours of scheduled PTO and ten (10) hours of call back time, for a total of fifty (50) hours worked (employee shall be compensated at the employee's regular hourly rate of pay for 40 hours, and at the rate of one and one-half (1.5) times the employee's regular rate of pay for the 10 hours of call back time), or
 - b. Submit thirty (30) hours of scheduled PTO and ten (10) hours of call back time, for a total of forty (40) hours worked (employee shall be compensated at the employee's regular hourly rate of pay for 30 hours, and at the rate of one and one-half (1.5) times the employee's regular rate of pay for the 10 hours of call back time).
- E. Option of Using Time Off or PTO after Call Back: At the conclusion of call back work, if the FLSA non-exempt employee is scheduled to begin working an upcoming shift within the next



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eight (8) hours, the employee's supervisor may allow the employee to have time off on a straight hour-for-hour basis in lieu of the scheduled shift (or a portion of the shift if the call back time does not cover the entire shift period), or to use PTO on a straight hour-for-hour basis instead of working the regularly scheduled shift (or a portion of the shift if the call back time does not cover the entire shift period). When making this decision, the supervisor shall consider the employee's safety and minimizing the risk of harm to others. To illustrate how this works, refer to the following example:

1. A FLSA non-exempt employee is scheduled to work a daily eight (8) hour shift Monday through Friday from 8am to 4pm. Upon completing Tuesday's shift the Employee leaves work at 4pm but is called back to work on the same day at 7pm. The employee works from 7pm until 3am (Wednesday) for a total of eight (8) hours of call back time. The employee is scheduled to begin his next shift on Wednesday at 8am. The employee's supervisor may give the employee straight hour-for-hour time off of eight (8) hours in lieu of Wednesday's shift, or allow the employee to use straight hour-for-hour PTO time of eight (8) hours in lieu of working Wednesday's shift.

Under this section, the PTO or straight time off may only be used for the immediately upcoming scheduled shift.

- F. For call back time, Employee must be able to return to work within one and one half (1.5) hours after being notified.
- G. Under no circumstances shall PTO leave be used in advance of accrual. If the employee does not have sufficient PTO to cover the upcoming time, the supervisor shall not offer the employee the use of PTO.

2.42 Shift Extensions

- A. A Shift Extension occurs when a FLSA non-exempt employee arrives to work earlier than the regularly scheduled shift for a non-emergency event or continues to remain at work beyond the conclusion of the regularly scheduled end of the shift. Time worked as a Shift Extension is not call back time. Time worked as a Shift Extension is paid at the FLSA non-exempt employee's regular rate of pay, except in the event of working beyond forty (40) hours in the work week. Any hours worked beyond forty (40) hours within the scheduled work week shall be paid in accordance with Mohave County Personnel Policies and Procedures Rule 2.35.
- B. Nothing in this section alters or changes Mohave County Personnel Policies and Procedures Rule 2.34.

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2.5 ON CALL PAY

- A. The determination as to whether or not the time an employee is on call need be counted as compensable working time depends upon the employee's freedom while on call. If employees must remain on the employer's premises or so near that they cannot use the time freely, the time is compensable. But if employees can come and go freely, even though they must leave a telephone number where they can be reached or carry a cell phone or pager, the time shall be excluded from hours worked. On Call pay is not the same as call back pay, which requires an eligible employee to be called back to work in a non-scheduled or emergency situation.

- B. For those employees subject to scheduled reoccurring on call hours, employees designated to receive and respond to off-hour requests, the Department Head may establish specific policies within their department to compensate those employees for their inconvenience at a rate of one hour pay or comp time for every day required to be on call. This does not apply to those employees who are not specifically scheduled to be on periodic or reoccurring on call hours, such as those employees who have to respond to unscheduled call backs or such instances as impending inclement weather events. All Department on-call policies must be submitted to and be approved by the County Manager.

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2.6 HOLIDAYS

A. County offices shall be closed on each of the ten (10) holidays listed below:

HOLIDAY	DATE
New Year's Day	January 1st
Martin Luther King, Jr./Civil Rights Day	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	4 th /Last Monday in May
Independence Day	July 4th
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veterans Day	November 11th
Thanksgiving Day	4 th Thursday in November
Christmas Day	December 25th

B. Floating holiday: Employees shall receive one (1) 'floating' holiday from the list of days offered by the County.

C. When a holiday falls on Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed A.R.S. §1-301. It shall be noted that public safety and other essential service employees may be required to be on duty during holidays. Unless the department employees are normally scheduled to work the holiday, the actual holiday is to be observed by all employees.

D. Non-exempt employees on 24/7 schedule are automatically paid overtime for holiday hours worked. If it is not possible for an eligible employee to be given time off on a holiday and the employee is required to work, the employee shall be paid as follows:

1. Premium holiday wages, at a rate of one and one-half (1.5) times the employee's regular hourly rate, for each hour actually worked on the holiday.
2. All hours paid at the premium holiday rate will be subtracted from the total hours actually worked during the regularly scheduled work week to determine overtime.
3. Following the subtraction of all hours paid at the premium holiday rate, overtime shall be determined in accordance with these procedures.



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- E. A non-exempt employee, not on 24/7 schedule, called in to perform work during a recognized holiday shall receive their regular rate of pay for the holiday plus time and a half (1.5) for all hours worked on that holiday regardless of the total hours worked in that workweek.
- F. Employees on a voluntary 4/10 schedule may submit a leave request for two (2) hours of PTO or personal leave for each holiday that falls on their regular ten (10) hour workday. Exception: An employee may work the two (2) hours they would have taken leave if they have received prior approval from the Department Head and such time is worked within the same work week.
- G. Employees mandated to work ten (10) hour shifts shall have their schedules adjusted to an eight (8) hour shift for the week that includes a holiday, not to exceed 40 hours within the work week.
- H. Part-time (at least 20 hours per week) employee's paid holidays shall be four (4) hours.
- I. Temporary workers are not eligible for paid holidays.
- J. In order to receive pay for an observed holiday:
 - 1. Must have other hours paid during the pay period in which the holiday is included
 - 2. Shall not have been on unauthorized absence the workday before the holiday or on the next workday after the holiday.

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2.7 WORKERS' COMPENSATION (WC)

The County is committed to providing appropriate workers' compensation benefits as required by state law. Workers' compensation benefits covering accidental injury, disability, disease or death occurring in the course and scope of employment are provided to employees, including individuals in temporary and volunteer status at no cost to employees. Superior Court volunteers are not covered by worker's compensation.

2.71 Injury Reporting Requirements

Every injury or illness sustained on-the-job, no matter how trivial, shall be reported as soon as practical, on same or next business day when possible, to the employee's supervisor; it is not necessary to report the injury or illness to the supervisor in person. In this way, prompt first aid treatment can be given or immediate medical attention secured if necessary. Reporting the time of injury and names of witnesses is important when establishing a workers' compensation claim. Once an employee has reported an on-the-job injury or illness to their supervisor, the supervisor shall complete the following:

- A. If the injury requires medical attention, at the option of the County, the employee may be required to report to a County-specified medical facility or physician at the County's expense. However, the County may elect to allow the employee to seek treatment from their own healthcare provider for this initial visit. Should an employee be directed to a County specified facility or physician for the first visit, the employee may elect to continue treatment with the healthcare provider of their choice on subsequent visits. Once an employee sees any healthcare provider for two or more visits, the employee shall be required to continue all treatments with that provider for the duration of the claim unless the employee requests a change of provider through the Industrial Commission and the Arizona Counties Insurance Pool. Superior Court employees are covered by the Arizona state guidelines.
- B. If the injury is severe or one that requires immediate aid, arrange for transportation to the nearest emergency treatment center.
- C. Complete a "Supervisor's Report of Injury" and immediately email to the Risk and Emergency Management Department. Retain a copy for supervisor.



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2.72 Use of Paid Time Off (PTO)

- A. PTO leave may be used to supplement Workers' Compensation (WC) and Short Term Disability (STD) payments up to 100% of an employee's regular bi-weekly base salary.
 - 1. Under no circumstances shall an employee be allowed to receive any combination of workers' compensation and PTO leave in an amount that is greater than their regular net salary.

2.73 Employee's Return to Work

After an absence due to an industrial injury or illness, an employee may return to their regularly assigned duties with a return-to-work release by the Workers' Compensation physician provided (at the County's option) that the ability of an employee to perform their full responsibilities of their job may be verified by a secondary physician. Notification of an employee's intent to return to work shall be made as soon as possible to the Department Head, Risk and Emergency Management Department, and Human Resources Department.

Every time the employee is evaluated by a Workers' Compensation physician they will need a return-to-work release from the facility showing their current work status. The return-to-work release shall be submitted into the Department Head and Risk and Emergency Management prior to the employee assuming their regular work duties.

- A. Return to Work Program. The return to work program is provided to allow employees who are not yet able to perform their regular assignments to be assigned modified duty for a specified period of time when it is possible for the County to do so.
- B. Assignment to Modified Duty.
 - 1. When an employee is determined to be able to perform modified duty by the Workers' Compensation physician, the employee shall notify Human Resources and the Risk and Emergency Management Director in writing and provide a copy of the physician's authorization.
 - 2. Upon approval of the Workers' Compensation physician for specific types of modified duty, the Department Head shall determine what modified duty assignments, if any exist, and notify Human Resources and the Risk and Emergency Management Director.
 - a. If there is a need for temporary services within the employee's work unit or another department work unit, the employee shall report daily to their assigned



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- supervisor for such modified duty. Modified duty generally shall not exceed ninety (90) days.
- b. If there are no modified duty assignments available in the employee's department, the supervisor shall work with the Risk and Emergency Management Director and Human Resources to attempt to identify a temporary modified duty assignment in another department.
 - c. Grant funded employees shall only be assigned to a modified duty assignment that is supported by the grant from which they are paid.
3. The Risk and Emergency Management Department shall notify the Workers' Compensation insurer of the employee's working status.
- a. Employees assigned to a department other than their own on a temporary modified duty assignment shall be paid by the department in which they are regularly employed.
 - b. Employees who are on modified duty assignments shall be paid at the regular rate of pay for the classification to which assigned.
- C. Medical Examination Requirement: While on modified duty, medical examinations may be required periodically by the County, at the County's expense, to determine the medical status of the employee.
- D. Return to Regular Duty from Modified Duty Assignment: Upon release, with no restrictions, from the Workers' Compensation physician, the employee shall return to their department for regular duty assignment.
- E. Discontinuance of Modified Duty Assignment: If, at any time during a modified duty assignment, it is found not to be in the best interest of the County to continue modified duty, the employee may be laid-off unless on FMLA leave status.
- F. Inability to Return to Regular Duty: If an employee is no longer on FMLA leave status and is unable to perform regular duties on or before the completion of the modified duty assignment, the Department Head and the Risk and Emergency Management Director shall consider temporary or complete reassignment to another County position in or out of the employee's current field. Such position, if available, may involve a change in job classification and pay. If no position is available for which the employee is qualified, the County shall separate the employee from County service through layoff.

2.74 Public Safety Supplemental Benefits (PSSB) Plan



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The purpose of the Supplemental Benefits Plan is to describe benefits afforded to the Public Safety (PS) Employees under the Public Safety Officer; Duty-Related Injury; Supplemental Benefits Plan A.R.S. §38-961.

- A. A.R.S. §38-961 describes, “Public Safety Employee” as an individual who is a member of the Public Safety Personnel Retirement System, the Corrections Officer Retirement Plan or a Probation Officer, a Surveillance Officer or a Juvenile Detention Officer employed by the state or political subdivision of the state.
- B. Supplemental Policy.
 1. PS Employees shall apply for the PSSB Plan and the County shall determine the PS employees’ eligibility into the Plan. To be eligible for the PSSB Plan, the PS employee must meet the conditions set forth below, to wit:
 - a. The PS employee must be employed full-time. Volunteers or those employed part-time by the County or Superior Court, such as, search and rescue employees, posse employees, boating employees, and similar volunteers and part-time employees shall not be provided for by this PSSB Plan.
 - b. The PS employee must be receiving workers’ compensation benefits for off-work status for the injury prior to applying for acceptance into the PSSB Plan.
 - c. The PS employee has been on an off-work status for a minimum of thirty (30) calendar days. On the thirtieth (30th) day the PSSB Plan begins and is retroactive to the first day the PS employee was placed on off-work status by a health care professional as a result of a work related injury.
 - d. The PS employee must remain on active employment status with the County or Superior Court. If the PS employee fails to remain on said active employment status this Plan is not applicable to their case.
 - e. The PS employee’s injury must not be the result of a pre-existing physical or medical condition or the aggravation of a pre-existing physical or medical condition.
 - f. The PS employee’s injury must not be the result of gross negligence, an unlawful act, a County or Superior Court policy violation, misconduct or self-exposure.



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- g. The injury to the PS employee must have occurred while the PS employee was on duty and to the extent that the PS employee cannot perform the functions of the position.
 - h. The PS employee shall comply with all Risk and Emergency Management Department requirements including but not limited to evaluation for light duty, (as referred to in the subject statute is, for the purpose of this document, also known as modified duty), and rehabilitation programs, provide the Risk and Emergency Management Department with qualifying medical documentation of the injury for supplemental benefits and medical status of employee's ability to perform functions of their position throughout the recovery process. The goal is to assure the employee makes as quick a recovery as possible and returns to light duty or full duty as quickly as possible.
2. Provided PS employee is accepted into the Supplemental Benefits Plan and is receiving benefits under the Plan said benefits will terminate immediately upon PS employee failing to comply with Risk and Emergency Management Department decisions, PS employee returns to or refuses to return to available light duty or returns to full work status.
3. Provided the PS employee is accepted into the Supplemental Benefits Plan, the following shall occur:
- a. The County shall continue to pay the PS employee's regular salary through the means by which it is regularly funded with no reduction except for other benefits being paid by the workers' compensation fund and the amount of taxes the PS employee was paying prior to the work-related injury. This includes continuation of the following, to wit:
 - i. The PS employer's portion of enrolled health care benefits.
 - ii. The PS employee's and employer's contributions to the retirement system or Corrections Officer Retirement Plan, as applicable.
 - b. The PS employee shall accrue credit for service for the time enrolled in the Plan. Employee's PTO shall not be reduced while on an off-work status for the term of the PSSB Plan.
4. The PS employee shall:



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- a. Be responsible to pay for the portion of their health care benefit costs they were paying at the time of the injury, health related optional costs and/or optional life insurance costs.
 - b. Continue to accrue credited service in the applicable retirement system during the period of time enrolled in the PSSB Plan.
 - c. Not accrue any additional PTO leave while the employee is participating in the PSSB Plan.
 - d. Comply with all Risk and Emergency Management Department requirements including but not limited to, evaluation for light duty and rehabilitation programs, provide the Risk and Emergency Management Department with qualifying medical documentation of the injury for supplemental benefits and medical status of the PS employee's ability to perform functions of their position and medically directed rehabilitation throughout participation in the PSSB Plan.
5. The PSSB Plan is offered to the PS employee for an initial period of 180 calendar days, provided the PS employee is accepted into the plan. This section also provides that the County may determine if the PSSB Plan shall be extended an additional six (6) months (180 calendar days). Total calendar days for receiving benefits under this plan shall not exceed one (1) year or three hundred and sixty (360) calendar days.
6. Supplemental plan benefits cease upon one of the following:
- a. The PS employee is released to regular duty or light duty (a temporary modified position).
 - b. The PS employee refuses to accept a light duty assignment.
 - c. The PS employee has received benefits for 180 calendar days from the first day placed on an off-work status.
 - d. The PS employee is no longer considered a PS employee of the County or Superior Court.
7. If the PS employee has been placed on an off-work status for more than 180 calendar days, they may submit a request for an extension of benefits in writing to Mohave County or Superior Court Human Resources and the Risk and Emergency Management Department. It is at the employer's discretion whether or not to extend



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benefits. If benefits are extended, they cannot exceed a maximum of an additional 180 calendar days.

8. The County may at any time require the PS employee to submit to a Fitness for Duty or Independent Medical Exam.
9. If the PS employee is not off-work for the entire initial 180 calendar days, any unused portion may be applied to a future off-work period for the same injury, provided the PS employee's workers' compensation claim remains open.
 - a. The unused portion of the initial 180 days shall not be applied if the PS employee's workers' compensation claim is closed and reopened at a future date.
 - b. The unused portion of extended benefits shall not be applied to any future off-work period for the same injury or any reopening at a future date.
10. Once the Risk and Emergency Management Department receives information regarding an injury to a PS employee, they will establish a file:
 - a. If the claim is accepted and it is unclear the extent of the off-work status, the PS employee's department or supervisor will notify the Risk and Emergency Management Department when the PS employee has been off-work for more than thirty (30) days. The Risk and Emergency Management Department can then provide a Supplemental Benefits Application to the PS employee.
 - b. The Risk and Emergency Management Department will not accept the PS employee's application for benefits under the plan while the PS employee's workers' compensation claim is under investigation. Workers' compensation acceptance of the employee's injuries for payment will be sufficient for the Risk and Emergency Management Department to accept PS employee's application for benefits under the subject plan.
 - c. All checks from Workers' Compensation for time off-work will be sent to the Risk and Emergency Management Department from the appropriate workers' compensation insurer.
 - d. When the PS employee is released to light duty or regular duty the PS employee's department or supervisor will immediately notify the Risk and Emergency Management Department.



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- e. The Risk and Emergency Management Department can request a Fitness for Duty or Independent Medical Exam at any time during the period the PS employee is receiving supplemental benefits.
 - f. The County may provide rehabilitation or vocational assistance to the PS employee.
11. Light duty: The County will make every effort to accommodate the PS employee's needs in returning to light duty, including but not limited to the following, to wit:
- a. Payment of mileage if the light duty assignment is in a location other than the assigned work place.
 - b. Provide transportation via car pool or other means if the PS employee is unable to drive his or her self.
 - c. Provide light duty for a different work shift than previously assigned.
 - d. If the PS employee refuses to return to work in a light duty capacity – for any reason – the PS employee will be terminated from the PSSB Plan.
12. Workers' Compensation wage benefits will also be eliminated if a PS employee refuses a light (modified) duty assignment that they are qualified for and have been released by a health care professional to perform.
- C. Procedure.
- 1. PS Employees who are injured while performing required duties shall:
 - a. Immediately notify their supervisor or person in charge if the supervisor is not available, even if medical treatment is not necessary.
 - b. Seek medical attention through a County designated facility or physician arranged to provide medical care. PS Employees will utilize these designated physicians for their initial visit unless the injury is severe (e.g. broken bone, excessive bleeding, unconsciousness, amputation, etc.) at which time 911 should be called.
 - c. The PS employee must immediately present a physician "work status" report after each doctor visit to their Supervisor who shall notify the Risk and Emergency Management Department, until full duty work status is obtained.



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This statement must include any work restrictions or physical limitations necessary for the PS employee's well-being.

2. The PS employee's department, supervisor or person in charge who is notified of an on-the-job injury shall:
 - a. Notify the Risk and Emergency Management Department immediately and complete a Supervisor's Report of Industrial Injury (SRI) and forward it to the Risk and Emergency Management Department within twenty-four (24) hours and no later than seventy-two (72) hours after the accident. An SRI must be completed even if no medical treatment is needed.
 - b. Forward all physician "work status" reports and releases to the Risk and Emergency Management Department in a timely manner.
 - c. Cooperate with the Risk and Emergency Management Department in identifying light duty work assignments for employees who received an on-the-job injury in order to avoid a time-lost claim against the County/State of Arizona. The employee's original department will be responsible for any wages paid to this PS employee while working a light duty assignment in another department.
 - i. The light duty assignment will be established using a Temp Modified Work Agreement form.
 - ii. The PS employee's pay and classification status will remain the same while on a light duty assignment regardless of the actual duties being performed.
- C. Failure of the PS employee to comply in good faith with all of the aforesaid provisions may exclude the PS employee from coverage under the PSSB Plan.

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2.8 PAYMENT UPON TERMINATION OF EMPLOYMENT

It is the intent of Mohave County to comply with the provisions of A.R.S. §23-350 *et seq.* regarding the payment of terminated employees.

2.81 Payment of Wages to Terminated Employee

- A. When an employee is dismissed for cause from the service of Mohave County, in accordance with A.R.S. §23-353, they shall be paid wages due to them within seven (7) business days or at the end of the next regular pay period, whichever is sooner.
- B. When an employee resigns from the service of Mohave County, they shall be paid all wages due to them no later than the regular payday for the pay period during which the termination occurred. If requested by the employee, such wages shall be paid by mail.

2.82 Withholding of Wages

Mohave County shall not withhold or divert any portion of an employee's wages unless: (a) required or empowered to do so by state or federal law; (b) the employee has provided written authorization; or (c) there is a reasonable good faith dispute as to the amount of wages due.

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3.1 PAID TIME OFF (PTO) LEAVE

PTO allows employees flexibility and the ability to manage their accrued time off for vacations, personal illness or injury, illness, injury or death of a family member, medical and dental appointments, humanitarian/emergency relief as a volunteer, and other personal business. Mohave County PTO policy meets or exceeds the requirements for the Fair Wages and Healthy Families Act., A.R.S. § 23-371 et al.

A. Eligibility and Accrual.

1. All full-time (at least 32 hours per week) and part-time (at least 20 hours per week) benefits-eligible, non-temporary employees are eligible to accrue PTO leave from the date of hire provided they are:
 - a. At work for-at least one (1) week of the pay period.
 - b. On approved leave with pay (i.e. short-term military leave, bereavement leave, administrative leave).
2. Employees do not accrue PTO leave if they are on a leave of absence without pay for the duration of one or more pay periods. Employees who are solely on Workers' Compensation shall not accrue PTO leave, with the exception of Public Safety Officers according to A.R.S. §38-961.
3. PTO leave shall not be used in advance of accrual.

B. Rate of Accrual: Eligible employees shall accrue PTO leave as follows:

1. Eligible part-time employees shall accrue PTO leave at 50 percent of the hours accrued per pay period based on their years of continuous service and their budgeted position allocation.

Rate of accrual for employees hired prior to January 23, 2016

Years of Continuous Service	Full Time Employees Hours Accrued per Pay Period	
	Hours Accrued Per Pay Period	Hours Accrued Per Year (totals rounded to nearest hour/day)
Beginning on date of hire through end of 1 year	8.00	208 = 26 Days
Beginning year 2 through end of year 4	9.00	234 = 29 Days
Beginning year 5 through end of year 9	10.00	260 = 33 Days
Beginning year 10 through end of year 14	11.00	286 = 36 Days



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Beginning year 15 and over	12.00	312 = 39 Days
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Rate of accrual for employees hired on or after January 23, 2016 (Revised BOS July 17, 2023)

Years of Continuous Service	Full Time Employees Hours Accrued per Pay Period	
	Hours Accrued Per Pay Period	Hours Accrued Per Year (totals rounded to nearest hour/day)
Beginning on date of hire through end of year 4	6.5	169 = 21 Days
Beginning year 5 through end of year 9	7.5	195 = 24 Days
Beginning year 10 through end of year 14	8.5	221 = 28 Days
Beginning year 15 +	9.5	247 = 31 Days

Newly hired full-time employees will be front loaded 39 hours of PTO on the date of hire. Newly hired part-time employees will be front loaded 19.5 hours of PTO on the date of hire. Accrual of PTO hours in conformity to this subsection will begin on the 7th pay period after hire date. During the transition effective July 29, 2023, adjustments may need to be done to previous newly hired employees who may fall under the first 6 pay periods. If a newly hired employee uses front loaded PTO and leaves prior to completing 6 pay periods, any PTO hours used in excess of accrual from date of hire to date of termination shall be adjusted from employee's final paycheck.

C. Use of PTO leave:

1. Except for the use of PTO leave for purposes of illness, injury, or health condition as specified in Section 3.1(D) below, the Department Head, or designee, has the sole authority to approve or disapprove PTO or unpaid time requested by an employee.
2. PTO leave shall not be charged against an employee's accrued leave balance for an authorized holiday that occurs while an employee is using PTO leave.
3. Except as permitted by Personnel Policies and Procedures 2.41 (Call Back Time and Pay), PTO leave shall be allowed only to the extent that it will ensure payment to employee's budgeted hours.
4. PTO leave may be used to supplement Workers' Compensation (WC) payments up to 100% of an employee's regular bi-weekly base salary. Actual PTO hours required to supplement WC, shall be calculated to approach near approximation of the employee's regular net salary as WC payments are not subject to tax withholding.
5. PTO leave may be used to supplement Short Term Disability (STD) payments up to 100% of an employee's regular bi-weekly base salary. Actual PTO leave hours



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required to supplement STD shall be calculated to approach near approximation of the employee's regular net salary.

6. Compensatory time must be used prior to using PTO.
- D. Use of PTO leave for purposes of illness, injury or health condition.
1. Regarding illness, injury or health condition, employees may use PTO leave for any of the following circumstances:
 - a. Mental or physical illness, injury or health condition; a need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; a need for preventive medical care;
 - b. Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care. The term "family member" as used herein is defined by A.R.S. §23-371;
 - c. A public health emergency as defined by A.R.S. §23-373(A)(3); or
 - d. Employee's absence or the employee's family member's absence due to domestic violence, sexual violence, abuse, or stalking in order to allow the employee to obtain for the employee, or the employee's family members, any of the services identified in A.R.S. §23-373(A)(4)(a)-(e). The term "family member" as used herein is defined by A.R.S. §23-371.
 2. PTO leave for purposes of illness, injury or health condition shall be provided upon the request of an employee. Such request shall be made to the Department Head or designee. Such request may be made orally, in writing, or by electronic means. When possible, the request shall include the expected duration of the absence.
 3. When the use of PTO leave for purposes of illness, injury or health condition is foreseeable, the employee shall make a good faith effort to provide notice to the employer in advance of the use of the PTO leave and shall make a reasonable effort to schedule the use of PTO leave in a manner that does not unduly disrupt the operations of the employer.
 4. When the need to use PTO leave for purposes of illness, injury or health condition is not foreseeable, it is the County's policy to require the employee to provide notice, whether orally, in writing, or by electronic means, to the Department Head or designee,



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as soon as is practicable for the employee to do so without causing an undue burden upon the employee. Such notice shall be provided before the employee returns to work.

E. Verification of PTO leave for purposes of illness, injury, or health condition.

1. For PTO leave used for purposes of illness, injury, or health condition in which the employee is absent for three (3) or more consecutive workdays, the Department Head may require reasonable documentation that the PTO leave was used for one of the specified purposes in Section 3.1.D.1 above. Such documentation may include, but is not limited to, a certificate from a health care professional or practitioner, and/or an examination by a designated physician or health practitioner. In the event an employee uses three (3) or more consecutive workdays of PTO leave for purposes of illness, injury, or health condition, the Department Head may require the employee to provide documentation of fitness to return to work. In cases of domestic violence, sexual violence, abuse or stalking, the employee may submit documentation identified in A.R.S. §23-373(G). The Department Head may disapprove the request for PTO leave for purposes of illness, injury, or health condition if such documentation is not adequate or if the health care professional determines that the request for PTO leave for purposes of illness, injury, or health condition is not a valid request.

F. Forfeiture of PTO Leave (Initial Probationary Employees): Employees occupying classified positions who are on initial probation and who do not complete their probationary period shall forfeit accrued PTO leave hours and will be required to pay back front-loaded PTO hours used in excess of accrual per Section B above. Compensatory time shall not be forfeited.

G. Forfeiture of PTO Leave: At the end of the calendar year, total PTO leave accruals may not exceed nine hundred (900) hours. At the end of the calendar year (The pay period which includes December 31) only nine hundred (900) total PTO leave hours, will be carried forward to the new calendar year, and accrued hours in excess of the nine hundred (900) hour limit will be forfeited.

Carryover of PTO for employees hired on or after January 23, 2016, shall not exceed three hundred (300) hours.

H. Requesting PTO Leave: With the exception of emergencies and the use of PTO leave for purposes of illness, injury, or health condition as outlined in 3.1.D and E above, PTO leave shall be requested in writing at least two (2) weeks in advance.

I. Reporting and Recording Leave: The Department Head shall be responsible for ensuring that all leave used is properly recorded on employee's timesheet form.



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- J. Disposition of Accrued Leave: An employee who transfers between County departments or to or from the Mohave County Courts shall retain any accumulated PTO leave. An employee who changes from one employment type to another employment type (i.e., full-time, benefits-eligible employee, to part-time, benefits-eligible employee) shall retain any accumulated PTO leave and shall be eligible to use and/or accrue PTO in accordance with their current employment type. A benefits-eligible employee, who transitions to a non-benefits-eligible employee or elected position, shall receive payment of PTO upon separation in accordance with the separation provision below.
- K. Separation. A regular classified employee hired prior to January 23, 2016, who separates from County service shall be paid up to a maximum of four hundred (400) hours of unused PTO leave at the employee's current rate of pay. A PTO eligible unclassified employee hired prior to January 23, 2016 who separates from County service shall be paid up to a maximum of six hundred (600) hours of unused PTO leave at the employee's current rate of pay. Within the last three (3) months of employment, any amount of PTO used in excess of half a year's accrual as defined in Section 3.1.(B) above, will be deducted from the 400/600 hours at separation. This does not include employees on approved medical leave.
- L. Rate of PTO payout for employees hired on or after January 23, 2016, shall not exceed three hundred (300) hours.
- M. Employee's failure to follow any of the PTO leave rules and procedures as stated herein may be deemed by the Department Head as unauthorized leave and subject to disciplinary action.
- N. Use of leave for a condition resulting from a pandemic outbreak may include the use of accrued sick, accrued compensatory time, accrued paid time off (PTO) and/or leave of absence without pay. For temporary or part-time employees not accruing PTO who have exhausted sick leave accruals, the County may advance sick leave not to exceed forty (40) hours to the employee to be repaid within two years of future accrued sick leave or a final paycheck. For PTO eligible employees who have exhausted PTO, the County may advance PTO not to exceed eighty (80) hours to the employee to be repaid within two years of future accrued PTO leave or a final paycheck. This request must be submitted in writing to the Department Head. Approval in such situations will be reviewed on a case-by-case basis and may only be granted by the Department Head or County Manager. Alternatively, those employees who have exceeded their advance leave accruals may be placed in a leave without pay status. The employee's consent in such instances is waived.
- O. PTO Buy Back: The purpose of this policy is to establish guidelines and procedures for the buyback of PTO for eligible employees.



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1. The PTO Buy Back Program shall be funded on a fiscal year basis through the annual budget process, contingent upon Board of Supervisor approval. The Board may terminate the program at any time. In all cases, employee participation in the program is strictly voluntary.
2. It is a violation of Mohave County policy for any County employee to coerce, threaten, intimidate or financially induce or reward another employee to participate in the PTO Buy Back Program.
3. Mohave County recognizes the existence of circumstances under which some employees have accumulated PTO that will not be used in a calendar year and will be rolled over to the next year. An eligible employee may sell back to the County up to forty (40) hours of PTO in eight (8) hour increments on an annual basis, which will be paid out by the second payroll cycle in January.
 - a. Exception to increase up to forty (40) hours may be increased to up to sixty (60) hours for employees with a December 31st accrued balance in excess of 2/3 of the maximum carryover balance, as follows:
 - i. Employees hired **PRIOR** January 23, 2016 – 600 hours (2/3 of max carryover of 900 hours)
 - ii. Employees hired **ON OR AFTER** January 23, 2016 – 200 hours (2/3 of max carryover of 300 hours)

An employee may participate in the PTO Buy Back Program provided the employee meets all the following criteria:

- a. Retains a minimum of eighty (80) hours of PTO after PTO Buy Back is paid out.
- b. In the calendar year in which the PTO Buy Back is requested, the employee has used, or is scheduled to use by December 31st, PTO in an amount equal to or greater than the amount of PTO Buy Back the employee is requesting. In no event may an employee receive more than forty (40) hours of PTO Buy Back in a single year or more than sixty (60) hours if accrual balance is more than 2/3 of allowable rollover maximum.
- c. Meets or exceeds a score of 3.0, on the employee's most recent employee evaluation and is not subject to disciplinary action at the time the PTO Buy Back request is submitted.



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- d. Submit the PTO Buy Back Program Form to the employee's Department Director prior to the December 15th deadline in the calendar year in which the request is made. The Department Director shall determine the employee's eligibility, and if eligible, forward the Form to the Finance Department for processing.
4. Nothing in this policy changes Personal Policies and Procedures 3.1(C)(6), which requires employees to use compensatory prior to using PTO. Compensatory time does not count toward the use of PTO hours as required by the PTO Buy Back Program.

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3.2 FAMILY AND MEDICAL LEAVE ACT (FMLA)

It is the policy of Mohave County to fully comply with the provisions of the federal Family and Medical Leave Act of 1993, as amended (FMLA), as well as the United States Department of Labor (DOL) regulations implementing the FMLA. The FMLA, the DOL regulations and any Arizona Revised Statutes dealing with the same subject matter shall always take precedence over any inconsistent statement in this policy.

3.21 Purpose of FMLA

To inform eligible employees of their basic rights and obligations under the FMLA and the procedures by which they may request and receive job-protected, unpaid leaves of absence.

3.22 Coverage and Eligibility

- A. An employee is eligible for FMLA when all of the following criteria are satisfied:
 1. An employee of Mohave County.
 2. Has been employed by Mohave County for at least 12 months, which need not be consecutive (prior County employment shall not be included if there was a break in service of seven (7) years, or more).
 3. Has worked at least 1,250 hours during the twelve (12) months immediately preceding the commencement of the leave. For purposes of calculating the 1,250 hour work requirement, the number of hours actually worked does not include any leave time. Overtime hours, however, are included. In addition, an employee returning from fulfilling a National Guard or Reserve military obligation shall be credited with the hours of service that would have been performed in the County.
- B. FMLA leave does not insulate an employee against bona fide employment actions.
- C. An employee is entitled to up to 12 weeks of FMLA leave in 12-month “rolling” period, which is measured backward beginning the date FMLA leave is taken and continuous with each additional leave day taken.
- D. An employee is entitled to up to 12 weeks in 12 month “rolling” period for qualifying exigencies that arise when the employee’s spouse, son, daughter, or parent is on covered active duty or has been notified of an impending call or order to covered active duty.
- E. An employee is entitled to a total of 26 weeks of military caregiver leave during a 12-month period, which begins on the first day the employee uses leave for this reason.



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3.23 Qualifying Reasons for FMLA Leave

- A. Subject to the definitions, conditions and limitations set forth in the FMLA regulations, eligible employees may use FMLA leave for any of the following reasons:
1. Family leave: For birth of a son or daughter, to care for the newborn child; or for placement with the employee of a son or daughter for adoption or foster care, and for employees who are acting “in loco parentis” for a child placed in their care. Leave for this reason shall be taken in the 12-month period following the son’s or daughter’s birth or placement with employee(s).
 2. Medical leave: To care for the employee’s spouse, parent, or child through birth, adoption, foster placement or a child whom the employee is acting “in loco parentis” (provided such child is either under age eighteen (18) or over age eighteen (18) if the child is incapable for self-care due to a mental or physical disability) with a serious health condition. Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider; parents-in-law are not included.
 3. Employee’s serious health condition: A serious health condition means causing the employee to be unable to perform the functions of the employee’s job. Serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider.
- B. Part time employees: Part-time employees and those who work variable hours, FMLA entitlement is calculated on a pro-rata basis. A weekly average of the hours worked over the 12-weeks prior to the beginning of the leave shall be used for calculating the employee’s normal workweek (not to exceed 40 hours).
- C. Couples where both parents work for the County and who have a child together and wish to take FMLA (Family Leave) for the birth of a son or daughter, placement of a son or daughter through adoption, foster care or who are both standing “in loco parentis” to the same child at the time of placement may take FMLA as follows:
1. Husband and wife are only eligible to take a combined total of 12 weeks of FMLA.
 2. Unmarried couples (including same sex couples) are entitled to the full 12 weeks each for Family Leave if they have not used FMLA for any other reason within the past twelve months.



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- D. Military service member leave and caregiver leave: Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent (but not parent-in-law) is a covered military service member on active duty (or who has been notified of an impending call or order to active duty) where the covered military member will be sent to a foreign country in support of a contingency operation. To care for a covered military service member or qualified veteran with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.
1. Active Duty: An employee is entitled to up to 12 weeks of FMLA in a 12 month "rolling" period, which is measured backward beginning the date FMLA is taken and continuous with each additional leave day taken, for qualifying exigencies that arise when the employee's spouse, son, daughter or parent is on covered active duty or has been notified of an impending call or order to covered active duty.
 2. Military Caregiver Leave: An employee is entitled to a total of 26 weeks in a 12 month "rolling" period for Military Caregiver Leave, which begins on the first day the employee uses leave, when the employee's spouse, son, daughter, parent or "next of kin" has a serious injury or illness that is service related. Entitlement occurs when:
 - a. a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness
 - b. a military service member was discharged or released under conditions other than dishonorable, and
 - c. a military service member was discharged within the five year period prior to the employee taking Military Caregiver Leave.

3.24 Intermittent or Reduced Leave Schedule

- A. An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule for the purposes of Family Leave due to the placement of a child as defined above; employee serious health condition leave to take care of the employee's own serious health condition; medical leave to care for a son, daughter or parent with a serious health condition; qualifying exigency leave or caregiver leave to care for a covered military service member or veteran with a serious injury or illness. With the exception of caregiver leave, an employee is only entitled to a maximum of twelve weeks (480 hours for full time employee) per rolling calendar year for any combination of the various types leave described above.
- B. If leave is approved on an intermittent or reduced schedule basis, only the time not actually worked by the employee shall be counted toward the employee's allotment under the FMLA. The time not worked shall be calculated on the basis of hourly increments.



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- C. An employee's request for intermittent or reduced schedule leave shall be made in the same manner and within the same time restrictions as a request for FMLA leave on a consecutive day basis.

3.25 Substitution of Paid Leave

- A. An employee on FMLA leave is required to use all available accrued compensatory time and PTO leave in conjunction with the FMLA leave. Refer to "Use of PTO leave".
1. An employee who is using accrued paid leave or compensatory time in conjunction with FMLA leave shall continue to accrue PTO leave at the employee's regular rate.
 2. An employee is not entitled to PTO accrual or paid holidays during periods of unpaid FMLA leave.
- B. When an employee has exhausted all compensatory time or PTO leave for a portion of FMLA leave and additional time off is needed, the employee may use unpaid leave for the balance of the employee's 12-week FMLA entitlement (26 weeks in the case of military caregiver leave).

3.26 Continuation of Health Benefits

- A. An employee on FMLA leave shall continue to be covered under the employee's group health insurance plan under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. This means that the employee shall continue to pay the required employee contribution(s) under the applicable plan(s). The employee may choose to discontinue coverage entirely during the FMLA leave period, in which case the employee shall be reinstated without penalty upon the employee's return to work.
- B. An employee on FMLA leave shall pay the required employee contribution(s) either through payroll deduction (if accrued PTO leave is being used in conjunction with the FMLA leave) or by timely direct payment to Human Resources Benefits (if the FMLA leave is unpaid). When direct payment is required, the employee shall be advised in writing as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occurs while the employee is on FMLA leave.
- C. If the employee's contribution is not received by the first day of the covered month, Mohave County may terminate the employee's insurance coverage. If the County elects to continue the coverage in effect, it may recover from the employee the amount of the employee contribution(s) that the employee failed to pay.



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3.27 Job Protection

- A. If an employee on FMLA leave returns to work on or before the expiration of the allowable period of FMLA leave, the employee shall be restored to the employee's former position or an equivalent position with equivalent pay, benefits and other terms and conditions of employment, unless the employee is determined to be a "key employee." A key employee is a salaried FMLA-eligible employee who is among the highest paid ten percent of all employees. Job restoration may be denied to a key employee following FMLA leave on the grounds that such restoration shall cause substantial and grievous economic injury to the operations of Mohave County. Whether an employee is a key employee shall be determined at the time of the request for FMLA leave.
- B. If the employee fails to return to work by the expiration of the allowable period of FMLA leave, the employee may be terminated from employment with Mohave County.
 - 1. If the employee still has accrued compensatory time or PTO leave, the employee may request in writing to use such leave or compensatory time; any such request shall be evaluated and granted or denied in accordance with the County's standard Policies and Procedures applicable to such leave or compensatory time.
 - 2. If the employee requests in writing a leave of absence without pay, any such request shall be evaluated and granted or denied in accordance with the County's standard Personnel Policies and Procedures applicable to such requests. Under no circumstances shall the fact that an employee has been on FMLA leave prejudice or adversely affect the consideration of any such request.

3.28 FMLA Procedures

- A. Notice/Periodic Reports.
 - 1. An employee is required to give 30 days' notice, if possible, in the event of a foreseeable need for FMLA leave, with the exception of qualifying military exigency leave. If the need for FMLA leave is not foreseeable, or is due to a qualifying military exigency, the employee shall provide as much notice as is practical.
 - 2. This notification shall be provided to the employee's supervisor who shall notify Human Resources. The supervisor shall direct the employee to Human Resources or the employee may choose to notify Human Resources directly. In this instance, Human Resources shall notify the supervisor of the pending FMLA leave.
 - 3. When an employee requests PTO, a leave of absence or the use of compensatory time for a reason that may qualify for FMLA leave, the employee is required to provide



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enough information for the FMLA Coordinator to determine whether the FMLA applies. An employee need not specifically request FMLA leave to be placed on FMLA leave. If the employee or the employee's spokesperson provides enough information for the FMLA Coordinator to determine that the FMLA may apply, the FMLA Coordinator shall issue the notices required by the FMLA regulations and shall place the employee on FMLA leave. The employee shall cooperate with the FMLA Coordinator in making this determination, and a failure or refusal to cooperate may negate the FMLA designation and may subject the employee to disciplinary action.

4. The employee shall be required to furnish the FMLA Coordinator with medical information. Periodic reports of the employee's status while on FMLA leave, and intent to return to work shall be reported to the manager (no more than every 30 days). A failure or refusal to cooperate with such requests and provide such reports may negate the FMLA designation and may subject the employee to disciplinary action up to and including dismissal.

B. Certification.

1. Certification is required for all FMLA Leave. Certification forms are available from Human Resources, Benefits Division, for each type of FMLA leave available. The employee may submit an alternate form so long as all required information is provided. Failure of an employee to provide the required certification may result in FMLA leave being denied and may subject the employee to disciplinary action up to and including dismissal. Recertification may be required at periodic intervals as required by the FMLA.
2. When FMLA leave is taken due to the employee's own serious health condition, before returning to work the employee shall provide a medical release from the employee's health care provider, releasing the employee to return to work and assume the duties of the position. If the employee is cleared to return to work with restrictions, the certification shall clearly specify those duties the employee is cleared to perform. The employee will assume an intermittent or reduced leave status.
3. When the employee has been absent due to illness or injury for more than three (3) consecutive days, FMLA forms shall be sent to the employee to complete and return to the Human Resources Benefits Division.

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3.3 BEREAVEMENT LEAVE

Bereavement Leave is paid leave granted to a benefit eligible employee to attend services and handle matters after the loss of an immediate family member of the employee.

- A. Immediate family member is defined as spouse, mother, father, child, stepchild, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandparents of an employee or grandparents of an employee's spouse.
- B. Department Heads may give special consideration to any other person whose association with the employee was similar to any of the above relationships. It is at the discretion of the Department Head to require documentation as necessary.
- C. Request for bereavement leave must be made as soon as possible and can be approved, modified or denied by the Department Head.

3.31 Length of Bereavement Leave

- A. An employee may be absent with pay for a period of time not to exceed:
 - 1. Three (3) consecutive business days (24 hours) pay if services are less than 200 miles one way.
 - 2. Five (5) consecutive days (40 hours) pay if services are over 200 miles one way.
 - 3. If additional time is needed, the employee may use PTO leave upon approval of the Department Head.
 - 4. At the discretion of the Department Head, leave may be scheduled non-consecutively upon the family's schedule.
 - 5. A 20-32 hour benefit eligible employees shall be compensated at 50 percent of the full time employee rate.
- B. Bereavement may not be used in a manner that generates paid hours in excess of the employee's regularly scheduled work week.
- C. Employees on an unpaid leave are not eligible for Bereavement Leave.
- D. Bereavement leave shall not be counted as hours worked for the purpose of computing overtime.

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3.4 MILITARY LEAVE

Military leave shall be granted in accordance with the provisions of current State and USERRA laws. (www.dol.gov)

3.41 Military Leave Requests

In accordance with A.R.S. §38-610 and A.R.S. §26-168, employees shall be granted leaves of absence from their duties without loss of time, pay or performance evaluation on all days during which they are employed on training duty or required to attend camps, maneuvers, formations or drills under documented orders or drill schedules with any branch, reserve or auxiliary of the armed forces of the United States for a period not to exceed thirty (30) days in any two (2) consecutive years.

- A. For purposes of this section, an officer or employee shall not be charged military leave for days on which the individual was not otherwise scheduled for work.
- B. The period of time spent in training under orders shall not be deducted from their accrued PTO to which any officer or employee is otherwise entitled.
- C. Employees taking military leave shall provide a copy of their military orders to their Department Head.

3.42 Restoration to Position Following Military Service

A Mohave County employee who has been inducted or ordered into active service in the armed forces of the United States shall, upon completion of their service, be restored to the position held by them at the time of induction or of reporting for service, or to a position having similar or other duties which they are qualified to perform, if such officer or employee:

- A. Possesses a certificate of satisfactory training and service or honorable discharge issued by the proper military or naval authority.
- B. Is still qualified to perform the duties of the position.
- C. Applies for restoration after separation from the armed forces.
 - 1. Less than 31 days – Must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight (8) hour rest period.
 - 2. More than 30 days but less than 181 days – Must request re-employment within 14 days of release from service.



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3. More than 180 days – Must request re-employment within 90 days of release from service.
- D. Accumulated length of time absent for military duty and retain re-employment rights is five (5) years, unless initial enlistment lasts more than five (5) years, periodic national guard and reserve training duty, and involuntary active duty extensions and recalls.

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3.5 LEAVE OF ABSENCE WITHOUT PAY

Leave of absence without pay is intended to provide employees with the time and flexibility to address important personal situations without jeopardizing their positions. It also allows the County to meet its long-term needs by retaining valued employees. Employees shall notify their Department Head in writing if they anticipate needing to take a leave of absence without pay.

- A. The Department Head may approve an employee's leave of absence without pay for a maximum of forty (40) hours when it is in the best interest of the County to do so.
- B. A request in writing for additional leave without pay beyond the forty (40) hours may be considered and approved by the County Manager or Elected Official when it is in the best interest of the County. An employee requesting leave of absence without pay shall expend all compensatory time, before leave without pay may be granted.
 - 1. An employee shall submit his/her request for leave of absence without pay at least two (2) weeks in advance of such leave unless advance time is reduced or waived by the Department Head.
 - 2. An employee who goes beyond a pay period without pay must contact Human Resources to verify their continuation of Health Benefits.

3.51 Mandatory Leave of Absence without pay to reduce payroll costs and departmental expenditures during challenging budget short falls while maintaining critical County operations and services will be at the recommendation of the County Manager and approved by the Board of Supervisors.

3.52 Unpaid Leave of Absence shall be reported on the employee's timesheet as "unpaid leave".

3.53 Continuation of Health Benefits (COBRA) www.dol.gov

The continuation of Health Benefits shall require the employee to pay up to 102% of coverage (both employer/administrative and employee-paid portions) during the leave period in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Plan Document/Summary Plan Description of the Mohave County Employee Benefit Trust.

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3.6 ADMINISTRATIVE LEAVE WITH PAY

When an employee begins Administrative Leave with Pay, notice of the leave shall be submitted for notification to the Board of Supervisors by the County Manager.

- A. Employees may be placed on Administrative Leave with Pay under the following circumstances:
- B. Emergency situation: At the request of the Department Head and approved by the County Manager, an employee may be granted administrative leave with pay when emergency situations exist such as extreme weather conditions, fire, flood or malfunction of publicly owned or controlled machinery or buildings, making it hazardous or impossible for the employee to get to or perform at their workstation (providing alternate work or workstation has not been designated). Employees in essential operations may be required to work on a day or days when facilities are closed as provided for under this Policy. Employees who work under these circumstances shall receive regular pay. The department shall notify Human Resources at time of leave.
- C. Non-disciplinary leaves with pay may be given to an employee by the County Manager or an Elected Official under the following circumstances:
 - 1. Where an employee is charged with a felony or other crime involving moral turpitude.
 - 2. Where it is deemed in the best interests of the County while an inquiry is being made into the conduct of the employee or the employee's continued suitability for employment.
 - 3. In cases which may include, but are not limited to, matters involving alleged criminal activities or serious breaches or deficiencies in job related conduct or performance, and serious breaches of non-job related conduct.
 - 4. Other circumstances deemed in the best interest of the County by the County Manager or Elected Official.
- D. Notification to the employee shall be made either personally or by certified mailing. Such written notice shall contain the facts or circumstances giving rise to the proposed action, including the dates of any oral or written warnings issued (if any), the effective date and duration (number of days) of the proposed action.



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- E. An employee placed on administrative leave may remain on such leave until one of the following instances occurs:
1. An inquiry or investigation is completed and other action is taken.
 2. The employee is acquitted of any criminal charges against them.
 3. The charges against such employee are dismissed.
 4. The employee is otherwise exonerated.
 5. Other action is taken by the County.

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3.7 CIVIC DUTY LEAVE

Employees shall be given time off when performing any of the following:

- A. **Jury Duty:** Employees receiving time off with pay for jury duty shall be required to pay the County the stipend received for jury duty. Employees may keep per diem and mileage allowances.
- B. Leave for an employee who has been subpoenaed to appear as a witness before any court or administrative, executive or legislative tribunal.
 - 1. When it relates to County business, employee shall be entitled to civic duty leave with pay. The Department Head may require such employee to submit substantiating evidence and may disapprove the request if the evidence is not adequate.
 - 2. When it is due to a personal, commercial, business transaction or due to the employee's own actual or alleged unlawful conduct or misconduct, employee shall not be entitled to civic duty leave with pay.
 - 3. Employees shall provide a copy of the subpoena to their supervisor within two (2) business days of receipt so the supervisor can make arrangements to accommodate the employee's absence. An employee provided leave under this section is expected to report to work whenever the court schedule permits.
 - 4. An employee who is paid a fee for an appearance as an expert witness while on civic duty leave shall remit such fee to Mohave County, unless PTO or unpaid leave is utilized.
- C. **Voting:** An employee shall be allowed necessary time off without loss of pay or leave time for the purpose of voting in a state, federal or tribal election when the polls are not open at least three hours before or after the employee's normal scheduled hours of work. If approved, the Department Head may specify whether the time shall be taken at the start of or at the end of the workday.
- D. Civic Duty Leave shall be allowed only to the extent that it will ensure payment to employee's budgeted hours.

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3.8 VICTIM'S LEAVE

In accordance with A.R.S. §8-420 and A.R.S. §13-4439, the County shall grant an employee who has been a victim of a crime or a juvenile delinquent act, time off to attend certain types of court-related proceedings in accordance with the foregoing statutes. This policy shall always be interpreted and applied in a manner consistent with the most current version of the statutes.

3.81 Statutory Definitions

- A. **Victim:** A person against whom a criminal offense (or delinquent act) has been committed, including a minor, or if the person is killed or incapacitated, the person's spouse, parent, child, grandparent or sibling, any other person related to the person by consanguinity or affinity to the second degree or any other lawful representative of the person, except if the spouse, parent, child, grandparent, sibling, other person related to the person by consanguinity or affinity to the second degree or other lawful representative is in custody for an offense or is the accused.
- B. Lawful representative is a person who is designated by the victim or appointed by the court and who acts in the best interests of the victim.
- C. **Undue Hardship:** A significant difficulty and expense to the business of the County, considering the size of the County's business and the County's critical need of the employee.

3.82 Procedure

- A. An employee shall use accrued compensatory time or PTO to attend the court-related proceeding. Victim's leave without pay shall be permitted once all accrued leave time is exhausted.
- B. When an employee desires to leave work to attend a court-related proceeding under this policy, the employee shall provide the supervisor with a copy of the victim form originally provided to the employee by the law enforcement agency, as well as a copy of the notice of the proceeding.
- C. All records of victim's leave are confidential.
- D. Victim's leave may not be limited unless the leave would create an undue hardship to the County. The County Manager's concurrence is required before a leave request may be denied. The employee shall then notify the prosecutor, in which case the prosecutor shall notify the court and the court shall take the victim's situation into consideration.
- E. The use of victim's leave shall have absolutely no adverse consequences to the employee in regard to employment with the County.

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3.9 MANAGEMENT LEAVE

3.91 Exempt Employee

- A. An exempt employee who is required to work extraordinary hours may be authorized to receive management leave. Authorization of this time may be granted up to a maximum of three (3) business days within a pay period at the sole discretion of the Department Head. Management leave for Department Head requires approval of the County Manager.
- B. Under no circumstances, is an exempt employee to be granted management leave time on an hour-for-hour basis or greater than hour-for-hour basis for extra hours worked.

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3.100 HUMANITARIAN/EMERGENCY RELIEF LEAVE

3.101 Leave for Humanitarian/Emergency Relief Activities

Employees who volunteer to participate in local, state, or national disasters, emergencies or humanitarian efforts during regular work hours may request use of their PTO hours or may request a leave of absence without pay.

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3.300 EMPLOYEE ILLNESS BANK (EIB)

The purpose of the EIB is to acknowledge an employee's accumulated sick leave hours earned before transitioning into the PTO policy which was implemented on December 25, 1993. Accumulated sick leave hours were deposited into EIB for employees who work 20 hours or more per week and had accrued EIB leave in their individual leave accrual at the time of transitioning to the PTO policy. No additional time has been deposited and no additional accruals have accrued since transitioning to the PTO policy.

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



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will be required to use available EIB leave prior to the use of PTO leave accruals.

B. Leave Request.

1. Requests for EIB leave should be submitted on forms prescribed by the Human Resources Department to the employee's Department Head at least two (2) weeks in advance, or in the event of an emergency illness, injury or extended bereavement leave as soon as practicable.
2. The Department Head has full authority to approve or deny the request for use of EIB leave.

C. Verification of Need for EIB Leave.

1. Employees requesting EIB leave or having used EIB leave may be required to submit documents to the Department Head substantiating the need for such leave. Such documentation may include, but is not limited to, the following:
 - a. A certificate from a licensed physician or practitioner.
 - b. An examination by Physician.
 - c. Documentation substantiating need for additional bereavement leave.
 - d. Notification that the employee is requested to participate as a volunteer in humanitarian/emergency leave situations.
2. A Department Head may elect to not approve the request for EIB leave if it is determined that such documentation received is not adequate or if the County physician determines that the request for EIB leave is not a valid request. In such instance, for any time taken as EIB leave, the employee's time shall be charged first to compensatory leave if available, then to PTO leave if available, or leave without pay.

D. Reporting and recording leave. The Department Head shall be responsible for ensuring that all EIB leave used are properly recorded as established by the Financial Services Department.

E. Disposition of Accrued Leave.

1. An employee who transfers between County departments or to or from the Mohave County Courts shall retain any accumulated EIB leave.



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2. An employee who changes from one employment type to another employment type (i.e., full-time, benefits-eligible employee, to part-time, benefits-eligible employee) shall retain any accumulated EIB leave and shall be eligible to use such leaves in accordance with their current employment type.
 3. A benefits-eligible employee, who transitions to a non-benefits-eligible employee or elected position, will receive reimbursement of EIB leave with a maximum of 100 hours upon transition or separation.
- F. Separation.
1. A regular employee who separates from County service shall receive reimbursement for unused EIB leave hours at a rate of three dollars (\$3.00) per hour of EIB leave up to one hundred (100) hours. The granting of such reimbursement is conditioned upon the employee providing the County with ten (10) business days' notice of separation.
 2. If an employee is dismissed or terminated at the discretion of the Department Head, the employee will receive payout of their unused EIB leave hours as stated previously.
- G. Abuse of EIB Leave.
1. Employees eligible for use of EIB leave under this policy may use EIB leave only as provided. EIB leave is a privilege and not a right.
 2. Employees are subject to discipline for misuse or abuse of EIB privileges.

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3.400 EARNED PAID SICK TIME

Effective July 1, 2017 (**Pay period including July 1, 2017**), Earned Paid Sick Time is sick time accrued by an employee that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the employee normally earns during hours worked.

A. Eligibility and Accrual.

1. Any Temporary Employee or Regular Employee scheduled less than 20 hours per week who does not accrue Paid Time Off (“PTO”).
2. Earned Paid Sick Time shall not be used in advance of accrual.
3. Earned Paid Sick Time does not apply to employees of the Superior Court, Probation Department, and Clerk of the Superior Court.

B. Rate of Accrual.

1. Eligible employees shall accrue Earned Paid Sick Time at the rate of one hour for every thirty (30) hours worked, but eligible employees shall not be entitled to accrue or use more than forty (40) hours of Earned Paid Sick time per year.
2. At the end of the calendar year (pay period including December 31), eligible employees are permitted to carry forward not more than forty (40) hours of accrued but unused Earned Paid Sick Time to the new calendar year. At no time shall the County buy back or pay out accrued but unused Earned Paid Sick Time. The employee is permitted to carry forward not more than forty (40) hours of accrued but unused Earned Paid Sick Time from the previous year and is eligible to accrue Earned Paid Sick Time in the new calendar year as outlined herein; but at no time shall the employee’s total amount of Earned Paid Sick Time exceed more than eighty (80) hours. To illustrate how this works, refer to the following example:
 - a. Employee A accrues forty (40) hours of Earned Paid Sick Time in Year 1 and does not use any of the accrued time. Employee A is permitted to carry forward the forty (40) hours of accrued but unused Earned Paid Sick Time to Year 2. The County declines to buy back or pay out hours. Employee A remains entitled to accrue another forty (40) hours of Earned Paid Sick Time in Year 2 (for a maximum of eighty (80) hours). If, at the end of Year 2, employee A has eighty (80) hours of unused Earned Paid Sick Time, employee A shall only be permitted to carry forward forty (40) hours of Earned Paid Sick Time into Year 3 (though employee A may accrue another forty (40) hours in the course



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of Year 3), and so on. Employee A may only use forty (40) hours of earned paid sick time in any given year.

C. Use of Earned Paid Sick Time.

5. Earned Paid Sick Time shall be provided upon the request of an employee. Such request shall be made to the Department Head or designee. Such request may be made orally, in writing, or by electronic means. When possible, the request shall include the expected duration of the absence.
6. When the use of Earned Paid Sick Time is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to the employer in advance of the use of the Earned Paid Sick Time and shall make a reasonable effort to schedule the use of Earned Paid Sick Time in a manner that does not unduly disrupt the operations of the employer.
7. When the need to use Earned Paid Sick Time is not foreseeable, it is the County's policy to require the employee to provide notice, whether orally, in writing, or by electronic means, to the Department Head or designee, as soon as is practicable for the employee to do so without causing an undue burden upon the employee. Such notice shall be provided before the employee returns to work.
8. Eligible Employees shall use Earned Paid Sick Time for any of the following circumstances:
 - a. Mental or physical illness, injury or health condition; a need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; a need for preventive medical care;
 - b. Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care. The term "family member" as used herein is defined by A.R.S. § 23-371;
 - c. A public health emergency as defined by A.R.S. § 23-373(A)(3); or
 - d. Absence due to domestic violence, sexual violence, abuse, or stalking.
9. Earned Paid Sick Time shall be allowed only to the extent that it will ensure payment to employee's budgeted hours.



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10. Earned Paid Sick Time may be used to supplement Workers' Compensation (WC) payments up to 100% of an employee's regular bi-weekly base salary. Earned Paid Sick Time hours required to supplement WC, shall be calculated to approach near approximation of the employee's regular net salary as WC payments are not subject to tax withholding.
- D. Verification of Earned Paid Sick Time.
2. For Earned Paid Sick Time of three (3) or more consecutive work days: The Department Head may require reasonable documentation that Earned Paid Sick Time was used for one the specified purposes in Section 3.400.C.2. Such documentation may include, but is not limited to, a certificate from a health care professional or practitioner, and/or an examination by a designated physician or health practitioner. In the event an employee uses three (3) or more consecutive work days of Earned Paid Sick Time, the Department Head may require the employee to provide documentation of fitness to return to work. In cases of domestic violence, sexual violence, abuse or stalking, the employee may submit documentation identified in A.R.S. § 23-373(G). The Department Head may disapprove the request for Earned Paid Sick Time if such documentation is not adequate or if the health care professional determines that the request for Earned Paid Sick Time is not a valid request.
- E. Reporting and Recording Leave. The Department Head shall be responsible for ensuring that all Earned Paid Sick Time is properly recorded on employee's timesheet form.
- F. Disposition of Accrued Earned Paid Sick Time Upon Transfer.
1. An eligible employee who transfers between County departments shall retain any accrued Earned Paid Sick Time if the employee stays within the same employment status, i.e. (temporary employee or regular employee scheduled less than 20 hours per week and are not accruing PTO).
 2. Except as stated below in 3.400(F)(3), if an employee transfers to a position which accrues PTO, that employee's accrued Earned Paid Sick Time will be converted to PTO, and the employee will begin earning PTO at the new hire rate. In no instance shall the employee's transfer to PTO status cause the forfeiture of the accrued Earned Paid Sick Time.
 3. An employee who transfers from a County department to the Superior Court, Probation Department, or Clerk of the Superior Court does not retain accrued Earned Paid Sick Time, and all of the employee's accrued Earned Paid Sick Time is forfeited upon the transfer.



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G. Separation.

1. An employee who separates from County service shall forfeit his or her accrued Earned Paid Sick Time.
2. If the employee rehires within nine months of separation any previously accrued Earned Paid Sick Time that was not used will be reinstated.

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3.500 ATTENDANCE POLICY DURING VIRAL PANDEMIC OUTBREAK

In order to aid in protecting the health and safety of our employees, Mohave County has adopted the following temporary attendance procedures specific to employees during a viral pandemic outbreak as declared by the Centers for Disease Control and Prevention (CDC) or Public Health Director. Due to the highly contagious nature of the pandemic influenza or virus and its similarity in symptoms to the seasonal flu, anyone displaying flu-like symptoms will be treated the same under this policy. Except where temporarily modified by this policy, all procedures governing paid and unpaid leave remain in effect and are governed by the Mohave County Personnel Policies and Procedures. During Pandemic situations, the County Manager is given the authority to direct Human Resources to grant other unforeseen waivers as the need arises. Mohave County will comply with Federal and State regulations regarding a Pandemic Outbreak. For purposes of this policy, Department Heads shall be inclusive of Elected Officials.

It is the policy of the Board of Supervisors that:

- A. Employees, volunteers, and contractors exhibiting the following symptoms must **NOT** come to work. Common symptoms consist of one or more of the following:
 - a. Cough
 - b. Sore Throat
 - c. Runny and stuffy nose
 - d. Muscle aches
 - e. Headache
 - f. Chills
 - g. Unusual fatigue
 - h. Nausea, vomiting and diarrhea
 - i. Fever of 100.4 degrees F or 38 degrees C or greater. Or signs of a fever.
- B. Employees must notify their immediate supervisor, Department Head if they are ill. Departments may establish alternative call-in procedures if conditions warrant.
- C. Employees must stay home and minimize human contact if they are sick with flu-like symptoms. Employees must stay out fourteen (14) days after initial onset of symptoms, which



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may be shortened or extended by the Public Health Director as advised by a medical professional, dependent upon the type of pandemic and will be evaluated on a case-by-case basis.

- D. Department Heads or designees have the responsibility to ensure the workplace is safe, and as a result, have the authority to send employees home who display flu-like symptoms. Based on the above and to avoid further contaminating the workplace, an employee must immediately leave work when directed. Failure to do so, to include delayed and resistant departure, may result in disciplinary action up to and including termination of employment.
- E. Due to strong recommendations from the Health Department and healthcare providers, the requirements for a physician's verification for those who are absent for more than three (3) days is waived, unless the department suspects abuse. This will allow doctors, clinics and hospitals to attend to the very ill instead of those who simply need a physician's verification of an illness.

This is intended to aid in the relief of overcrowding of medical facilities and further exposure that may occur from a pandemic. However, it must be noted that pursuant to Federal law, Human Resources must be notified when an absence exceeds three (3) days so it can be determined if the employee has a serious health condition that falls under the Family and Medical Leave Act (FMLA). FMLA is not automatic for a pandemic outbreak. Refer to Personnel Policies and Procedures Section 3.2 Family and Medical Leave Act (FMLA).

If a serious health condition does not exist, then further verification may be waived, particularly since it has been stated that illness from the pandemic outbreak may last up to fourteen (14) days. If it is determined that the employee has a serious health condition, FMLA leave may apply and the requirement for requesting a doctor's certificate cannot be waived. If an employee has a qualifying event Short Term Disability may apply.

- F. In the case where an employee's child is healthy and the child's school is closed, the Department Head may approve sick leave, accrued compensatory time or PTO leave, as authorized in Paragraph E above.
- G. It is understood that during a pandemic outbreak, telecommuting may be in the best interest of the County and employee. While not all positions are conducive to telework, those positions with primary job duties that can be securely and effectively performed remotely will be given consideration. Request to telecommute must be submitted in writing to the Department Head. Approval in such situations will be reviewed on a case-by-case basis and may only be granted by the Department Head.



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Other options to be considered: Alternate work or workstations may be designated to continue essential business services and operations. If an employee and their spouse both work for the County, they may both be required to work; however, Department Head may make an exception, or have them work alternating schedules. In addition, offices may consider extended hours to allow for different shifts to facilitate social distancing and other recommendations.

- H. The Board of Supervisors may determine from information provided by the Health Department whether a work site or public facility is infected and if the work site or public facility must be shut down. At that time, the Board of Supervisors and County Manager will decide if a closure is warranted. Nothing in this section restricts the authority granted to the Chairman of the Board of Supervisors to take action during a declared emergency pursuant to A.R.S. § 26-311.
- I. Except as stated in item I. above, an employee must have a legitimate reason for not coming to work either via previously approved leave, illness, or if on a leave without pay when granted by the Department Head and approved by the County Manager, when required. Employees should not assume that they are not required to work based solely on any media or news reports regarding closings.
- J. Special attention should be paid to infection control practices. Frequent handwashing, use of sanitizers, covering coughs and sneezes, social distancing, and regular cleaning of frequently touched surfaces will reduce possible exposure in the workplace.
- K. When implementing this policy, Mohave County will not discriminate on the basis of race, color, religion, national origin, age, sex, disability, or veteran's status.

Finally, privacy rules apply to information regarding the employee and family members, including the medical condition of the employee and/or family member. The Americans with Disabilities Act (ADA), FMLA and Health Insurance Portability and Accountability Act (HIPAA) laws protect medical information from being shared without the employee's express and written consent. Also, in addition to FMLA, medical disability and ADA may apply and will be handled on a case-by-case basis. Employees should contact Human Resources with questions regarding this and other leave policies.

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4.1 POLITICAL ACTIVITY

With the exception of voting, employees shall not engage in any political activity while on duty, while in uniform or while engaged in County business. For purposes of this policy, Elected Officials are not deemed employees of the County, but are covered under A.R.S. §38-296.

A. Employees shall not:

1. Use their official authority or influence for the purpose of affecting the result of an election or a nomination for office.
2. Directly or indirectly coerce, attempt to coerce, command or advise a state or local officer or employee to pay, lend or contribute anything of value to a political party, committee, organization, agency or person for a political purpose.
3. Engage in any political activity during scheduled working hours, while in uniform or while engaged in County business. Examples of prohibited activity include:
 - a. Posting campaign signs on County property.
 - b. Circulation of nominating petitions among employees.
 - c. Campaigning during working hours.
4. Be required by any County Official or employee as a condition of employment, promotion or otherwise, to participate or not participate in any election campaign for any public office or in any political activity.
5. Use, or cause to be used, any Mohave County facility, equipment or material for the purpose of any political activity.

- B. A County employee not subject to the Hatch Act may be a candidate for, and may serve in, an elected or appointed public office so long as the holding of the office does not present a conflict of interest or interfere with the performance of the employee's County duties. The existence of a conflict or the fact of interference shall be determined by the County Manager with concurrence of the County Attorney. If the activity is disallowed, the employee may take a leave of absence without pay or may resign their position. In the event that the determination of staff is challenged, it may be appealed directly to the Board of Supervisors.



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- C. Employees subject to the federal Hatch Act are prohibited from becoming candidates for a paid partisan political office or taking active part in the management of partisan political campaigns. It is the obligation of each employee to understand the funding of their position and determine whether the Hatch Act applies.
 - 1. An employee may be subject to the Hatch Act if their salary is paid in whole through federal grants or federal monies other than revenue sharing funds.
- D. A County employee who violates any provision of this section shall be subject to disciplinary action which may include demotion, suspension without pay, or dismissal.
- E. This section is not intended to deny any employee any civil or political liberties as guaranteed by the United States and Arizona Constitutions.

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4.2 CONFLICT OF INTEREST REQUIREMENTS AND GUIDELINES

- A. Conflict of Interest Requirements and Guidelines Applicable Statutes A.R.S. §38-501 *et. seq.*
1. Purpose: The purpose of this Conflict of Interest Requirements and Guidelines is to supplement the Board of Supervisors' Conflict of Interest Policy. It provides explicit statutory and Personnel Policies and Procedures requirements and administrative guidance to all employees and management. The goal is to ensure strict statutory compliance designed to preserve and promote the confidence of the Mohave County citizens and integrity of the workplace through departmental procedures and employee accountability.
 2. Statutory Requirements: If a public official or employee becomes aware that he or she or a relative has a "substantial interest" in a particular contract, purchase or decision of Mohave County, the elected official or employee must make that interest known in the County's official records and must refrain from any participation in an official capacity (A.R.S. §38-501 *et. seq.*).
 3. Personnel Policies and Procedures Requirements.
 - a. Mohave County Personnel Policies and Procedures require employees to scrupulously observe Conflict of Interest laws and must disclose their interests in official records maintained by Mohave County, and shall not participate in or vote for any contract, sale, purchase or service in which they knowingly have an interest. The Personnel Policies and Procedures require employees not to use their County position for personal gain or benefit of friends or acquaintances.
 - b. The Mohave County Code of Ethics require employees to maintain a high standard of honesty, integrity, impartiality and to conduct themselves so as to assure the proper and efficient conduct of County business and to promote the confidence of the citizenry in the quality of their County government.
 4. Goals and Objectives.
 - a. Arizona law requires that any Mohave County officer or employee who has, or whose relative has, a substantial interest in any contract, sale, purchase, service or decision of Mohave County to make the interest known in the County's official records; and to refrain from any participation in an official capacity in the contract, sale, purchase, service or decision. (A.R.S. §38-501 *et. seq.*)



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- b. The object of conflict of interest statutes is to remove or limit the possibility of personal influence, which might bear upon an official's decision.
5. Employee's Responsibility.
 - a. Any employee who has, or whose relative has, a substantial interest in any contract, sale, purchase, service or decision of Mohave County shall promptly do two things:
 - i. Pursuant to departmental procedure, make known that interest by completing the Conflict of Interest Statement form, to be maintained by the Clerk of the Board.
 - ii. Refrain from voting or participating in the employee's official capacity in any manner in the contract, sale, purchase, service or decision.
 - b. After complying with these requirements, an employee or employee's relative with a substantial interest, may supply equipment, material, supplies, or services to Mohave County, but only pursuant to award or contract let after competitive bidding.
6. Department Head's Responsibility: Each department head shall develop and implement a departmental procedure requiring employees to give notice of potential conflicts of interest by completing the Conflict of Interest Statement form. The departmental procedure shall delineate the means of giving notice and department-specific criteria or requirements. The department head will ensure that all of their employees (full time, part time, temporary, and contract) have signed the form.
7. Discipline: Violations of A.R.S. 38-501 et. seq., Mohave County's Personnel Policies and Procedures, Conflict of Interest Statement, or departmental procedures shall be handled in accordance with the Mohave County Personnel Policies and Procedures. Employees who violate A.R.S. 38-501 et. seq., may also be subject to criminal prosecution and forfeiture of employment, as provided by law and the Mohave County Personnel Policies and Procedures.
8. Definitions.



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- a. Substantial Interest: A substantial interest is any interest that confers a pecuniary (monetary) or proprietary (ownership) interest, either direct or indirect, which is not a remote interest. Any substantial interest of an employee or an employee's relative must be disclosed by the employee, who must also refrain from participating in any manner in the relevant contract, purchase, or decision.
- b. Remote Interest: Remote interests do not need to be disclosed and do not prevent participation in an official capacity because they are not considered significant enough to influence a public decision maker. Remote interests are:
 - i. Employee or employee's relative is a non-salaried officer of a nonprofit corporation.
 - ii. Employee or employee's relative is a residential landlord or tenant of a contracting party.
 - iii. Employee or employee's relative is an attorney of a contracting party.
 - iv. Employee or employee's relative is a member of a nonprofit cooperative marketing association.
 - v. Employee or employee's relative owns less than three (3) percent of the shares of a for-profit corporation, provided the total annual income from dividends, including the value of stock dividends, from the corporation does not exceed five (5) percent of the total family income of the official or employee, and other payments from the corporation to the person do not exceed an additional five (5) percent of his/her total family income. If other relatives own an interest in the corporation, their interest will be aggregated.
 - vi. Employee or employee's relative is reimbursed for actual and necessary expenses incurred in the performance of official duties.
 - vii. Employee or employee's relative is a recipient of public services generally available to the public.



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- viii. Employee or employee's relative is a public officer or employee of another public agency unless the action of that agency would confer a direct economic benefit or detriment upon the employee or the employee's family.
 - ix. Employee or employee's relative is a member of a trade, business, occupation or professional association or class of persons consisting of at least ten members whose interest is no greater than the interest of any other members of that or similar groups.
 - c. Relatives: Relative means spouse, child, child's child, parents, grandparents, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse. (A.R.S. §38-502)
 - d. Employees: Employee includes all persons employed by Mohave County on a full-time, part-time, temporary and contract basis. (A.R.S. §38-502)
- B. Applicable Statutes: A.R.S §38-501 through 511 (Conflict of Interest of Officers and Employees).

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4.3 PROHIBITED DISCRIMINATION AND/OR HARASSMENT

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4.31 Discrimination

The EEO Compliance Officer is the Human Resources Director. It is the policy of Mohave County to provide equal opportunity in employment to all job applicants and employees. The County shall not discriminate against any person in recruitment, examination, appointment, training, pay, promotion, retention, discipline or any other aspect of personnel administration, term or condition of employment, due to race, color, religion, sex (including pregnancy), national origin, genetic information or disability, age (40 or older), except when an attempt to accommodate such a limitation would impose an undue hardship on the operation of a program or activity.

4.32 Harassment

Mohave County is committed to providing all employees with a work environment free from sexual harassment as well as other types of harassment based upon an individual's race, color, religion, age (40 years and above), sex/gender, disability, genetic information, or national origin. Workplace behaviors based upon the protected categories listed above constitute prohibited harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term of employment.
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

4.33 Reporting a Complaint

Employees have an affirmative duty to maintain an environment that is free of prohibited discrimination and harassment. An employee who is offended by the conduct of another person or who feels that another's conduct interferes with the work environment is encouraged (but not required) to speak directly with the individual engaging in objectionable behavior and request that the behavior be discontinued.

4.34 Procedure

- A. Complaints or reports of prohibited discrimination and/or harassment shall be taken to the Human Resources Director, or directly to the Board of Supervisors. The Department Head or supervisor who receive complaints or reports of prohibited discrimination or who have reason to believe that a violation of this policy may have occurred, shall immediately inform the Human Resources Director, unless the Director is the subject of the complaint. Should the



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Human Resources Director be the subject of the complaint, reports shall be taken to the County Manager or directly to the Board of Supervisors.

- B. The Human Resources Director shall evaluate any report or complaint and conduct, oversee or assist with any investigation required. Employees are directed to cooperate with any County investigation and to treat information obtained in the course of a County investigation as confidential.
- C. The Human Resources Director shall work with the responsible Department Head, Deputy County Attorney, County Manager, or if necessary, the Board of Supervisors to address any identified problem. If the Human Resources Director is the subject of a report or complaint or cannot act as an impartial investigator, the County Manager or designee shall perform the functions of the Human Resources Director.

4.35 Confidentiality of Complaints

Reports and complaints of discrimination and/or harassment shall be treated as confidential to the extent that confidentiality does not interfere with the County's legal obligations, including its obligation to investigate allegations of misconduct and take appropriate action.

4.36 Retaliatory and other Prohibited Conduct

It is a violation of this policy to engage in any form of prohibited discrimination or harassment, to fail to comply with any applicable provision or directive contained in this policy or to retaliate against any individual for complying with this policy, reporting a possible violation of this policy, or for cooperating with a County investigation. Employees who violate this policy are subject to disciplinary action, up to and including dismissal.

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4.4 CONFIDENTIALITY

All employees are to treat the internal business affairs and operations of Mohave County as proprietary and confidential assets. It is the responsibility of each employee to take active steps to ensure the confidentiality of this information.

4.41 Procedure

- A. Employees shall discuss confidential information only with those individuals who have a legitimate “need to know” in keeping with general County interests. In addition, each employee shall have the responsibility to avoid unnecessary disclosure of any information related to any County business, whether or not it is confidential.
- B. In an attempt to be responsible and accessible to the media, all media or other inquiries shall be referred to the County Manager, the Clerk of the Board, the County Attorney, or the appropriate Department Head. These individuals may designate another employee, where appropriate, to respond to the inquiries.
- C. The Department Head is responsible for identifying information that should be classified as confidential. The fact that a document is not marked as “confidential” does not mean that it is not in fact confidential and subject to the policies outlined above.
- D. Secret Use of Recording Devices: A conversation or phone call may be recorded if the employee is a party to the conversation or the employee gets permission from one party to the conversation in advance. If a conversation involving people located in more than one state, the employee shall abide by the recording law of the most restrictive state involved, or get the consent of all parties.
- E. Many aspects of County operations are open to the public. The Mohave County Board of Supervisors actively supports transparency in government and public oversight and compliance with all legitimate public records requests.
- F. The County shall not take reprisal against an employee for a disclosure of a matter of public concern to a public body that they feel violates A.R.S. §38-532 .
- D. Employees who violate this policy are subject to disciplinary action, up to and including dismissal of employment.
- E. Nothing in the forgoing shall prevent any employee to speak with or bring any concerns to any member of the Board of Supervisors.

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4.5 EMPLOYEE CONDUCT

The continued employment of any individual by Mohave County depends upon acceptable conduct and satisfactory work performance. The disciplinary process provides employees and their supervisors with an opportunity to discuss specific problems, to determine when and how these problems can be corrected and set objectives to correct problems.

4.51 Prohibited Conduct

- A. The following list includes examples of actions that constitute prohibited employee conduct and are grounds for disciplinary action up to and including dismissal from employment. This list is illustrative only and is not intended to be all inclusive.
1. Violation of safety rules, regulations, policies and procedures.
 2. Conviction of a felony or engaging in any activity that violates state and/or federal criminal statutes.
 3. Threatening, intimidating or coercing a co-worker or members of the public.
 4. Using foul or abusive language towards a co-worker, supervisor, or the public.
 5. Intentionally causing physical harm and/or assaulting a co-worker or member of the public.
 6. Willfully defacing, or destruction of, County property and/or the property of others located at any prescribed County work location.
 7. Misuse, abuse, or unauthorized possession of County-owned or County based equipment or property.
 8. Failing to report a work place accident or incident involving the destruction or damage of County property.
 9. Performing unauthorized personal work or activities during scheduled working hours.
 10. Discourteous treatment of the public.
 11. Engaging in prohibited political activity.
 12. Abuse of leave, excessive absenteeism or habitual tardiness.



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13. Neglect of duty or failure to take reasonably required action.
14. Refusal or failure to answer questions completely and honestly during an administrative investigation.
15. Knowingly or recklessly making a false accusation against any person.
16. Violating the County confidentiality policy.
17. Unauthorized actions in County and public meetings, violation of the Loyalty Oath or misrepresenting the County's position.
18. Malicious gossip or false accusations which tend to disrupt friendly relations between the County and the public, or between employees which may hinder or harm County operations.
19. Inciting co-workers or members of the public with intent to impair legitimate and legal County operations.
20. Sleeping while on duty.
21. Substance abuse, use of illegal drugs, prescription drugs, or alcohol in violation of the Drug Free Workplace and Substance Abuse Prevention policy.
22. Any activity involving moral turpitude that adversely reflects on the County or affects the employee's suitability for continued employment.
23. Insubordination, willful disobedience, or violating an official regulation or order.
24. Loss of required qualifications, license, or certification, or other situations that cause the employee to no longer be able to perform the essential functions of their position with or without a reasonable accommodation. (Note: employees falling under this guideline may be subject to a no-fault separation rather than "dismissal"; in the instance of classified employees no-fault separation would be without right of appeal.)
25. Fraud, theft, misuse or mishandling of County funds.
26. Falsification or unauthorized alteration of records, time sheets or any other information required by the County.
27. Seeking to obtain financial, sexual or political benefit from another employee by wrongful use of position, force or fear.



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28. Abuse of position or official authority when interacting with employees or members of the public.
29. Employee job performance does not meet expectations; incompetence.
30. Any prohibited harassment or discrimination as provided by these Policies, local, state, or federal law.
31. Workplace bullying and harassment.
32. Absence from work without approved leave.
33. Working unauthorized overtime hours.
34. Violation of the Technology Use Policy.
35. Providing false or misleading information in any document, report, or statement related to their employment with the County.
36. Engaging in conduct, either during or outside of regular work hours, that causes discredit to the County.
37. Any other illegal or improper conduct undermining the proper and efficient operation of County functions.
38. Providing false or misleading information to the Board of Supervisors.

4.52 Fraternization Policy

- A. It is against County policy for individuals who have an economic, social, or family relationship to work in positions where one employee supervises the other employee. If a relationship comes into existence, an attempt shall be made to transfer employees to comparable, but separate, positions to avoid any appearance of favoritism, preferential treatment, or conflict of interest. If a transfer is not possible, the employees may be requested to decide among themselves which individual is to resign. If employees are not able to make a decision about who is to resign, the Department Head or County Manager may take appropriate action, which may include requiring both employees to resign.
- B. Requirement to Report: Mohave County recognizes that close personal, romantic and intimate relationships between a supervisor and subordinate employee may develop. Therefore the following reporting requirements shall be followed:



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1. When a close personal, romantic or intimate relationship between a manager/supervisor and a subordinate employee develops, it shall be the responsibility and mandatory obligation of the manager/supervisor to immediately report, in writing, the existence of the relationship to their appointing authority and/or the Human Resources Director. The subordinate employee may also report, in writing, the relationship to the appointing authority and/or the Human Resource Director. However the burden to report the relationship shall be upon the manager/supervisor.
2. If the manager/supervisor does not meet this reporting requirement, discipline will be administered by their appointing authority.

4.53 Employee Liability

- A. County officials, members of boards or commissions, trustees, directors, officers, employees, and volunteers are covered for injuries and liability, including litigation costs, for incidents occurring during the course of authorized County business activities. This is with the understanding that involved employees and officials are acting in good faith and making all reasonable efforts to comply with County safety procedures and policies. The Arizona Counties Insurance Pool (ACIP) provides coverage for Mohave County and other counties, provides documentation regarding coverage details, and assesses each individual case to determine the County's and ACIP's obligation and responsibility to provide coverage.
- B. Liability and injury coverage is not extended to private citizens who are allowed by County officials, employees, or volunteers to ride in County owned vehicles or personal vehicles that have been authorized for use on County business when those vehicles are engaged on County business, nor to unauthorized private citizens who engage in attempting to assist employees or officials in the conduct of County business of any kind at any location, unless receiving prior authorization by the County Manager, Mohave County Sheriff, or Risk and Emergency Management Director.
- C. County officials, members of boards or commissions, trustees, directors, officers, employees, and volunteers who are engaged in authorized County duties that are potentially dangerous shall take every reasonable precaution to protect themselves from harm, including obtaining escort from current law enforcement officers when conducting official duties in locations that are suspected of being dangerous, but shall not ask or permit private citizens or unqualified County employees to perform such escort duties.
- D. County officials, members of boards or commissions, trustees, directors, officers, employees, and volunteers who deliberately or negligently invite or allow unauthorized



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private individuals to participate in County business activities or ride in authorized vehicles engaged in County business may be individually sued if such private individuals are injured or killed or through their activities injure or kill a third party. The County and ACIP may in such cases evaluate whether the employee or official has abrogated their expectation of coverage and/or legal defense by actions contributing to the injuries or death in violation of County procedures and policies.

- E. County volunteers must be specifically authorized by Mohave County to perform a function through a process specified in the Mohave County Volunteer Policy prior to performing any volunteer duties. Only officials designated in the Volunteer Policy to authorize volunteers can do so.

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4.6 DISCIPLINE PROCESS

The continued employment of any individual with Mohave County depends upon acceptable conduct and satisfactory work performance. Failure to comply with the policy provisions contained in this Manual constitutes sufficient grounds for disciplinary action up to and including dismissal of employment.

4.61 Pre-Disciplinary Meetings

- A. Prior to any disciplinary action consisting of suspension without pay or reduced pay, demotion or dismissal of a classified employee, the Department Head shall hold a pre-disciplinary meeting with the employee. The purpose of the pre-disciplinary meeting is to present and discuss the charges, provide an explanation of the Department's evidence, and provide the employee an opportunity to respond to the charges.
- B. The following shall apply to this meeting.
 - 1. The employee shall be provided written notice of the disciplinary charges, the proposed action and effective date, and the date and time of the pre-disciplinary meeting. The notice shall be given at least 24 hours in advance.
 - 2. During the meeting, the Department Head or designee shall present and discuss the charges and provide an explanation of the Department's evidence.
 - 3. The employee shall be given the opportunity to respond to the disciplinary charges and to provide any additional information including testimony of witnesses that the employee believes are relevant to the charges. Any information provided by the employee shall be considered by the Department Head.
 - 4. The Department Head may prepare a written record of the employee's response.
 - 5. The employee may have a representative (not an attorney) attend the meeting as an observer. However, this person shall not be allowed to participate.
- C. Attempts shall be made to schedule the pre-disciplinary meeting at a time that is convenient for the employee. Should the employee fail to appear for the pre-disciplinary meeting, the Department Head shall proceed with the proposed disciplinary action.

4.62 Types of Discipline

The types of discipline that may be taken to correct and discipline employees are listed below; however, the list is not intended to limit the range of possible disciplinary actions or to create a



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progressive discipline policy. The seriousness of the offense may warrant imposing a more serious form of discipline, even dismissal, prior to utilizing lesser forms of discipline.

Before taking disciplinary action involving a suspension without pay, involuntary demotion, or dismissal, the Department Head shall review and discuss the circumstances with the Human Resources Director, to the extent possible. If there is a situation where action is taken prior to review by the Human Resources Director, it shall be brought to the attention of the Human Resources Director as soon as possible but in no event more than one (1) business day.

A. Coaching/Counseling Notice (Written or Verbal):

1. To improve performance.
2. To build documentation in the event a more serious action needs to be taken.
3. Contents should include dates and times, place, specific details, expectations of the employee, employee's comments, and signatures.

B. Verbal Reprimand: Prior to imposing a written reprimand for a minor offense, the Department Head may choose to provide a verbal reprimand in order to discuss the offense and the corrective action required by the employee. A verbal reprimand is the lowest level of discipline provided by these Policies.

1. The Department Head shall document the verbal reprimand in memo form and provide a copy to the employee. The verbal reprimand shall briefly describe the improper performance conduct or offense, and any corrective action required.
2. The verbal reprimand shall be discussed with the employee and the employee shall be asked to sign the verbal reprimand to acknowledge receipt.
3. A verbal reprimand does not require a pre-disciplinary meeting prior to imposition.
4. A verbal reprimand may not be grieved or appealed; however, the employee may submit a written rebuttal to be filed in their official personnel file.
5. A copy of the memo shall be forwarded to Human Resources to be placed in the employee's official personnel file

C. Written Reprimand: For repeated violations, following a Coaching/Counseling Notice, verbal reprimand, or in instances where the misconduct warrants a more serious type of discipline, the Department Head may issue a written reprimand to the employee.



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1. The Department Head shall document the written reprimand in memo form and provide a copy to the employee. The written reprimand shall briefly describe the improper performance, conduct or offense, and any corrective action required.
 2. The written reprimand shall be discussed with the employee and the employee shall be asked to sign the written reprimand to acknowledge receipt.
 3. A copy of the memo shall be forwarded to Human Resources to be placed in the employee's official personnel file.
 4. A written reprimand does not require a pre-disciplinary meeting prior to imposition.
 5. A written reprimand may not be grieved or appealed; however, the employee may submit a written rebuttal to be filed in their official personnel file.
- D. Special Observation Period:
1. An employee may be placed on a Special Observation Period for the purpose of closely monitoring the employee's performance or conduct during a specified period of time not less than thirty (30) or more than one hundred eighty (180) calendar days. The purpose of the Special Observation Period is to officially advise the employee that the type of conduct or performance deemed unacceptable by the Department Head shall be closely monitored for a specific period of time. This need not be in conjunction with a disciplinary action.
 2. The Notice of the Special Observation Period shall be provided to the employee in writing, upon the effective date, and shall specify the conduct involved, the purpose of the observation period, expectations of the employee during and at completion of the period, and the length of the period.
 3. At the end of the Special Observation Period, the employee's supervisor shall prepare a special Performance Evaluation Report detailing the employee's success or failure in completing the Special Observation Period.
 4. Unsuccessful completion of the Special Observation Period or unacceptable performance or conduct during the special Observation Period may result in disciplinary action.
 5. The assignment of a Special Observation Period may not be grieved or appealed however, the employee may submit a written rebuttal to be filed in their official personnel file.



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- E. Suspension Without Pay: At the discretion of the Department Head, an employee may be suspended without pay at any time for disciplinary purpose.
1. Prior to imposing a suspension without pay, a written notice and pre-disciplinary meeting shall be held with the employee.
 2. Suspensions without pay shall not exceed thirty (30) calendar days.
 3. Should the discipline be imposed following the pre-disciplinary meeting, the details of the suspension shall be documented in memo form and discussed with the employee. The employee shall be asked to sign the Notice of Suspension to acknowledge receipt of the memo.
 4. The memo shall be given to the employee and a copy of the memo shall be forwarded to Human Resources to be placed in the official personnel file.
 5. An employee may appeal the suspension without pay.
- F. Involuntary Demotion: The Department head may demote an employee whose performance does not meet expectations, or for disciplinary purposes.
1. Prior to imposing an involuntary demotion, a written notice and pre-disciplinary meeting shall be held with the employee.
 2. The reasons for the involuntary demotion shall be documented in memo form and discussed with the employee. The employee shall be asked to sign the memo to acknowledge receipt.
 3. The memo shall be given to the employee and a copy of the memo shall be forwarded to Human Resources to be placed in the employee's official personnel file.
 4. An employee may appeal an involuntary demotion.
- G. Dismissal of Employment: An employee may be dismissed for cause at any time by the Department Head.
1. Prior to terminating an employee for cause, a pre-disciplinary meeting shall be held with the employee.



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2. Should the employee fail to attend the pre-disciplinary meeting (as in the case of job abandonment), the Notice of Dismissal documenting the reasons for the dismissal shall be recorded in a letter and delivered to the employee either in person or via mail to the employee's last known address and a copy shall be forwarded to Human Resources to be placed in the employee's official personnel file.
3. An employee may appeal the dismissal.
4. When an employee is dismissed from employment under the provisions of this section, they shall be paid all wages due within seven business days or at the end of the next regular pay period, whichever is earlier, pursuant to A.R.S. §23-353.

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4.7 NO FAULT SEPARATION

- A. In circumstances where an employee is no longer able to perform the essential functions of the position with or without reasonable accommodation through no fault of their own such as loss of a required certification or license in a manner that does not indicate negligence on the part of the employee, a no-fault separation may be warranted. In this instance, the employee may be released from County employment and the no fault separation shall be documented by the Department Head identifying the reason(s) for the no-fault separation.
- B. Due to ADA: When the reason for inability to perform the duties is due to an ADA qualifying medical condition, the ADA interactive process shall be thoroughly exhausted prior to conducting a no-fault separation.
- C. Procedure: Notice of the no-fault separation shall be written in letter form by the Department Head and shall be hand delivered to the employee or mailed to the employee's last known address. A copy of this letter shall be forwarded to Human Resources for placement in the official personnel file.
- D. Employees who receive a no-fault, non-disciplinary separation are not eligible to appeal this action to the Mohave County Personnel Commission.

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4.8 GRIEVANCE PROCESS

A grievance is a complaint by an employee about an alleged violation, misinterpretation, or discriminatory act of the Personnel Policies and Procedures. A grievance procedure is a way of attempting to resolve such difficulties and shall begin with an informal communication between the employee and the employee's supervisor.

4.81 Matters Not Subject to Grievance Procedure

Dismissals, involuntary demotions, and suspensions without pay may not be appealed under these grievance procedures. These matters may be appealed as provided in the section on Appeals of Disciplinary Action. No-fault separations, employee compensation matters, classification issues, verbal or written reprimands special observation periods, and performance evaluations are also not grievable under this policy. Additionally, complaints of discrimination or harassment are covered by the harassment/discrimination policy contained herein.

4.82 Matters Subject to Grievance Procedure

Except as stated above, a classified employee may use the appropriate grievance procedure for any decision occurring within their immediate chain of command that affects their employment with the County.

4.83 Informal Grievance Procedure

Any employee who has a problem or complaint should first try to settle it through discussion with their immediate supervisor. If, after this discussion, they do not believe the problem has been satisfactorily resolved, they shall have the right to discuss it through the chain of command. Every effort shall be made to find an acceptable solution by informal means.

4.84 Formal Grievance Procedure

Issues that cannot be resolved through the informal grievance procedure may be taken to the formal procedure. This step shall be taken within ten (10) business days following the incident. The levels of review in the formal grievance procedure follow the chain of command and are listed below:

A. First Level of Review.

1. The grievance shall be presented in writing to the employee's immediate supervisor.



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- a. The immediate supervisor shall review the grievance and shall render their decision and rationale in writing to the employee. The immediate supervisor shall deliver this material to the employee within five (5) business days of receiving the grievance.
- b. If the employee does not agree with their immediate supervisor's decision, or if no answer has been received within five (5) business days, the employee may present the grievance in writing to the next level in their chain of command. Failure of the employee to take further action within five (5) business days following either the receipt of the supervisor's response or the expiration of the supervisor's deadline (whichever comes first) shall terminate the grievance.

B. Follow-Up Levels of Review.

1. When the grievance is received by the next level in the chain of command, this supervisor shall review the material, conduct the appropriate investigation and render their decision in writing and deliver the decision to the employee within ten (10) business days.
2. If the employee does not agree with the decision or, if no answer has been received within ten (10) business days, the grievance may continue to be elevated to each subsequent step in the chain of command as specified in the steps above until reaching the Department Head.
3. Failure of the employee to take further action within five (5) business days following either the receipt of the supervisor's response or the expiration of the supervisor's deadline (whichever comes first) shall terminate the grievance.
4. Following the investigation of the grievance, the Department Head shall render a decision in writing and shall deliver the decision to the employee within ten (10) business days. The decision regarding the matter shall be final, and the grievance shall be terminated.

4.85 Administration of Grievance Procedure

- A. The time limits specified above may be extended by mutual agreement of the employee and management.
- B. The employee may be allowed to use a reasonable amount of work time to prepare for the grievance. "Reasonable amount of work time" shall be defined by the appropriate Department Head and shall not unduly disrupt the normal operations of the department.



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- C. Once a grievance has been terminated, either through direct action or by inaction, the grievance cannot be reinstated.
- D. Once the grievance process has been concluded and a decision has been made by the Department Head, the grievance cannot be reopened.
- E. Employees shall be free from reprisal for using the grievance procedures in good faith.
- F. Any individual who knowingly or recklessly makes a false accusation of discrimination or harassment against any person shall be subject to disciplinary action up to and including dismissal.

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4.9 APPEALS OF DISCIPLINARY ACTIONS

4.9.1 Matters which may be appealed

- A. A classified employee, who has completed their probationary period, may appeal an action resulting in dismissal, involuntary demotion or suspension without pay.
- B. Disciplinary action or matters not specifically stated in this Policy cannot be appealed. Unclassified employees or employees on a probationary period may not appeal. Employees who receive a “no fault separation” also may not appeal this action.

4.9.2 Appeal Procedures

- A. Filing an Appeal: Appeals by an eligible employee, as described above, (“Appellant”) to the Personnel Commission must be filed with the Human Resources Director, in writing, within ten (10) calendar days of presentation of a notice of an appealable action. The appeal shall be considered filed when received. In the absence of good cause, failure to file a timely appeal shall result in denial of the appeal.
 - 1. The appeal shall state, in detail, the facts upon which it is based, the identity of all persons and departments concerned in the matter, and the remedy requested.
 - 2. The Human Resources Director shall provide a copy of the appeal to the employee’s Department Head (“Respondent”).
 - 3. The Human Resources Director shall notify the Personnel Commission members and provide each member a copy of the appeal.
 - 4. The Human Resources Director shall assist the Personnel Commission in carrying out this policy, including but not limited to: receiving documents from parties, drafting documents, delivering notices, providing clerical support and supplies, and providing meeting venues.
- B. Answer to Appeal: No answer to the appeal needs to be filed by the Respondent. If an answer is filed prior to the hearing, a copy shall be sent, by Human Resources, to the Personnel Commission.
- C. Time for Hearing: Within twenty (20) calendar days after receiving notice of appeal, the Personnel Commission shall set a date for a hearing of the appeal. The Appellant may appear personally, produce evidence, or have counsel.



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- D. Notice of Hearing/Continuance: Written notice of the time, date, and place of hearing shall be sent by the Human Resources Director to the Appellant, Respondent, and Personnel Commission.
1. Either Respondent or Appellant may request in writing, to the Human Resources Director, no less than three (3) business days prior to the date set for the hearing, that the hearing be continued for good cause.
 2. The Chairperson may delegate the Human Resources Director as its designee for the purpose of scheduling hearings and/or granting continuances.
 3. Failure to request a continuance in conformance with these Policies and any failure by either party to appear at the time and place set for hearing may result in an adverse or default decision against the party who fails to appear. An Appellant who fails to appear may have their appeal dismissed.
- E. Withdrawal of the Appeal: The Appellant may submit a written request to the Human Resources Director to withdraw the appeal at any time prior to the decision by the Personnel Commission. Upon receipt, the Human Resources Director shall cancel the hearing and notify all involved parties, including the Personnel Commission and Respondent. A withdrawn appeal may not be re-filed.

4.93 Discovery

- A. Discovery: Ten (10) business days prior to the hearing, the following items shall be submitted to the Human Resources Director:
1. The Appellant and Respondent shall provide:
 - a. All records and documents, in their custody, that are relevant to the appeal.
 - b. A list of all potential witnesses with contact information and exhibits including a copy of any document or record which the party intends to offer as evidence at the hearing.
 2. In the event either party claims the items above are privileged or protected by law, the party shall briefly describe the item and reason for nondisclosure in a list and provide that list to the other party, within the timeframe herein.



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4.94 Nature of the Hearing

- A. Each hearing shall be held pursuant to A.R.S. §11-356 and shall be open to the public unless the employee (hereinafter Appellant) requests a closed hearing as provided by A.R.S. § 38-431.03.
- B. Within five (5) business days of receipt of the Notice of Hearing from the Personnel Commission, the Appellant shall provide the Human Resources Director with written notice as to how the party intends to be represented. The Appellant may represent themselves, be represented by legal counsel or another person at the employee's own expense. The notice shall include the name, mailing address, and telephone number of any attorney or representative. The Department Head (hereinafter Respondent) may represent them self or be represented by a member of the County Attorney's Office or other legal counsel selected by the County.
- C. The hearing shall be informal and technical rules of evidence and court procedure shall not apply to the proceedings, except that irrelevant, immaterial, incompetent, or unduly repetitious evidence, or evidence protected by the rules of privilege recognized by law, may be excluded by the Personnel Commission. Facts shall be established by a "preponderance of the evidence" standard.
- D. The Personnel Commission, through its Chairperson, shall maintain order and direct the proceedings to a timely and just conclusion. All testimony at the hearing shall be given under oath administered by the Chairperson.
- E. In the event there is a dispute as to the Personnel Commission's jurisdiction to hear the appeal, the Personnel Commission shall decide the jurisdiction issue prior to hearing the appeal.
- F. All testimony at the hearings shall be recorded manually or by mechanical or electronic device. The Personnel Commission (through the County) shall pay all charges incurred in connection with the presence of a court reporter or the utilization of mechanical or electronic devices, excluding, however, the costs of the preparation of all or any part of any transcript or copying of tapes. The cost of a copy or copies of any such transcription or tapes shall be paid by the requesting party or parties. Fees shall be determined in accordance with A.R.S. §11-251.08 and A.R.S. §11-251.13.



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- G. The Personnel Commission shall comply with all applicable Open Meeting Laws including proper notice of meeting date, time, place and agendas. The Personnel Commission may take any necessary action required to perform its duties under this Policy before, during, and after the appeal hearing, including adopting necessary guidelines for its meetings and hearings. The Personnel Commission shall have at least the following officers: a Chairperson and a Clerk. The Chairperson shall take charge and conduct the hearings of the Personnel Commission. The Clerk is responsible for all records and notices.

4.95 Witnesses

- A. Each party is responsible for ensuring that its witnesses attend the hearing.
- B. Neither the Personnel Commission Chairperson nor the Human Resources Director has the power to issue subpoenas or otherwise compel the attendance of witnesses.
- C. Exclusion of Witnesses: Upon the motion of either Appellant or Respondent, or on the Personnel Commission's order, witnesses shall be excluded from the hearing room except during the time of their examination. This rule of exclusion shall not apply to either Appellant or Respondent or their representatives.
- D. Witness Fees: Witnesses, other than employees, who are subpoenaed to attend a hearing or investigation, are entitled to the same fee as is allowed witnesses in civil cases of the State of Arizona. If a witness is subpoenaed by the Personnel Commission, fees and mileage may be paid by the Respondent Department upon presentation of a duly executed claim against Mohave County. If a witness is subpoenaed upon request of the Appellant, the fees and mileage shall be paid by the party requesting the witness. Reimbursement to the employees subpoenaed as witnesses shall be limited to payment of mileage, if appropriate, by the party requesting the witness.
- E. Depositions: If a witness does not reside within Mohave County or within one hundred (100) miles of the place where the hearing or investigation is to be held, is out of state or is too ill to attend the hearing or investigation, any party, at their own expense, may cause a deposition to be taken. If the presence of a witness cannot be procured at the time of the hearing or investigation, the deposition may be used in evidence by either party or the Personnel Commission if the following occurred: (1) the other side was notified of the deposition, and (2) the other side had the right and opportunity to cross-examine the witness during the deposition.



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F. Power of Subpoena: The Personnel Commission may request the Chairperson of the Board of Supervisors to issue subpoenas to compel attendance of any person and the production of any books, papers, or any other evidence relating to any investigation or hearing authorized by these Policies in accordance with the powers of the Board of Supervisors, pursuant to A.R.S. §11-218.

1. Each party is responsible for ensuring that its witnesses attend the hearing and each party is responsible for requesting subpoenas from the Personnel Commission, through the Human Resources Department, at least (10) business days prior to the hearing date.

4.96 Settlement of an Appeal

The employee and the Department Head may settle the appeal at any time before the Personnel Commission renders its decision. If the parties reach an agreement, it shall be put in writing and signed by the employee and the Department Head. The agreement shall be final upon review and approval of the County Attorney and Human Resources Director. If a settlement is reached, the Human Resources Director shall immediately notify the Personnel Commission Chairperson so the hearing can be cancelled.

4.97 Decision by Personnel Commission

A. The findings and decisions of the Personnel Commission shall be final.

1. The Personnel Commission shall render its decision at the conclusion of the hearing by majority vote of the members present (including the Chairperson). Said decision shall be reduced to writing within ten (10) calendar days of the date of the hearing and the decision shall be forwarded to the Appellant, the Respondent, the County Manager, and the Human Resources Director.
2. The Personnel Commission shall either affirm, modify, or revoke the disciplinary order from which appealed. The Personnel Commission may modify or revoke the order if it is found that the action taken by the Respondent was one of the following.
 - a. Taken in an arbitrary or capricious manner.
 - b. Some or all of the charges are not proven; otherwise the Personnel Commission shall affirm the order.
 - c. The Personnel Commission shall use the 'just cause' standard for peace officers and detention officers pursuant to A.R.S. § 38-1103.



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3. The Personnel Commission shall have the power to direct appropriate remedial action and shall do so after taking into consideration just and equitable relief to the employee in the best interest of the County and the public.
 - B. Deductions from back pay award: If an employee has been dismissed or suspended without pay, and upon appeal, the Personnel Commission revokes or modifies said disciplinary order, and said employee is ordered reinstated with back pay, any interim earnings or amounts earnable, including unemployment compensation, shall be deducted from the back pay award.
 - C. Compliance of Department Head: Within ten (10) business days of a Notice of Decision by the Personnel Commission revoking or modifying any order of disciplinary action, the Department Head shall comply with the Personnel Commission's decision, and shall render a report indicating compliance to the Human Resources Director.
 - D. Administrative Review: The findings and decisions of the Personnel Commission shall be final and shall be subject only to administrative review as provided in the Arizona Revised Statutes. The findings and decisions of the Personnel Commission shall not be deemed final for purposes of initiating administrative review until an order as to the amount of back pay, if any, has been duly made (A.R.S. §12-901 et seq.).

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4.100 PERSONNEL COMMISSION

- A. Establishment: A Personnel Commission of five (5) individuals shall be appointed by the Board of Supervisors and selected from among the qualified electors of the County. Individual Board members shall nominate a district representative to be appointed by the Board of Supervisors. No more than three (3) members of the Commission shall be from the same political party nor shall any member of the Commission hold or be a candidate for any elective or public office.
- B. Term of Office: Each member of the Personnel Commission shall hold office for a term of four (4) years and/or until a successor is appointed and seated. Appointment by the Board to fill vacancy caused by other than expiration of term shall be for the unexpired portion of the term.
- C. Removal from Office: Any member of the Personnel Commission may be removed by the Board of Supervisors for good cause. Any one (1) of the following shall constitute the resignation of a Personnel Commissioner and authorizes the Board of Supervisors to appoint a new member to fill unexpired term so vacated.
1. Absence from three (3) consecutive meetings providing no good cause shown.
 2. Becoming a candidate for any public office.
 3. Accepting any appointive office or other employment in the County service.
 4. Submission to the Board of a signed letter of resignation by a departing member of the Commission.
- D. Powers and Duties of the Personnel Commission:
1. The Personnel Commission shall act in matters affecting personnel administration. The Personnel Commission shall perform such duties and exercise such powers as are necessary to carry out the provisions of the Personnel Policies and Procedures. In addition to the duties imposed on it elsewhere, it shall be the duty of the Personnel Commission to:
 - a. Prepare such rules as it finds necessary or appropriate to carry out its duties as an employee appeal hearing board.
 - b. Hear appeals from disciplinary demotions, dismissals and suspensions without pay by eligible classified employees.



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- c. Administer oaths, compel attendance of and examine witnesses and compile production of and examine documents.
 - d. Advise the Board of Supervisors, County Manager and/or Human Resources Director on problems concerning personnel administration.
 - e. Make such special reports to the Board as it considers desirable.
2. The Personnel Commission may recommend to the Board of Supervisors, County Manager and/or Human Resources Director, Rules of Administration of the Personnel Policy.
- E. Legal Representation: The Personnel Commission may retain legal counsel as necessary to serve as an advisor to the Commission.
- F. Personnel Commission Meetings:
1. The Personnel Commission shall hold meetings at such times and at such places as specified by a call of the majority or the Chairperson.
 2. Except in the case of an actual emergency, Personnel Commission meetings shall not be held with less than twenty-four (24) hours' notice.
 3. The notice shall be posted in at least one (1) public place in the County. In case of an actual emergency as determined by the Personnel Commission or its Chairperson, a meeting may be held upon lesser or other notice as is appropriate under the circumstances. Notice required under this section shall include an agenda of the matters to be discussed or decided at the meeting or information on how the public may obtain a copy of such agenda. Such agenda shall be available to the public not less than twenty-four (24) hours prior to the meeting except in the case of an actual emergency.
 4. The presence of three (3) Personnel Commission members shall constitute a quorum for the transaction of business including the conducting of hearings.
- G. Agenda:
1. All matters to be presented for consideration by the Personnel Commission at any meeting shall be placed upon the Personnel Commission's agenda without undue delay.



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2. The agenda shall be mailed to each member of the Personnel Commission prior to such meetings.
 3. In instances where the Personnel Commission is to review a disciplinary measure affecting an employee, a notice of the hearing shall be sent to such employee prior to the meeting of the Commission.
- H. **Notice:** The Human Resources Director shall, unless extenuating circumstances prohibit, at least five (5) business days prior to the meeting, mail or cause to be mailed to each interested Department Head and to each interested party, a copy of the notice of the meeting of the Personnel Commission, and either an agenda for the meeting or information as to how an agenda may be obtained. Failure of a Department Head or interested party to receive the notice and/or agenda shall not affect the validity of the meeting or of any action taken by the Personnel Commission at said meeting, if notice was properly posted. In case of an actual emergency, as determined by the Personnel Commission or its Chairperson, a meeting may be held upon lesser or other notice as is appropriate under the circumstances.
- I. **Minutes:** The Human Resources Director shall provide for the recording of official actions of the Personnel Commission in its meetings. The time and place of each meeting of the Personnel Commission, the Commissioners present, all official acts of the Commission, and, when requested, a Commissioner's dissent and reasons shall be recorded in the minutes. The Human Resources Director shall cause the minutes to be transcribed and presented for approval or amendment on or before the next Personnel Commission meeting. The minutes shall be open to public inspection three (3) business days after approval, except as otherwise prohibited by law.
- J. **Service of Notice:** Unless otherwise provided by law or these Policies, whenever any notice, paper or document is to be given to, or served upon, any person or department by the Personnel Commission or the Human Resources Director, such notice, paper or document may be personally served, or it may be served by mailing it to the last known residence or business address of the addressee. Service is complete upon mailing.

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5.1 COUNTY EMPLOYEE DRIVER'S GUIDELINES

5.11 Arizona Driver's License (Non-Commercial Drivers)

Any employee who operates any motor vehicle as an essential part of their job function and does not maintain a valid state driver's license may be subject to disciplinary action up to and including dismissal. It is the employee's responsibility to make immediate notification to their supervisor of suspension, revocation, or loss of driver's license.

5.12 Policy of Commercial Driver's License (CDL)

Employees who operate commercial vehicles as part of their employment with the County shall meet all appropriate federal and state requirements. (49 C.F.R. §391.15, 49 C.F.R. §391.23 and 49 C.F.R. §391.25)

5.13 Accident Review Board (ARB)

- A. Purpose: An Accident Review Board may be convened from time to time to review circumstances surrounding any accident, abuse or incidents having a risk endangerment for the purpose of making a preliminary assessment of cause, policy violations, equipment malfunction, and training needs. Accidents, which occurred while a County Vehicle/Equipment was not in motion, shall not be subject to review by a Review Board, unless the stationary County Vehicle was parked in a location, which facilitated the County Vehicle being involved in the accident.
- B. Review Board Membership: Each Review Board shall consist of five (5) members appointed by the County Manager, with consideration given to the specifics of each case. The Risk and Emergency Management Director shall act as Chairman for the Board but shall not sit as one of the five (5) voting members, unless there is a need to break a tie vote. Employees from any department may be selected to participate on a Board.
- C. If an Accident Review Board (ARB) is not requested, the responsible department will, as soon as possible, conduct an internal investigation in coordination with Risk and Emergency Management Department. The investigative team will consist of the immediate supervisor of the individual(s) involved in the accident, at least one other individual designated by the Division Manager or Department Director, and one Risk and Emergency Management Department representative. The internal investigative team will adhere to the review procedures specified in paragraph D.2 of the Review Board Procedures below and follow the infraction definitions and minimum penalties specified in Section 5.14 below in recommending disciplinary actions. The primary objective of the investigation will be to determine the root cause of the accident with consequent development of a corrective action plan to prevent future incidents. The corrective action plan will include, as needed, an



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appropriate employee improvement plan and establish priorities and timelines for correcting supervision, training, equipment maintenance, operations, and safety deficiencies.

D. Review Board Procedures

1. A Review Board shall be convened by the County Manager and Risk and Emergency Management Director on an as-needed basis, to review and verify the factual basis for any report concerning a vehicle/equipment accident. If the accident resulted in personal injury, a Review Board shall generally meet within a week of the accident to review and verify the factual basis for any accident report. In the case of an accident involving serious personal injury or property damage in excess of \$5,000, a Review Board shall be convened only after consultation with the Arizona Counties Insurance Pool and the County Attorney.
2. A Review Board or internal department investigation shall generally not conduct formal hearings, but shall review the accident report prepared by any law enforcement authority, together with the employee's response (if any), the Employer Incident Assessment, and any other documentation that may be provided, and prepare a summary report for the Supervising Authority and the County Manager identifying the following:
 - a. The **root** cause of the accident or incident.
 - b. The parties involved.
 - c. If the County employee was:
 - i. At fault, and the accident was preventable.
 - ii. At fault, but the accident was not preventable.
 - iii. Not at fault, but the accident was preventable.
 - iv. Not at fault, and the accident was not preventable. (In some instances, the ARB may not be able to make a determination of fault or preventability of the accident).
 - d. Whether that fault amounted to a major infraction or a minor infraction.
 - e. The nature of any physical injuries (if any) caused thereby, to the extent then known.



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- f. An estimate of economic liability to which the County is exposed.
 - g. Any policy violations.
 - h. Any training concerns or recommendations.
 - i. Any recommended policy changes.
- E. The Review Board or internal department investigation team may call upon the individual(s) involved to appear before the Review Board or investigation team to answer questions concerning the event. In addition, the Review Board or investigation team may request a law enforcement accident investigator to appear to answer questions on a particular accident requiring an expert opinion. For any accident or damage to a County vehicle that the Review Board or investigation team has made the determination that it was as a result of reckless vehicle conduct, the person responsible shall be subject to disciplinary actions.
- F. Confidentiality: The purpose of a Review Board or internal department investigation is to assist Mohave County in taking appropriate remedial or disciplinary measures for the safety of employees and the public. Due to the potential for litigation and liability arising out of the types of incidents that a Review Board or internal investigation team shall be reviewing, all Review Board or internal department investigation reports, meeting notes and tapes, individual members' notes, and related documents shall be deemed to be confidential and shall not be available for public inspection or copying until any litigation related to the incident has been finally concluded or the applicable statute of limitations has expired. At the conclusion of each Review Board or internal department investigation, all such documents and copies thereof shall be provided to the County Attorney for safekeeping.

5.14 Recommended Minimum Penalties – Driving So As to Endanger

In reviewing any report concerning an incident of alleged endangerment involving a County vehicle or a private vehicle operated by a County employee on official business, the Accident Review Board shall determine (A) if the County employee was at fault; and (B) whether that fault amounted to a major infraction or a minor infraction, as defined below. Recommended minimum penalties shall be based upon the significance of the Infraction and the number of infractions that preceded it as reported to the Department Head by the Accident Review Board **or internal department investigation**. Any event involving multiple infractions is to be treated as a single violation of the most serious offense committed during that event.

A. Classes of Infractions

- 1. Minor infractions.



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- a. Any civil moving violation of state traffic laws while in a County vehicle.
 - b. Improper use of equipment or vehicle (abuse) resulting in repairs under \$500.
 - c. Causing an accident involving vehicle damage under \$1,500 (no injuries).
2. Major infractions.
- a. Failure to report vehicle, equipment operation, private or public property damage, or possible injury accident/incident, including and involving allegations by the public of employee fault.
 - b. Any criminal moving violation of state traffic laws.
 - c. Improper use of equipment or vehicle (abuse) resulting in repairs over \$500.
 - d. Causing an accident involving vehicle damage over \$1,500, or involving injury to the employee or to a third party.
 - e. Driving under the influence of alcohol or illegal drugs, or of a prescribed narcotic or over-the-counter medication that impairs ability to operate a vehicle, or is in violation of the Mohave County Drug Free Workplace and Substance Abuse Prevention policy.
 - f. Using a mobile communication device in violation of the provisions in Section 6.302 of the Personnel Policies and Procedures.
 - g. Failure to wear a seatbelt.
- B. List of Recommended Minimum Penalties: The below recommendations notwithstanding, if the employee is at fault and the accident is preventable, and the employee's conduct constitutes gross negligence or reckless and willful indifference to life or property, more serious disciplinary action may be warranted, up to and including dismissal of employment. Multiple infractions or combinations of minor and major infractions shall result in an appropriate adjustment in disciplinary action, which is at the discretion of the Department Head with recommendation from the Accident Review Board. In general, two minor violations are equivalent to one major when considering the appropriate adjustment. Below are recommendations for penalties to be used as guidelines by the Department Head in making the determination:

1. Minor infractions.



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- a. First offense: Oral counseling or written warning, depending on the severity of the minor infraction.
 - b. Second offense: Two-day suspension without pay if the infraction occurs within 24 months of first offense.
 - c. Third offense: Three-day suspension without pay, plus imposition of two-day penalty previously imposed, for a total of five days suspension.
 - d. Fourth offense: Suspension of driving privileges and/or suspension or dismissal of employment (if employee is required to drive own vehicle, employee shall amend insurance on that vehicle to include the County as a named insured).
2. Major infractions.
- a. First offense: Two-day suspension without pay with the exception of a failure to report a vehicle, equipment operation, private or public property damage, or possible injury accident/incident, including any involving allegations by the public of employee fault, or violation of the Mohave County Drug Free Workplace and Substance Abuse Prevention policy, all of which will result in immediate dismissal unless extenuating circumstances are found to exist.
 - b. Second offense: Three-day suspension without pay, plus suspension for previously imposed two-day period, for a total of five days suspension if within 24 months of first offense & possible loss of driving privileges.
 - c. Third offense: Suspension of driving privileges and/or suspension or dismissal of employment (if employee is required to drive their own vehicle, employee shall amend insurance on that vehicle to include the County as a named insured).
- C. Adjudication and Appeal Procedures
1. For any class of infraction there is a single presumptive penalty, but the Department Head shall make the final determination of penalty imposed. If the Department Head elects not to impose the recommended discipline, the Department Head shall state the reasons for the departure. Any decision to actually suspend an employee, revoke, or suspend driving privileges for any reason other than failure to possess a valid driver's license shall constitute a "disciplinary action" under the Mohave County Personnel Policies and Procedures and shall be subject to the same notice, response and hearing procedures as are applicable to such actions.



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2. Any penalties imposed notwithstanding, if in the judgment of the Equipment/Fleet Manager, Risk and Emergency Management Director or County Manager, there is a continuing risk of endangerment to the safety of others, the County or County property, the Equipment/Fleet Manager, Risk and Emergency Management Director or County Manager may request that the Board of Supervisors suspend driving privileges to the employee.

5.15 Records

The Risk and Emergency Management Director shall be required to keep retrievable records to track the following:

- A. Accidents
- B. Accident Review Board Findings
- C. Driving and Equipment Training and Other Driving-Related Loss Prevention Programs
- D. Vehicle Incident Reports with findings
- E. Vehicle Monitor and Tracking Activities (GPS)
- F. Statistics to Measure Programs' Effectiveness

Individual departments will be responsible for maintaining accident records and tracking employee improvement plan progress and required remedial or refresher training scheduling.

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5.2 WORKPLACE VIOLENCE

Violent behavior of any kind or threats of violence, either implied or direct, are prohibited on Mohave County properties, at Mohave County sponsored events or when made toward a Mohave County employee, vendor, contractor, visitor, customer, supervisor, Elected Official, Mohave County resident or non-resident, while engaged in, or conducting County business. Mohave County has a zero tolerance policy towards any type of harassment, bullying, intimidation or threatening behavior, including violence in the workplace.

Note: This policy applies to all Mohave County employees for their entire employment except those employees covered by the Sheriff's Policy.

A. Prohibited Behavior.

1. Direct threats, bullying, or physical intimidation.
2. Implications or suggestions of violence.
3. Stalking.
4. Assault of any form.
5. Physical restraint or confinement.
6. Loud, disruptive, angry behavior, profanity, or foul language.
7. Blatant or intentional disregard for the safety or well-being of others.
8. Commission of any crime of violence on Mohave County property.
9. Any other act that a reasonable person would perceive as constituting an act or threat of violence.

B. Procedures for Reporting Acts or Threats of Violence.

1. Any employee who is the victim of violence, has reason to believe they may become the target of violent acts, believes they have been threatened with violence, or witnesses an act or threat of violence towards anyone else shall take the following steps:



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2. An employee who has obtained an Order of Protection may voluntarily inform his or her supervisor of the Order; supervisor shall then advise Department Head and Risk and Emergency Management. Additional facility security precautions will then be considered for implementation.
 3. If an emergency exists and the situation is one of immediate danger, the employee shall contact the local police officials by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect them self from immediate harm.
 4. In departments with duress notification (panic) buttons, the duress alarm should be activated, notifying Security and others of the immediate emergency. Security and the Risk and Emergency Management Department shall also be notified at the following phone numbers: Extension 4646 or the Risk and Emergency Management Department at 753-0739.
 5. If the situation is not one of immediate danger, the employee shall report the incident immediately via their chain of command.
 6. The supervisor is required to immediately report the incident to the Risk and Emergency Management Department and to the Department Head. The Department Head shall report the incident to the County Manager and the Human Resources Director.
 7. A Risk and Emergency Management Department representative shall respond to the scene of the incident to begin an investigation, conduct threat assessment with appropriate personnel, and complete an incident report. The findings shall be reported to the County Manager.
 8. If any such act is committed by their supervisor or Department Head, the employee may go directly to the Risk and Emergency Management Department for the initial report.
- C. Preventative Training.
1. Department Heads shall be responsible for ensuring that all employees are provided training on prevention of violence in the workplace and job specific workplace security practices. Workplace security training shall include, but is not limited to, the following:
 - a. Preventive measures to reduce the threat of workplace violence.



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- b. Procedures for reporting workplace violence.
 - c. Procedures for reporting workplace security hazards.
 - d. Methods used to diffuse hostile or threatening situations.
 - e. Escape routes.
 - f. Basic active shooter response training based on Run, Hide, Fight, or equivalent practices.
- D. Workplace Violence Definitions.
- 1. Abuse: Is the intentional or reckless attempt to cause bodily injury, physical damage to property, sexual assault, threatening behavior, harassment or stalking, or making repeated annoying phone calls to a person.
 - 2. Intimidation: Making others afraid or fearful through threatening words or behavior.
 - 3. Threat: The implication or expression of intent to inflict physical harm or cause damage to property by words or actions that a reasonable person would interpret as a threat to physical safety or to property. This includes causing, serious public inconvenience including, but not limited to, evacuation of a building, place of assembly or transportation facility or vehicle.
 - 4. Violent Behavior: Behavior in which an individual inflicts, threatens or indirectly threatens to inflict harm, injury or death, damage to property, or any other violent behavior to others at the workplace.
 - 5. Zero-Tolerance: A standard that establishes that any behavior, implied or actual, that violates the policy will not be tolerated and will result in dismissal of employment with Mohave County and referral to the proper authorities for filing of criminal charges.

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5.3 MOHAVE COUNTY IS A SMOKE AND TOBACCO FREE WORKPLACE

- A. The Environmental Protection Agency (EPA) has officially determined that Environmental Tobacco Smoke (ETS) is a "Group A carcinogen," a chemical known to cause deaths in non-smokers for which there is no safe level of exposure. The EPA report concluded that tobacco smoke has "a serious and substantial public health impact" on non-smokers.

Therefore, in an effort to make the County workplace a safer and healthier environment for smokers and non-smokers alike, use of tobacco products is not permitted within the facilities, on the property of Mohave County or in a County vehicle at any time.

1. The following is a list of restricted smoke and tobacco products. This list is not exhaustive.
 - a. Cigarettes
 - b. E-Cigarettes
 - c. Vapor Cigarettes
 - d. Cigars
 - e. Pipe Tobacco
 - f. Chewing Tobacco.
- B. A County building is defined as any property owned or leased by Mohave County and used for County services.
- C. Procedure.
 1. Employees will be informed of this policy through signs posted in entrance to each County facility and in County vehicles, New Hire Orientation and the Personnel Policies and Procedures manual.
 2. Visitors will be informed of this policy through signs, and it will be explained by their hosts.
 3. Mohave County will help employees who want to quit tobacco by helping them access recommended cessation programs and materials.



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4. Violation of this policy on the part of an employee may result in disciplinary action.
 5. Refusal to comply with this policy on part of a member of the public, the police may be called and citation may be issued in accordance with Arizona Revised Statutes A.R.S. §36-601.01.
- D. Employees shall follow the state statutes regarding non-smoking facilities.

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5.4 DRUG FREE WORKPLACE AND SUBSTANCE ABUSE PREVENTION

The Board of Supervisors and staff of Mohave County are committed to programs that promote safety in the workplace, safety of the public, employee health and well-being, and public confidence. Consistent with the spirit and intent of this commitment, Mohave County has a NO tolerance policy for employees regarding use, possession, manufacture, sale, presence in the body (with the exception of medical marijuana), distribution of drugs or alcohol, or in the possession of drug paraphernalia, while on the job. An employee that is certified under the Arizona Medical Marijuana Act for medical marijuana use may have marijuana present in the body but may not be impaired while at work or during work hours.

With respect to mandated drug and alcohol testing of CDL operators, the provisions of this policy affecting CDL operators shall comply with the Omnibus Transportation Employees Drug Testing Act of 1991 and in accordance with Title 49 Code of Federal Regulations, Part 40, Subpart H, and Part 382 and Part 391.

5.41. Employee's Responsibility

A. An employee shall:

1. Not report to work, or while on duty shall not have an alcohol concentration of 0.02 or greater, any detectable or measurable presence of alcohol or any measurable presence of an illegal drug.
2. Not possess, manufacture, use, consume, transfer, display, transport, sell, cultivate or have any detectable/measurable presence of any controlled substance, including marijuana, other than proper dosages of prescribed medication, or be in possession of drug paraphernalia during working hours, on breaks, during meal periods, while on County property in an official capacity or while operating any state, county or personal vehicle for County business.

An employee, who under the Arizona Medical Marijuana Act, has a written certification of a debilitating medical condition diagnosed by a physician and is a qualified patient eligible for the medical use of marijuana is subject to all of the above restrictions, with the exception that the employee may have a detectable presence of marijuana in his or her system but is subject to discipline, including but not limited to termination, if found to be impaired while on County property or within County buildings, or during the employee's working hours.



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3. Not directly or through a third party dispense or distribute drugs or alcohol to any person or to any other employee while either employee or both employees are on duty or "on-call".
 4. Submit immediately to reasonable requests for alcohol and/or drug testing when requested by Department Head or other supervisory personnel.
 5. Notify their supervisor, if taking over-the-counter or prescribed medications before beginning work, which may interfere with the safe and effective performance of duties or operation of assigned equipment.
 6. Provide, within twenty-four (24) hours of request, a current valid prescription for any drug or medication identified when a drug screen analysis is positive. The prescription must be in the employee's name.
 7. Immediately upon committing or learning that another employee has committed a violation of this policy while on or off duty, shall report that violation to a supervisor or other management personnel.
 8. In accordance with the Federal Drug Free Workplace Act of 1988, any employee convicted of a violation of any criminal statute relating to illegal drug activity shall submit a written report documenting the relevant circumstances of the conviction, to their supervisor within five (5) calendar days of such conviction. Additionally, any employee who receives a citation or who is arrested for illegal drug and/or alcohol related activity shall notify their immediate supervisor in writing within one (1) business day.
- B. Controlled Substances Use.
1. Employees who take over-the-counter or prescribed medications are responsible for being aware of any effect the medications may have on the performance of their duties. Employees must promptly report to their supervisors the use of medications likely to impair their ability to do their jobs. Employees tested under this policy for any reason, who are found to have a concentration of over-the-counter or prescribed medications that exceeds the level that would be expected, based upon the prescribed or recommended dosage, shall be subject to separation from employment.
 2. Controlled substances testing: No employee shall report for duty, remain on duty or perform work assignments, if the employee tests positive for controlled substances with the exception noted above for medical marijuana users. No supervisor having actual knowledge that an employee has tested positive for controlled substances shall permit the employee to return to duty.



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5.42 Procedures

A. Authorized Testing Conditions.

1. Tests shall be conducted by an approved provider for the illegal use of the following drugs, or classes of drugs: cannabis, cocaine, opiates, amphetamines/methamphetamine; phencyclidine (PCP); and alcohol. Note: alcohol testing is only for post-accident and reasonable suspicion. The employee shall be notified prior to the testing for any additional drugs or classes of drugs. Urine samples shall be rendered for testing within three hours of arrival at the laboratory.

B. Required Testing.

1. Pre-Employment Drug Testing: Following a conditional offer of employment, applicants for the safety sensitive positions shall be required to submit and pass a urine drug test. Applicants who receive a conditional offer of employment shall be advised of the location, date and time of the drug testing requirement by Human Resources or designee. The cost of the drug testing shall be the responsibility of the hiring division. An applicant's failure to successfully complete this requirement shall result in withdrawal of the offer of employment.
2. Safety Sensitive Positions: Employees and prospective employees including CDL operators whose positions are designated as "safety sensitive" are subject to alcohol and controlled substances testing under the following circumstances:
 - a. Pre-employment testing.
 - b. Post-accident testing. (Workers' Compensation and/or vehicle or powered equipment accident)
 - c. Random testing.
 - d. Reasonable suspicion testing
3. Positions Requiring a Commercial Driver's License: As required by Department of Transportation Regulations 49 C.F.R. Parts 40 and 382, for positions requiring the possession of a Commercial Driver's License necessary for the performance of job responsibilities, the County will provide employed CDL drivers with the required educational materials under Part §382.303 and obtain a certificate of receipt for said materials from each driver, retaining the original receipt in files and providing a receipt copy to the driver.



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4. Consistent with business necessity and job-related purposes, all employees shall submit to alcohol and drug testing if any of the following circumstances apply:
 - a. Investigation of possible individual employee impairment.
 - b. Investigation of accidents in the workplace, including but not limited to vehicle accidents when the employee is driving a state, county or personal vehicle within the scope of their employment. Employees may be required to undergo drug testing or alcohol impairment testing for accidents if the test is taken as soon as practicable after an accident and the test is administered to employees who the employer reasonably believes may have contributed to the accident.
 - c. Maintenance of safety for employees, customers, clients or the public at large. This includes, but is not limited to, the following situations where employees were involved:
 - i. Loss of life or serious injury.
 - ii. Issuance of a traffic citation to the employee for a moving violation arising from an accident.
 - iii. Reportable damage to County or State property
 - d. Maintenance of productivity, quality of products or services or security of property or information.
 - e. Reasonable suspicion that an employee may be affected by the use of drugs or alcohol and that the use may adversely affect the job performance or the work environment.
5. Reasonable Suspicion Testing: Department Heads may request that an employee submit to a drug and/or alcohol analysis when a Department Head or supervisor has a reasonable suspicion of prohibited or illegal use of drugs or alcohol. All employees shall submit to testing based upon reasonable suspicion of prohibited or illegal use of drugs or alcohol. The Department Head or supervisor shall document in writing the basis for finding reasonable suspicion. The Department Head or supervisor may use the Reasonable Suspicion Observation Form to document the reasonable suspicion, or draft a memo using the Reasonable Suspicion Observation Form principles to guide them in determining the reasonable suspicion.
 - a. Reasonable suspicion that an employee uses alcohol or illegal drugs may be based upon, but not limited to, the following situations:



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- i. Direct observation of drug or alcohol use or the physical symptoms of being under the influence of drugs or alcohol including but not limited to: slurred speech, dilated pupils, odor of alcohol on breath, inability to walk a straight line, etc.
 - ii. Physical or verbal altercation.
 - iii. Pattern of abnormal conduct, erratic behavior or behavior which is so unusual that it warrants summoning a supervisor or anyone else in authority.
 - iv. Arrest or conviction for a drug or alcohol-related offense, or the identification of an employee as a focus of a criminal investigation of illegal drug possession, use or trafficking.
 - v. Information provided by reliable or credible sources or by admission of the employee.
 - vi. Evidence that the employee tampered with a previous drug test.
- b. Reasonable Suspicion Testing Procedure.
- i. The supervisor shall document, in writing, a description of the circumstances which form the basis of reasonable suspicion. The supervisor shall forward the documentation to their Department Head, or a designee to authorize such testing. If the Department Head or designee concurs that reasonable suspicion exists, the testing shall be authorized, and they shall immediately notify the Human Resources Director or designee. The results of the testing shall be retained in the employee's confidential medical file.
 - ii. The Department Head, or designee, shall be responsible for the employee's transport to the designated collection site and home unless a BAC is given and it is negative, where a drug and/or alcohol test shall be required.
 - iii. A Department Head, or designee, encountering an employee who refuses to submit to a required testing shall immediately advise the employee that a refusal to submit to the test is subject to disciplinary action, up to and including dismissal.



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- iv. Department Heads and supervisors shall not physically search employees. If a Department Head or supervisor has reasonable suspicion to believe that an employee may have illegal drugs in his or her possession, the Department Head or supervisor shall notify law enforcement. The Department Head or supervisor shall also immediately contact the Human Resource Director, or if not immediately available, a Risk Management representative, at the time law enforcement is notified.
 - v. Department Heads and supervisors shall not confiscate, without written consent, prescription drugs or medications from an employee who has a prescription.
6. In a separate and distinct process, employees with Commercial Drivers Licenses who are involved in accidents are subject to the following testing procedures, as required in the Code of Federal Regulations, Title 49, Subtitle B, Chapter III, Subchapter B, Part §382.303.

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, the county will test each surviving driver for alcohol or controlled substances:

- a. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- b. Who receives a citation within eight hours (for alcohol testing) or thirty-two hours (for controlled substance testing) of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - i. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - ii. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

5.43. Definitions

- A. Alcohol: Intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight drink, including methyl and isopropyl, and includes any medication, food or other products containing intoxicants.
- B. Alcohol use following an accident: No employee required to take a post-accident



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alcohol test shall use alcohol for eight hours following the accident, or until they undergo a post-accident alcohol test, whichever occurs first.

- C. Drug Paraphernalia: Defined per §A.R.S 13-3415.
- D. Illegal Drugs: A controlled substance included in Schedule I or II, as defined by Section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under chapter 13 of that Title and as defined in A.R.S. §13-3401. The term 'illegal drugs' does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.
- E. MRO: Medical Review Officer.
- F. Pre-Employment Drug Test: A drug test taken by the applicant or volunteer as a condition of employment. Applicants include current employees who are applying for a competitive appointment to designated safety sensitive positions.
- G. Random Testing: Selection of employees for testing based upon a computer-generated random system. Random means that no personal characteristics of the employee other than job classification are entered into the selection process.
- H. Reasonable Suspicion: A belief based on specific objective and articulated facts sufficient to lead a reasonable prudent supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform their job safely is reduced.
- I. Voluntary Self-Referral and Follow-Up: Any employee who notifies their supervisor or Department Head, the Human Resources Department, or the Risk Management Division prior to either being involved in an incident or accident or a reasonable suspicion request that is required under this policy to submit to a drug and alcohol test shall be considered a voluntary self-referral and will not be subjected to the drug and alcohol test required by this policy.
 - 1. Voluntary self-referral after the incident or accident or a reasonable suspicion request by a supervisor or Department Head, the Human Resources Department, or the Risk and Emergency Management Division will not be deemed a self-referral and the employee will be subjected to take the drug and alcohol test as prescribed by this policy.

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5.5 CONTROLLED SUBSTANCE TESTING PROCEDURES

5.51 Urine Sample Collection

- A. The County shall contract with an approved laboratory to perform all urine sample collections. Collection site personnel shall collect ALL required samples in accordance with FMCSA guidelines as outlined in 49 C.F.R. Part 40.
- B. Test Results.
1. A verified positive drug test requires the removal of the employee from performing a safety-sensitive function without delay pending the results of the test of the split specimen. Therefore, upon notification by the MRO that the primary specimen results are positive, the employee shall be placed on administrative leave with pay, pending the results of the test of the split specimen. If testing of the split specimen results in a negative finding, the employee shall be reinstated.
 2. If the analysis of the split specimen results in a confirmed positive test as determined by the MRO, the MRO shall then notify the County of the results. The County shall then inform the employee that the drug test was returned positive and that the employee may request a second test of the split specimen within 72 hours of the original test and at their own expense.
 3. Diluted Specimen: If the MRO reports that a positive drug test was diluted, the test result shall be treated as a verified positive test. If the MRO reports that a negative test was diluted, the County shall require retaking of the test only if the test was the result of a post-accident or reasonable suspicion examination.

5.52 Alcohol Testing Procedures

- A. Alcohol testing may be conducted through the use of a certified breath alcohol technician (BAT) using an evidential breath testing device (EBT). Employees shall be tested for alcohol at locations that prevent unauthorized persons from seeing or hearing test results. The necessary equipment, personnel, and materials for breath testing shall be provided at the locations where testing is conducted.
- B. Exception: Post-accident or other unusual circumstances that require a test to be conducted at a location and do not fully meet the requirements. In such a case:
1. Visual and aural privacy shall be provided to the employee to the greatest extent possible.



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2. This test may be conducted by law enforcement personnel. The Risk and Emergency Management Department shall acquire a copy of the alcohol testing results.
- C. Confirmation Test: When the first screening test results in an alcohol concentration 0.02 or greater, a confirmation test shall be performed. The purpose of this requirement is to prevent any accumulation of mouth alcohol leading to an artificially high reading.
- D. Transmission of Alcohol Testing Records: The BAT shall transmit all results to the Risk and Emergency Management Department in a confidential manner. All communications concerning the alcohol testing results of employees shall be made solely to the designated County representative. Such transmission may be in writing, in person or by telephone or electronic means, but the BAT shall ensure immediate transmission to the County of results that require the County to prevent the employee from performing a safety-sensitive function(s). All test records shall be confidential and maintained in an area with controlled access.
- E. Refusal to Test: If an employee refuses to cooperate with any part of the testing process they shall be placed on administrative leave with pay pending a review of circumstances and shall be offered transportation home. The BAT shall immediately notify the Risk and Emergency Management Department or designee. The termination of testing shall be considered a failure of the testing requirement, and the employee shall be subject to dismissal when:
 1. The employee refuses to complete and sign the breath testing form.
 2. The employee refuses to provide breath or does not provide an adequate amount of breath.
 3. The employee refuses to cooperate with the testing process and prevents the completion of the test.
- F. Test Results: An employee who is found to have an alcohol concentration of 0.02 or greater shall be placed on administrative leave with pay for a period of not less than 24 hours following administration of the alcohol test. The employee shall be offered transportation home.

5.53 Maintenance of Records

- A. General Provisions: All records are confidential and shall be filed in an area with controlled access. Except as required by law or unless expressly authorized by the employee through the provision of a signed release, designated employee information that is contained in the records shall not be released.
 1. Releasing records of alcohol testing.



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- a. An employee subject to testing is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol, including any records pertaining to their alcohol test.
 - b. Access to all facilities utilized in complying with the requirements of the regulations shall be made open to all regulatory authority.
 - c. When requested by the Secretary of Transportation, any DOT agency with regulatory authority over the County, or a state agency with regulatory authority over the County, the County shall make available copies of all results of County CDL operator alcohol testing conducted under such requirement and/or authority, and any other information pertaining to the County's alcohol misuse prevention program. The information shall include name of the specific alcohol test, test results, records, and reports.
 - d. When requested by the National Transportation Safety Board as part of an accident investigation, the County shall disclose information related to the County's administration of any CDL operator post-accident alcohol tests administered following the accident.
 - e. The County shall make records available to a subsequent employer upon written request from a covered employee. Disclosure of records to a subsequent employer without a written request from a covered employee is forbidden.
 - f. The County may disclose information pertaining to a covered employee to that employee or to the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee, and arising from the results of an alcohol test administered under the requirement of the law, or from the County's determination that the employee engaged in conduct prohibited by a DOT agency regulation. Such information can be released to include, but not limited to, workers' compensation, unemployment compensation, or other proceedings relating to a benefit sought by the employee.
 - g. The County shall release information regarding a designated employee's records as directed by a specific, written consent of the employee authorizing release of information to an identified person. Release of such information is permitted only in accordance with the terms of the employee's consent.
- B. Reviewing Records: An employee may request to review their substance abuse records per current County policy.



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- C. Health Coverage: Employees who voluntarily enter a substance abuse treatment program prior to a positive test results may not be dismissed solely for that reason, until the Department Head, in cooperation with the Human Resources Director, reviews the evidence, records, and extenuating circumstances of the case.
- D. County Notification by Employee of Any Criminal Drug Statute Conviction: As a condition of employment, any employee convicted of a drug statute violation shall notify the Department Head within five (5) days of such conviction.
- E. Requirements of the County: Once the employee has given notification of conviction of a drug statute violation, the County shall:
1. Notify any affected grant agencies of the employee's conviction within ten (10) calendar days of the County's receiving notice.
 2. Take appropriate personnel action against such an employee, up to and including dismissal of employment.
 3. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.

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5.6 EMPLOYEE SAFETY AND LOSS PREVENTION

5.61 Department Safety and Loss Prevention

- A. Each Department will assign the highest priority to employee safety and loss prevention training and implementation and endeavor to instill in all employees a commitment to maintain a safe work environment, prevent accidents, and mitigate loss exposures.
- B. Each Department, in conjunction with Risk and Emergency Management Department, will conduct risk assessments on a regular schedule and as needed to identify safety issues and hazards, potential loss exposures, and required safety training for all employee positions.
- C. Each Department will conduct or facilitate and document general and position specific safety training, including facility and field emergency procedures, operation of specified vehicles and equipment, and other specialized functions. Specialized equipment training will include a minimum mandatory number of hours of supervised hands-on operation and a satisfactory operational evaluation, in accordance with regulatory requirements or best practices, before employees are allowed to operate equipment without direct supervision. Each department will establish procedures for regular refresher training on specific equipment or duties in compliance with regulatory requirements or best practices, including procedures for identifying and implementing post-incident remedial training.
- D. Each department, and in the case of large departments each division, will designate one primary and at least one backup Safety and Loss Prevention Officer who will perform duties as agreed between the department director and Risk and Emergency Management Director, including representing the department or division at Safety and Loss Prevention Committee meetings.
- E. Each department will follow the procedures established in Sections 5.13 and 5.14 for investigating accidents and developing and implementing employee improvement plans and/or disciplinary actions.
- F. Each department will follow the general procedures specified in the Risk and Emergency Management approved plans, including but not limited to the Hazard Communications Program, County Safety Manual, facility Emergency Action Plan, Continuity of Operations Plan, Hearing Conservation Plan, Field Safety Procedures, and Bloodborne Pathogen Program, and promote employee training and familiarity with such plans. Current versions



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of or links to these plans will be available on the County employees Policies and Procedures webpage.

5.62 Safety and Loss Prevention Training

- A. A general safety briefing will be provided to new employees at New Employee Orientation, and in addition individual new employee safety training relevant to the employee's position will be provided at the new employee's workplace.
- B. Risk Management will conduct or arrange for training as needed for directors, managers, and supervisors on county and individual liability exposures and loss prevention responsibilities, mandatory safety measures, incident investigation and root cause analysis, employee improvement plans, and standard and expected disciplinary actions for safety violations.
- C. Risk and Emergency Management Department or each department will at least once annually conduct employee training on facility emergency plans and specific hazard preparedness with presentations to be made available to all employees either in classrooms or via online viewing.
- D. Risk and Emergency Management will develop, maintain, and periodically update needed general safety and emergency plans, including but not limited to the Hazard Communications Program, County Safety Manual, Facility Emergency Action Plan, Continuity of Operations Plan, Field Safety Procedures, and Bloodborne Pathogen Program: post current versions of or links to such plans on the County Employees Policies and Procedures webpage; and periodically provide supervisor or employee training on these plans.

5.63 Individual Employee Safety Responsibilities

- A. Each employee will rank Safety as a priority over all other duties.
- B. Each employee will be safety aware both within his or her job responsibilities and duties and in being always alert to situations that could endanger the employee or coworkers or result in damage to county or private property.
- C. Each employee will call attention to unsafe situations or conditions and take actions to immediately halt unsafe operations or activities if a supervisor is not immediately available to direct such actions. All such situations, including unsafe actions or performance impairing conditions of co-workers, should be reported to a supervisor as soon as possible.



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- D. Each employee will immediately report to a supervisor any physical or mental condition that manifests at work and that can inhibit the employee's ability to safely perform his or her job.
- E. Each employee will immediately report to a supervisor any vehicle or equipment accident, whether apparent injury or damage occurs or not, and any other incident or hazard that involves the possibility of employee or bystander injury or damage to county or private property, including but not limited to allegations by a member of the public that any County employee was at fault or involved in the accident.
- F. Each employee shall immediately call 911 or law enforcement for any vehicle accident involving County employees driving County owned vehicles or County employees driving private vehicles during County business in which a member of the public or damage to private property is involved, as well as for those accidents involving only County employees where injuries or moving traffic violations appear to or have occurred.

5.64 Supervisor / Manager / Director Safety Responsibilities

- A. Supervisory personnel will promote Safety at all times by direction and by example.
- B. Priority will be given to preventing or mitigating potential safety or liability risks in relation to other job performance objectives.
- C. Supervisory personnel will ensure all required and needed safety training, including refresher training, is accomplished by the employees under their oversight.
- D. Supervisory personnel will identify safety deficiencies in employees, prepare employee improvement plans, provide required remedial training and monitor employee progress, and include the appropriate safety ratings and required corrective actions in individual employee annual performance reviews.
- E. Supervisory personnel will immediately report accidents or near misses to their immediate supervisors and Risk and Emergency Management Department and ensure that the Supervisor's Report of Injury forms are submitted to Risk and Emergency Management Department as soon as possible.

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6.1 TRAVEL PROCEDURES

- A. Travel expenses are subject to review by the State Auditor General, Mohave County Financial Services Department, or the contracted external auditors. Therefore, all travelers shall abide by the Travel Policies and Procedures contained in this policy.
- B. Exceptions to this policy require prior written approval of the County Manager.

6.12 Authorization for Overnight, Out-of-Work Area, Out-of-County, Out-of-State Travel and Advances

- A. County employees anticipating frequent travel away from their job site should consider obtaining a County Travel Card.
- B. Since most travel costs (airlines, surface transportation, car rentals, motels, hotels, incidentals and some organizational registration costs) can be paid with a Travel Card or Procurement Card (PCard), it provides a convenience to both the traveler and the County.
- C. Detailed receipts and adequate documentation for County travel expenses are required.
- D. Any overnight travel requires a properly approved "Travel Authorization and Expense Report," Form FSD-1, regardless of whether a Travel Advance is requested.
 - 1. Travel Advances shall be limited to mileage, meal allowances, lodging, and registration fees not prepaid.
 - 2. Travel Advance checks are issued in accordance with the accounts payable schedule.
- E. All out of state travel except for travel to the contiguous states of California, Nevada, Utah, Colorado, and New Mexico, shall be approved by the County Manager or Department Head. "Out of State Travel Request" form shall be completed and submitted.

6.13. Claim for Reimbursement of Travel Expenses

- A. Within five (5) business days after returning from travel, the traveler shall submit a completed Mohave County Travel Expense Report (Form FSD-4) along with any unexpended advance or an additional claim for expenses incurred beyond the advance with the necessary supporting receipts. The report shall include all expenses related to that trip (hotel, meals, registration fees, parking, airfare), regardless of the payment method (cash, travel card, department procurement card (Pcard), personal credit card or advance). Meal receipts are not required.



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Failure to comply may result in the amount advanced being deducted from the traveler's salaries, wages, or travel expense reimbursements.

1. Department is required to attach completed Form FSD-4 to each related transaction within the Enterprise ERP (MUNIS) system.
- B. County employees are responsible for the legality and accuracy of their claims.
- C. Travel reimbursement shall be limited to business expenses of County employees only, within limits established by law and/or Mohave County Travel Policy.
- D. Claims which include lodging or transportation by a common carrier shall not be allowed unless accompanied by itemized receipts. (Bus and taxi-receipts shall be obtained whenever possible).
- E. Claims for reimbursements of travel expenses paid for with a personal credit card shall be honored in the same way as cash paid expenses, provided the claim is accompanied by applicable itemized receipts.
- F. County gasoline credit cards are for County vehicle expenses only.
- G. The County shall not reimburse travelers for alcoholic beverages or in-room movies.
- H. Each claim shall have a copy of the seminar or meeting agenda attached. If either of these items is unavailable, a copy of the email setting up the meeting or a written statement indicating the nature of the County business shall suffice.

6.14. Travel Regulations for All Travel Claims

- A. For a County employee to be in travel status, the employee shall be conducting necessary County business requiring approved travel. To be eligible for reimbursements for meals and lodging, the traveler shall be **75** or more miles away from both residence and duty post when the services are purchased or used.
- C. Travel Card holders shall use the travel card in lieu of cash whenever possible for lodging, transportation, and incidentals.
- D. Coach class or equivalent round-trip transportation shall be utilized when traveling by air, railroad, boat, or bus.
- E. Meals.



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1. County employees shall not pay for another person's meals regardless of whether the other person is a County employee or business associate. However, exceptions apply to the County Manager, Presiding Judge, Elected Officials and other classifications approved by the County Manager.
2. County employees shall be reimbursed per diem allowances as outlined below.
3. Meal allowance.
 - a. Full day allowances: A travel day of twelve (12) or more hours shall be considered a full day and entitle the traveler to reimbursement for up to three (3) meals. The travel day begins upon departure or the start of the travelers normal work shift, whichever is earlier and ends at the completion of the trip. Exceptions include circumstances where meals are otherwise provided such as at a conference or seminar.
 - b. Partial day allowances: When the travel day is less than a full day as described above, the following guidelines shall be applied to the per diem reimbursement:
 - i. Breakfast: Travel shall begin two hours before the traveler's normal work shift.
 - ii. Lunch: Traveler shall be gone for 6 hours or longer and commence on or before 11 a.m. and end on or after 2 p.m. (for County employees whose normal work hours are from 8 a.m. to 5 p.m.). The traveler shall indicate the time and place travel begins and ends.
 - iii. Dinner: Reimbursement for dinner is allowed when travel extends two (2) or more hours after the end of the traveler's normal shift. Travelers leaving from their normal work assignment area for overnight travel may be reimbursed for dinner.
 - c. Meal per diem rates for an individual are as follows:
 - i. Use GSA established per diem rates for all qualifying travel. (See www.gsa.gov/perdiem)
 - ii. Meal per diem rates may be adjusted annually by U.S. General Services Administration (GSA).
4. Meals provided.



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- a. The traveler is not entitled to a meal allowance for substantial meals provided free at seminars, on an airplane, included with conference registration fees or provided on a complimentary basis by the hotel. A substantial meal is one that contains a serving of protein in the form of meat, poultry, fish, seafood, or eggs.
- b. If the provider did not accommodate the special needs, in order to be eligible for a meal reimbursement the traveler shall provide a statement that details the reason given for the denial, and the special dietary needs of the traveler that were not accommodated.

F. Lodging and Phone.

1. Lodging costs for County employees shall be reimbursed at the single room rate. If the actual charges for the room exceed this rate, the traveler is expected to pay the difference. Where lodging choices exist, travelers are required to seek reasonably priced accommodations. Negotiated lodging agreements that provide government discounted rates are posted on the internal network; however, employees are encouraged to search websites for a price comparison, as online rates may be less than the government discounted rates.
2. When sharing a hotel room with another County employee, write the names of all parties staying in the room on the face of the hotel bill.
3. Telephone calls and Internet connection fees for County business are authorized and travelers are required to use the least expensive means available.
4. A personal phone call to home for a reasonable period (up to 15 minutes) is also allowed for each night a traveler is away from home.
5. Payment of lodging expenses: Detailed receipts of all charges shall be retained – and forwarded with the Travel Expense Report. The lodging statement shall be itemized and show the room rate and charges, business related phone charges, meals, tax, and any other charges to be paid by the County. In-room movies, charges for personal telephone calls (other than one call home per night), personal items, and charges for alcoholic beverages are not County reimbursable expenses and shall be deducted before completing the Travel Expense Report.
6. Cost savings to County – alternate lodging: With the approval of the Department Head, occasionally a traveler may attend a conference, seminar or workshop in an area where friends or relatives live, and the traveler actually lodges with them – thus



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avoiding motel or hotel expense. When this occurs, and the traveler takes his friends or relatives to dinner or purchases food for them, the County shall pay for this meal or food, provided this cost is less than the cost of the motel or hotel the traveler would otherwise have used. Detailed receipts shall be provided along with an explanation of the situation.

G. Extending Business Trips with Paid Time Off.

1. When a Department Head approves a traveler to extend a business trip using vacation time, the traveler shall be reimbursed for lodging and meals only for the days they are doing business for the County, including the travel time from and to the duty post. Additional hotel nights and meal costs shall be borne by the traveler. If possible, ask the hotel to close out the hotel folio for the business trip and start a new one for the personal time to eliminate the appearance of impropriety.
2. When a traveler can reasonably and safely arrive at the destination one hour before the scheduled event begins, they shall depart on the same day rather than leaving one day earlier and staying an additional night in a hotel. Justification for exceptions shall be included in the purpose of the trip description. Example: Event starts at 10:00 am in Flagstaff. A traveler could reasonably arrive in Flagstaff by 9:00 am if departure was at 6:00 am.
3. When a traveler can reasonably and safely return home from a trip by 8:00 pm, an additional night of lodging would be disallowed. Justification for exceptions shall be included in the purpose of the trip description.

H. Aircraft.

1. Travelers who fly to a County business-related meeting, conference, workshop, or seminar using their own or a rented aircraft may be reimbursed for costs as provided below. Pilots shall complete Form FSD-5, prior to flying on County-related business.
 - a. Pilots shall provide evidence of:
 - i. A private or commercial pilot's license.
 - ii. A current medical certificate.
 - iii. Log-book entries showing appropriate flight proficiency in relevant type aircraft.



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- b. For personal or rented aircraft, in advance of flight, pilots shall have filed with the Risk Management Division an aircraft certificate of insurance, evidencing liability and property insurance, with a minimum liability of \$1,000,000 for each occurrence.
 - c. For both personal and rental aircraft, pilots shall be reimbursed the cost of a trip based upon the current personal vehicle mileage rate. The mileage used shall be the distance traveled had the pilot driven to the destination, with the maximum one-way mileage being 500 miles. For trips exceeding 500 one-way miles, prior approval of the Department Head would be required.
- I. Final settlement on travel where an advance has been issued is to be made within five (5) days after completion of the trip and consists of:
- 1. A statement, seminar agenda or flier describing the purpose of the meeting (who, what, where, when, and why).
 - 2. Transportation receipts including taxis, shuttles, or parking.
 - 3. An itemized bill for paid lodging.
 - 4. Registration fee receipt for activity attended.
 - 5. Claim form, properly completed and signed by the claimant and his immediate supervisor or Department Head. Altered receipts are not acceptable unless a written explanation is attached by the vendor.
 - 6. Any unexpended advance money or an additional claim for the amount expended beyond the advance.

6.15 Insuring Private Automobiles and Personal Property

- A. County employees who are authorized to use their privately-owned vehicles on County business shall have liability insurance meeting the minimum limits specified within the "Motor Vehicle Liability Policy Requirements," A.R.S. §28-4009. Failure to maintain the aforementioned minimum insurance coverage shall result in immediate cancellation of travel authorization. The County does not provide comprehensive or collision coverage for private vehicles.
- B. The County has no insurance covering the loss of County employee personal property. Employees experiencing such loss may be insured under personal auto or homeowner policies



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which cover the loss of personal property while away from home. This remains a personal and individual responsibility.

6.16 Travel Card

- A. The County Travel Card is provided to qualified employees and Department Heads who are required to travel frequently on County business, or have a potential need to respond quickly to emergencies or other County business away from normal work areas. The individual qualifications shall be at the determination of the Department Head who shall also retain responsibility for audit, approval, and proper use of each card.
- B. The card is not an entitlement nor reflective of title or position. The card may be revoked at any time based on change of travel status, assignment, location, or failure to comply with the policies of this agreement or the provisions of the Mohave County Travel Policy currently in effect.
- C. The Travel Card is intended for Mohave County business related travel expenses pertaining to the cardholder only. Personal charges are strictly forbidden and may be considered misappropriation of County funds. The cardholder shall be responsible for all charges made on the card.
- D. The Department Head may designate a person to serve as Travel card reconciler. The cardholder (or designated reconciler) shall be responsible for the following:
 - 1. Collecting all invoices, charge receipts, detailed hotel statements, meeting agendas, completed Travel Expense reports (form FSD-4), and other documentation necessary to answer the who, what, why, when and where audit questions.
 - 2. Coding transactions in the on-line website and printing monthly transaction summaries for each card after the 26th of the month closing date.
 - 3. Auditing and reconciling the cost allocation detail report with the supporting documentation and resolving errors or discrepancies.
 - 4. Obtaining the signed approval of the Department Head and forwarding cost allocation detail report and supporting documentation to Financial Services Department by the requested due date.
- E. A lost or stolen card shall be reported immediately to the Financial Services Department upon discovery of the loss.



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- F. The Travel card shall only be used for the cardholder's lodging, transportation, and other incidental travel expenses. Meals shall not be charged to the travel card. Travelers shall complete a travel expense report and claim form upon return from official County business to request the per diem meal allowance for the trip.

- G. The County reserves the right to change the terms and conditions of the Mohave County Travel Policy or its policy and procedures concerning the use of the Travel Card, and cardholders shall be expected to comply with those changes.

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6.2 VEHICLE USE

The Vehicle Use Policy applies to all Mohave County employees, whenever a County vehicle or equipment is being utilized or an employee is conducting County business in their privately owned vehicle.

6.21 Department Head Responsibilities

Department Heads shall enforce the Vehicle Use Policy within their department and ensure that all employees who drive County vehicles, their personal vehicles for County business or other County equipment adhere to the Policy requirements. Exceptions can be made by the Department Head.

6.22 Vehicle Use Policy Requirements

- A. Maintain a valid driver's/operator's license of the proper classification for the vehicle to be operated.
- B. Are qualified to drive in accordance with state motor vehicle statute.
- C. Successfully complete the County's defensive driving certification and be recertified every three years.
- D. Complete a physical examination, if required for position or assignment.
- E. Provide a copy of their past 39 month driving record to the Human Resource Department at the time of appointment and maintain a good driving record. The Department Head or the Risk and Emergency Management Department may periodically obtain Motor Vehicle Reports for individual County Employees.
- F. New employees shall be given a safe driver performance check on the vehicles they shall be required to operate. This familiarization and evaluation check shall be administered by a direct supervisor or designate.
 - 1. Inspect the vehicle they are about to drive in accordance with established work rules.
 - 2. If there is evidence of accident damage, the employee shall report it to the supervisor.
 - 3. If the vehicle is found to be unsafe, the employee shall report it to the supervisor.
 - 4. Vehicles having steering or braking defects shall be immediately parked and the Equipment Fleet Manager shall be called. If out of the Mohave County area, the vehicle shall be towed to a garage and repaired before being returned to service.



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- G. Report to the supervisor or Vehicle Maintenance Division all defects noted during the trip.
- H. Report all vehicle accidents/incidents, no matter how minor, and all traffic violation citations to their supervisor and the Risk and Emergency Management Department. (Refer to Vehicle Accident and Incident Report Form.)
- I. Report to the supervisor and the Risk and Emergency Management Department all damage, or alleged damage to private property, and all injuries or alleged injuries caused by the vehicle being operated.

6.23 Driver Training

- A. Employees shall be required to attend Defensive Driving courses accepted by Mohave County.
- B. The Risk and Emergency Management Department shall maintain the master Defensive Driving course training materials for use by departmental designated driving instructors.
- C. The Department Head shall be responsible for identifying employees to be trained on a priority basis. Employees who frequently operate vehicles as a matter of employment shall be trained first.
- D. After completion of the classroom Defensive Driving course, newly hired employees shall demonstrate their proficiency on a driving course with practical applications. The driving instructor shall complete a written evaluation.
- E. Employees who operate specialized equipment, other than sedans and light trucks, shall:
 - 1. Complete the above course.
 - 2. Complete familiarization instruction as required by department guidelines.
 - 3. Be evaluated in writing by a department driver instructor.
 - 4. Successfully complete a specialized equipment training program, if applicable, at the discretion of each Department Head in conjunction with the Risk and Emergency Management Department.

6.24 Vehicle Inspection



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- A. The operational condition of vehicles and motorized equipment is a shared responsibility between the vehicle operator and the vehicle maintenance shop.
- B. The Central Motor Pool shall establish a schedule of inspections for each assigned vehicle in the department fleets. This schedule shall be consistent with accepted practices of current fleet management.
- C. When a supervisor is notified to turn in a vehicle or when a vehicle is due for a safety inspection, the supervisor shall ensure that the required vehicle is promptly delivered.
- D. Operators shall be responsible for:
 - 1. A daily “walk around” safety inspection prior to the operation of any vehicle.
 - 2. Reporting to supervisory employees any apparent safety defects or visible damage.
 - 3. Checking lights and warning devices.
 - 4. Noting any improper operation of the vehicle while driving, such as problems with brakes, steering, etc.
 - 5. Checking with a supervisor on the need to park the vehicle if there is doubt about the vehicle’s safe operation or condition.
 - 6. Parking the vehicle and calling for assistance, if a supervisor is unavailable and if either safety to the employee and/or damage to the vehicle are an issue.

6.25 Vehicle Assignment Responsibilities

- A. Departments that use County vehicles or have a portion of the fleet assigned to their operation shall:
 - 1. Insist that assigned vehicles be maintained adequately for safe operation.
 - 2. Establish department level periodic inspections of assigned vehicles for safety discrepancies, malfunctions, signs of abuse, unreported damage and cleanliness.
 - 3. Fully support the County driver training and retraining programs to promote defensive driving.



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4. Ensure that a review is made of each preventable vehicular crash and unsafe driving report with the employees and their supervisor to emphasize management's concern with safety.
 5. Establish an aggressive campaign to enforce the wearing of seat belts, including recommending discipline for violators.
 6. Establish firm internal requirements for employees to fully adhere to, and frequently check for compliance with requirements of this administrative procedure.
- B. Supervisors, having direct authority over employees, shall:
1. Ensure that only authorized and properly licensed employees are allowed to operate County vehicles, including special purpose vehicles and trucks.
 2. Be alert in observing unsafe driving practices of employees and ensure that action is taken immediately to correct the driver.
 3. Ensure that unsafe vehicles are not driven until the defects have been corrected.
 4. Ensure that employees are briefed and understand that the use of seat belts while driving or riding in a County vehicle is required.

6.26 Personal Vehicle

- A. Transportation of friends, associates, relatives or other persons not serving the interests of Mohave County in a personal vehicle when it is in authorized use on County business is prohibited, unless authorized by the County Manager or Risk and Emergency Management Director or, for Sheriff's Office vehicles, the Mohave County Sheriff. Taking spouses, relatives, or partners in personal vehicles for travel to and from conferences, training events, or other such events is allowed; use of personal vehicles for travel at event destination locales is not considered County business use.
- B. Travelers shall not receive mileage reimbursement in circumstances where the department can provide a County vehicle or obtain a Motor Pool rental vehicle for out of town travel.
- C. If an employee is authorized by the Department Head to use their personal vehicle, the reimbursement rate will be no more than the cost of using a County vehicle. Prior to any use of a personal vehicle on County business and to be eligible for mileage reimbursement:



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1. A Private Vehicle Use Authorization form (form FSD-3) shall be completed and filed with the Risk and Emergency Management Department. A form must be completed for each private vehicle that may be used.
 2. A form is not required for a personal vehicle when the employee is only occasionally and infrequently using the vehicle for individual travel to in-town County meetings or facilities.
- D. Personal Vehicle – Travel Outside of Mohave County.
1. When traveling from home to a temporary work assignment, if the mileage is reimbursable, the mileage used shall be the lesser of the distance from the traveler's home to the temporary work site (**less** the traveler's commuting distance), or from the traveler's normal work site to the temporary work site. A "Travel Expense Report," (Form FSD-4) shall be attached to a claim form, along with any other documentation.
 2. Travelers who choose to use their private vehicles for long distance travel instead of common air carrier transportation are to be reimbursed at the lesser of the current mileage rate set forth by the Internal Revenue Service or current air coach fare to the same destination.
 3. When two or more County employees are traveling on official business in the same personal vehicle, only one mileage expense reimbursement is allowed.
- E. Personal Vehicle – Travel Within Mohave County.
1. County employees cannot be reimbursed for mileage while driving their vehicle between their home and their main or regular place of work. These costs are personal commuting expenses and cannot be claimed even if the employee works during the commuting trip.
 2. When traveling from home to a temporary work assignment, the mileage, if reimbursable, shall be reimbursed at the lesser of the distance from the person's home to the temporary work site (less the traveler's commuting distance), OR the distance from the person's normal work site to the temporary work site.
 3. Travelers claiming mileage for their private vehicles shall use "Travel Expense Report" (Form FSD-4), along with a claim form. Beginning and ending odometer readings for each trip shall be documented on the application form along with any other documentation.



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6.27 Accident/Incident Reporting

- A. All accidents/incidents involving County owned vehicles, including non-owned vehicles, which are under the care, custody, and control of the County, and employee personally owned vehicles being used on County business, shall be reported as outlined below:
1. Vehicle accidents/incidents involving County vehicles or employee personally owned vehicles being used on County business, shall be reported by the driver to their supervisors and a law enforcement agency immediately. This requirement includes accidents or incidents that may not qualify for reporting to the State Department of Motor Vehicles under present statutes. This also includes any incident, such as near misses with no apparent damage or personal injury, where actions or statements from the public indicate the possibility of a damage or injury claim being made against the County. It is the employee's responsibility to complete and submit the State Motor Vehicle Accident Report when required.
 2. The Risk and Emergency Management Department should be notified immediately so that a Risk and Emergency Management Department representative can respond to investigate the collision. When available, a copy of the report should be forwarded to the Risk and Emergency Management Department and the department director or designated representative. Employees involved in incidents involving the public will provide them with a Risk and Emergency Management Department contact card. These cards are to be maintained in each vehicle.
- B. The following procedures shall be followed in the event of an accident.
1. The operator or his immediate supervisor, if the operator is incapacitated, shall notify the Risk and Emergency Management Department immediately so they can respond to investigate the incident. The operator or immediate supervisor shall complete a Mohave County Vehicle Accident and Incident Report Form as soon as possible, and no later than twenty four (24) hours following the occurrence and send the original form to the Risk and Emergency Management Department and a copy to the department director or designated representative.
 2. If a crash results in a fatality or serious injury, the Risk and Emergency Management Department and the department director representative shall be notified by telephone immediately. In the event of a similar situation occurring after working hours, the Mohave County Sheriff's Office should be contacted for notification of the Risk and Emergency Management Department and the department director. Should a fatality occur, the Risk and Emergency Management Department shall notify OSHA immediately and no later than eight (8) hours after the occurrence.



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3. In the event of employee injury or death as a result of an accident during their employment, the following procedures shall apply.
 - a. The Risk and Emergency Management Department shall be notified immediately via telephone or the Sheriff Department dispatch.
 - b. Workers' Compensation claim shall be submitted.

6.28 Accident Investigation

- A. Each accident involving County vehicles, either licensed or unlicensed, shall be investigated by the supervisor of the employee involved, and the Risk and Emergency Management Department. An investigation team may be formed to identify the accident root cause and recommend corrective action.
- B. The local law enforcement department from the City or jurisdiction in which the incident occurred shall also be asked to investigate vehicle accidents. As a matter of routine, local law enforcement departments have a private party information exchange form if it is on private property that will be filled out and given to all drivers.

6.29 Use of County vehicles and or personal vehicles on County business

- A. County owned motor vehicles will be used only for official County business pursuant to A.R.S. §38-538. Official business is generally defined as travel, which is necessary to accomplish a legitimate governmental objective, and includes the following.
 1. Traveling to and from a conference, meetings, seminars, etc. on behalf of Mohave County.
 2. Conducting normal work-related activities on behalf of Mohave County.
 3. Performing other functions directly related to Mohave County responsibilities.
 4. All Mohave County owned vehicles shall display, in the lower portion of the rear window, the Mohave County insignia patch and the letters "FOR OFFICIAL USE ONLY". This is a state requirement under A.R.S. §38-538.
- B. Only Mohave County employees, Elected Officials and /or duly authorized department volunteers shall be authorized to operate Mohave County vehicles or use their personal vehicle on Mohave County business.



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- C. This category may include contractual workers, volunteers and other individuals who have been authorized by the County Manager to operate County vehicles or their personal vehicle while on County business but, in any event, all drivers must have the appropriate driver's license for the task at hand. All such individuals must successfully complete the Mohave County Defensive Drivers Training Program within 60 days of their date of employment or acceptance as a volunteer.
- D. The only persons authorized to commute in Mohave County vehicles on a regular basis shall be Mohave County Sheriff's Deputies, employees of Mohave County whose employment agreements so provide or employees who may be required to be called back after normal work hours or who are subject to on call 24 hours a day, 7 days a week. Any exceptions to this rule must be approved in advance by the County Manager.
- E. Occasionally it may be necessary for an employee to take a Mohave County vehicle home. In this event such use must be clearly advantageous to Mohave County and must be approved by the appropriate department head or elected official. Any use of Mohave County vehicles for personal activities is prohibited unless common sense and practicality would require such use.
- F. If employees or volunteers are on official out-of-town travel status, and not within a reasonable walking distance from their temporary lodging or place of official business, they may drive to:
 - 1. Places to obtain suitable meals.
 - 2. Places to obtain medical assistance, including drugstores.
 - 3. Places of worship.
 - 4. Barber shops/beauty salons.
 - 5. Cleaning establishments.
 - 6. Similar places required to sustain health and welfare.
 - 7. Vehicle will not be used to attend an event if the public perception can be conceived as unauthorized use.

6.300 Overnight Parking of County Vehicles

- A. Mohave County vehicles may be parked overnight at an employee's residence only after approval by the County Manager when:



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1. Circumstances make it impractical to return to the office or shop upon returning from an official trip away from the office or shop location.
2. The vehicle is going to be used for official Mohave County business before normal working hours on the succeeding day.
3. It is in the best interest of Mohave County to authorize field maintenance workers and inspectors at rural or outpost inspection or maintenance sites.
4. Due to the frequency and urgency of after-hours emergency calls, employees are designated by their Department heads as being on “24 hour call.”

6.301 Improper Use of County Vehicles

- A. County Employees, Department Heads, Volunteers, and Elected Officials are prohibited from operating a county vehicle in an improper manner. Operating a county vehicle in an improper manner includes, but is not limited to, the following:
1. Transportation of friends, associates, relatives or other persons not serving the interests of Mohave County is prohibited, unless authorized by the County Manager or Risk and Emergency Management Director or, for Sheriff’s Office vehicles, the Mohave County Sheriff.
 2. Transportation of items or cargo having no relationship to the conduct of official business.
 3. Using the vehicle to commute regularly between an employee’s residence and place of business when not specifically authorized by the department head.
 4. Travel to and from social events unless acting as an official representative of Mohave County.
- B. County Employees, Department Heads, Volunteers, and Elected Officials may use county vehicles to transport seriously injured or ill persons, except in an immediate life threatening situation when a 911 center cannot be reached or when the 911 center has indicated that emergency medical services cannot reach the location for an extended period of time.
- C. Mohave County owned vehicles that are taken home should not be parked on public streets overnight. Department’s with permanently assigned vehicles shall make periodic reports on the number of vehicles assigned to occasional overnight use to the Equipment Fleet Manager and the Risk Manager. The report shall include the vehicle number, operator’s name and classification and the justification for such assignment.



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- D. Violations of this policy will be brought to the attention of the Mohave County Manager and the Board of Supervisors and may include discipline and termination of employment.
- E. An employee who commutes in a Mohave County Vehicle is personally responsible for any resulting tax obligations.

6.302 Mobile Communication or Other Handheld Device Use While Operating a County Vehicle or Traveling on County Time

The definition of a “mobile communications device” includes but is not limited to: cell phone, smart phone, tablet, laptop, computer, pager, or two-way messaging device.

Employees shall not use a mobile communication device or other manually operated handheld device, including still and video cameras, nor shall they text, instant message, email, review documents, or manually place phone calls while driving a County vehicle or equipment, or a private or rented vehicle on County business.

- A. Hands free cell phone use is permitted. However, employees using hands free devices while operating a vehicle should use reasonable judgment.
- B. If a handheld mobile communication or other device must be used while operating a vehicle, the driver shall pull off the road into a safe location, stop the vehicle, and put the vehicle in park before using such a device. All non-emergency calls should be made after the vehicle is safely parked.
- C. Employees operating an authorized emergency vehicle, as defined in A.R.S. Section 28-101, and while in the performance of their official duties are exempted from this prohibition.
- D. This policy is intended to comply with existing federal, state, or local laws and regulations. The County reserves the right to amend this policy at any time to comply with changes to any laws or regulations.

Violation of this policy may result in disciplinary actions up to and including termination.



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6.303 Motor Pool Parking

- A. All Mohave County owned vehicles shall be parked in a designated area when not being used for official Mohave County business. Parking lots for Mohave County vehicles shall be designated in areas throughout the County.
- B. County Vehicles are available from the central motor pool office.
- C. Employees who need transportation to conduct Mohave County business may check a vehicle out by contacting the Motor Pool Office. Written procedures and guidelines covering motor pool vehicles are also available at the motor pool office.

6.304 Unmarked Vehicles

- A. Any elected official or department head having the power and duty to conduct rehabilitation or social service programs, felony investigations or activities of a confidential nature may apply to the Board of Supervisors for an exemption from A.R.S. §38-538. Such exemption shall be in writing and state the nature of the service being provided, the year, make, model and identification number of the vehicle being used. The Board may, at its discretion, grant an exemption not to exceed one year in accordance with A.R.S. §38-538.03.

6.305 Private Vehicles

- A. Employees and or volunteers using private vehicles for Mohave County business must have completed the Mohave County defensive driving training as required by these policies, and have the most up-to-date Private Vehicle Use Authorization form (form FSD-3) on file with Risk and Emergency Management before they use private vehicles on County business and may be reimbursed for such use.
- B. Employees will need to be instructed that while using their personal vehicle on County business, if an accident occurs it will be the responsibility of the employee's insurance company to take care of any liability or injury issues per state of Arizona insurance law. The property damage insurance goes with the vehicle being driven. Mohave County is an excess insurance carrier for liability purposes only; all property damage must be covered by the employees insurance.



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6.306 Defensive Driving Certification

- A. All Mohave County employees, elected officials, and or volunteers shall have completed the County defensive driving course prior to driving any County vehicle and the special vehicle driving classes listed below prior to driving the vehicles covered in these classes.

<u>DDC:</u>	Defensive Drive Class (Current Version)	Passenger car/vehicle (vans not included)
<u>HOV/SUV:</u>	Vans High Occupancy Vehicle: Sport Utility Vehicle	2-8 passenger 8-15 passenger vans Suburbans, Explorers, Expeditions, etc.
<u>Heavy Equipment:</u>	Dump truck Belly Dump Water Truck Motor Grader	
<u>Forklift:</u>	Forklift	
<u>Special Needs:</u>	Transporting passengers with special needs	

- B. Any employee, elected official or volunteer attempting to rent a vehicle from one of the Motor Pool locations may be asked to present a valid defensive driving certificate for the appropriate category of vehicle they are renting. The employee must also present a valid Driver's License to a Motor Pool employee before permission will be granted to rent such vehicle.
- C. All employees, elected officials and or volunteers will renew their defensive driving certificates for the category of vehicle they will be driving every three years.
- D. It shall be the responsibility of the Risk and Emergency Management Department to run and review driving histories as determined necessary for employees and volunteers.

6.307 Assigned Vehicles

- A. In accordance with the adopted Vehicle Use Policy, the following positions are authorized to commute to and from work in County vehicles.
1. The positions covered by employment agreements are:



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- a. The Board of Supervisors
 - b. County Manager
 - c. Public Works Director
 - d. County Engineer
 - e. Development Services Director
 - f. Alert Flood Warning System Supervisor
- B. The positions listed below are those authorized to take a County departmental vehicle home.
1. Health Department.
 - a. Health and Social Services Director
 - b. Bio-Terrorism Coordinator
 2. Public Works.
 - a. Road Division.
 - i. Road Superintendent
 - ii. Road Maintenance Supervisors (5)
 - iii. Wikieup Remote Blade Operators (2)
 - iv. Colorado City Remote Blade Operator
 - v. Beaver Dam/Littlefield Remote Blade Operator
 - b. Engineering Division.
 - i. Engineering Manager – Construction
 - c. Heavy Equipment Maintenance/Motor Pool.
 - i. Equipment Fleet Manager



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- ii. Mohave Valley Senior Mechanic
 - iii. Mohave Valley Mechanic
 - d. Facilities and Grounds.
 - i. Facilities Manager
 - ii. Crew Leaders (2)
 - iii. Bullhead City Maintenance Worker
 - iv. Lake Havasu City Maintenance Worker
 - e. Parks.
 - i. Parks Administrator
 - ii. ERACE Coordinator/Chief of Parks Law Enforcement
 - iii. ERACE Officers (3)
 - f. Traffic Control.
 - i. Traffic Control Supervisor
 - ii. Arizona Strip Sign Maintenance Worker
 - iii. Traffic Control Crew Leader
 - g. Water Operations.
 - i. Water Operations Supervisor
 - ii. Water Operator Senior
- 3. The Risk and Emergency Management Department.
 - a. Accident Team Response/Risk and Emergency Management Director or designee



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- b. Emergency Manager
- 4. Sheriff's Department.
 - a. All Sheriff Department Deputies and Command Staff
 - b. Designated Jail Employees

6.308 Tobacco Free Vehicles

The Mohave County Smoke and Tobacco Free Workplace Policy is in effect. (Section 5.3 of the Personnel Policies and Procedures)

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6.3 TECHNOLOGY ACCEPTABLE USE POLICY

Information Technology Systems are essential for conducting County business. Mohave County makes every effort to provide employees with the most relevant and viable IT Systems for the efficient performance of County business. Managers and employees at all levels require timely access to reliable information processing for routine operations and for the capacity to make major decisions. The usefulness of information is based on the availability, integrity, and security of the technology systems and infrastructure.

- A. Purpose: To establish a policy for use of information technology systems more specifically defined as access to hardware and software programs using internet and intranet channels and other communication devices, as well as general computer usage by employees of Mohave County. The County uses these resources to support and facilitate its delivery of County services. Inappropriate use of its IT system could give rise to legal actions against the County and/or individual employees. Therefore, this policy applies to all County IT systems regardless of location (i.e. office, home, field locations, alternate work sites, etc.) and any or all electronic devices used in County business or to access County IT systems. Each County employee who is or becomes an authorized user of the County's IT system is required to sign the Acceptable Use Policy Acknowledgement.
- B. Policy.
1. It is the policy of Mohave County to provide technological resources to its employees to enhance their ability to perform their job and to provide a higher level of service to all citizens. To this end, the county will provide guidelines for the use of such technology and train its employees in their proper usage. The County will also require responsible usage of these resources and hold users accountable for inappropriate use.
 2. Incidental and occasional personal use of County technology systems by an employee may be permitted at the sole discretion of the Department Head or Elected Official.
 3. All IT Systems owned or implemented by the County, and all content including but not limited to: messages, text, graphics, images, electronic files, and other information transmitted by, received through or stored in these systems, are the property of the County and intended for conducting County business.
 4. All systems must be used in accordance with current United States copyright laws and intellectual property rights. Downloading from the internet, or otherwise opening, executing, sending, copying, saving or using intellectual documents or computer files of any kind in violation of said copyright laws or intellectual property rights of third parties is prohibited.



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5. Causing unauthorized access to sensitive information due to negligent storage protocols may be subject to disciplinary actions, and may be in violation of local, state or federal laws.
6. The following list of activities are explicitly prohibited:
 - a. Participating in any and all illegal activities including, but not limited to piracy, extortion, blackmail, copyright infringement, and unauthorized access to any computers, electronic files or internet email is explicitly prohibited.
 - b. Attempting to access data and electronic information of other users or third-parties or attempting to access any County service or resource to which explicit authorization has not been granted by the appropriate authority via hacking, cracking, or any other code-breaking attempts to breach or bypass system security will result in immediate suspension of all County systems access.
 - c. Using County network, computers, email systems, or social media programs for accessing, displaying, transmitting, retrieving, or storing of any language, information, or material of a discriminatory, harassing, or abusive nature; derogatory to any individual or group; defamatory or threatening in nature; obscene, sexually explicit, or pornographic, that would adversely or negatively reflect upon the County; or contrary to the County's best interests.
 - d. Engaging in conduct reasonably likely to harm or destroy data or software maintained by another user without that user's express consent, or to harm or destroy computer equipment.
 - e. Composing and/or transmitting any messages with the intent to hide the identity of the originator, attempting to represent another person, department, agency or organization.
 - f. Communicating confidential or sensitive County information.
 - g. Using County IT Systems for personal monetary gain, commercial promotional purposes or to research, buy or sell goods and services for personal purposes.
 - h. Making any changes to the IT infrastructure. This is defined as: installing, changing, rearranging and/or reconfiguring and network connections or equipment. Any and all changes to the County enterprise networks shall be coordinated and performed by the employees of the appropriate Information Technology Department (Mohave County IT, Superior Court IT).



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- i. Connecting non-County owned computers and/or devices to the County network.
7. The following uses of County IT systems are explicitly prohibited unless written authorization is obtained from the Department Director or Elected Official, the County Manager and the County Information Technology Director.
- a. Intercepting or altering another person's email messages or data.
 - b. Downloading or streaming non-business related information. Examples include but are not limited to movies, on-line games and sporting events.
 - c. Downloading and/or installing any software or software updates to County owned equipment.
 - i. All proposed computer equipment purchases, including software, must be reviewed by the Information Technology Department in order to determine compatibility with previously purchased systems and departmental needs.
 - ii. All software must be properly licensed and used in accordance with that license.
 - iii. In order to protect against inappropriate use and/or viruses, no employee owned software may be installed on County equipment, even if it may have a departmental application.
 - iv. The use of any and all non-County email services (such as Gmail, Frontier, Yahoo or Outlook.com) to conduct official county business.
 - v. Usage of cloud-based systems to store county data. All files, documents and/messages stored in an Internet or cloud-based system must comply with the County's policy on sensitive information.
- C. Systems Access.

Employees are granted access to County resources with accounts that require specific credentials. An individual is assigned an account for use while conducting activities related to County business and services. Any account may be revoked temporarily or permanently if the user violates public law or County policy. Should it be necessary, devices may be immediately disconnected from the County network if deemed harmful to software network, countywide network or security.



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1. Employees are prohibited from sharing their username and password with any other employee.
2. When not in use, users must lock their workstation to help protect against unauthorized access to, or visibility of, county information.
3. All unused network access ports are isolated from our network to prevent unauthorized device access. No router, wireless access point, hub, or other network device may be installed in any County facility without prior review and approval from the Information Technology Department.

D. County Email Usage.

Subject to the exception noted below, all email messages sent by County employees in performance of their job will contain a return email address identifying the messages as having been sent from the County email system and may be considered public record. Consequently, all users are expected to send and receive only email messages that they would expect to be read by the general public. It is each individual's responsibility to use email in a professional manner and in compliance with department and county policies.

1. Any records required by state retention statutes to be saved beyond this County default retention schedule will be the responsibility of the department to store a hard copy or save an electronic copy in another approved storage location, off of the County email system.
2. Email messages allow a limited number of recipients to prevent spamming. Exceptions to this policy may be approved by the Information Technology Department if required for employee's job duties. Mass emailing of non-County or personal business is prohibited, even for these approved users.
3. The County Email System may be accessed via mobile device email applications.
 - a. This capability is available to users of the County System who utilize County owned or authorized personal Mobile Devices to access and/or utilize County Services.
 - b. Personal Mobile Devices may connect to the Outlook web application and can be configured to sync email to the personal device.
4. Exception: This section does not apply to legally confidential, privileged, or protected communications.



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E. General Internet Usage.

1. The purpose of providing access to the Internet is to support business related activities and research by County employees. The equipment necessary to access the Internet is the exclusive property of Mohave County; therefore, any access of the internet will be at the sole discretion of County Administration. The Information Technology Department will coordinate delivery of access to the Internet with and for the Departments of the county.
2. General Internet usage will be restricted to all County system users. Extended rights to perform County duties will be granted based on a User/Group needs as defined by prior authorization from the Department Director, Elected Official, or County Manager.

F. Social Media Usage.

The use of social media sites in the workplace presents new opportunities as well as many concerns. This policy outlines appropriate conduct on social media sites both during and after working hours using either county or personal resources.

1. Use of Social Media to conduct official county business shall be approved by the Department Head or Elected Official and coordinated with the Information Technology Director.
2. Personal/Private employee blogging or personal/private use of social media sites, such as Facebook or Twitter, is prohibited during working hours using either county or personal resources.
3. Employees who engage in blogging or social media in the performance of their duties shall not attribute personal statements, opinions, or beliefs as official statements, opinions, or beliefs of Mohave County or their Department Head or Elected Official without prior departmental approval. Employees shall obtain authorization and regular review from their Director or Elected Official for all county information being presented or released to the general public via social media. All misuse and abuse of official Social Media outlets shall result in appropriate disciplinary actions.
4. Employees are prohibited from the disclosure of confidential or sensitive information or information that could breach the security of the County's computer system in any way. All County or Departmental policies regarding confidentiality of County business or information equally apply to postings or other communications on social networking websites, blogs or other electronic media. Disclosure of confidential or sensitive information is prohibited even if the communication is limited to a select



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group of “friends” or other recipients. Disclosure of confidential or sensitive information is also prohibited even if statements are made on the employee’s private time using the employee’s own computer resources.

5. Employees are prohibited from using material that would constitute harassment, hate speech, or libel. Employees assume any and all risk associated with blogging. The County may require immediate removal of, and impose discipline for, material that is disruptive to the workplace or impairs the mission of the County.

G. Privacy.

County employees do not have the right to and should not have any expectation of privacy while using any County equipment. Employees should not assume electronic communications are private and confidential and should assume that any file may be intercepted, reviewed, and possibly disclosed.

1. The County maintains the right and ability to access, read, review, disclose, monitor, copy, forward, print, delete, or otherwise control any file, document, database, message, and all other electronic information on an account or generated through any County system or device at any time with or without prior notice or permission from the user for any of the following reasons.
 - a. To investigate indications of abuse, impropriety, misconduct, or misuse of the County system(s).
 - b. To fulfill the County’s obligation to third parties.
 - c. To respond to open public records discovery requests.
 - d. To respond to legal processes.
 - e. When there is reasonable suspicion that a user has committed or is committing a crime.
 - f. When a user is unavailable and such information is vital to County operations.
 - g. When a user leaves County employment for any reason.
 - h. For any other reason identified by appropriate authorities of the County.
2. The Department Head or Elected Official will review and approve any request for access to the contents of an employee’s computer and/or data prior to access being made without the employee’s consent.



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H. Responsibility.

All standards of conduct and behavior set forth by Mohave County shall also be fully applicable to the use of the County's Email, Internet, and Social Media systems. All county employees are responsible for complying with this policy and individual department policies with regard to Information Technology resources.

1. Employees are required to report any suspected violations of this policy, including the reporting of detected viruses.
2. Disciplinary action: Any employee found to be abusing the privilege of County facilitated services in violation of this policy may be subject to disciplinary action, up to and including dismissal of employment and/or criminal prosecution, if appropriate.

I. Technology Acceptable Use Policy Acknowledgement:

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TECHNOLOGY ACCEPTABLE USE POLICY ACKNOWLEDGEMENT

I acknowledge that I have read and received a copy of the Mohave County Technology Acceptable Use Policy, and agree to abide by the terms of that policy. I understand and acknowledge that failure to comply with this policy may result in disciplinary action up to and including dismissal. I also understand that all information stored, transmitted, or received through the County's Information Technology System and contracted services is the property of Mohave County and is to be used only for authorized purposes. I also understand that I do not have the right to privacy in any information stored or displayed on my technology equipment, transmitted to/from my equipment and/or County assigned account via County services or any other means. I also understand that use of credentials does not restrict the County's right or ability to access electronic communications.

Employee Name (print)

Employee Signature

Date

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6.4 EDUCATIONAL ASSISTANCE

- A. General: In order to promote interest in self-improvement through formal education and training, County Departments, within their fiscal ability, will share with the employee the cost of such training on a reimbursement basis up to 50 percent of out of pocket costs.
1. The Department Head will provide opportunities for employees to enroll in courses which contribute to the employee's and the organization's growth and ability to achieve goals.
 2. Education and training required to maintain County required licensing and certification will be considered in this section for payment or reimbursement.
- B. Eligibility: A full-time employee, excluding temporary employees, may apply for educational assistance upon successful completion of initial probation.
- C. Course Eligibility: In order for the educational/training to be eligible for reimbursement, all of the following must apply:
1. Courses for which educational assistance is sought must be required for completion of a degree, licensing, or certification that is related to the employee's current position or a reasonably foreseeable future position in the County and approved by the Department Head.
 2. Prior to registering for the course(s), an employee shall seek and obtain the approval from their immediate supervisor and Department and affirm that the department has funds for reimbursable charges.
 3. Classes and training sessions that are of short-duration (one day workshops, two day seminars) are not considered coursework and, therefore, are not reimbursable under the Educational Assistance Program.
 4. The hours during which a course of study is taken may not conflict with the employee's work schedule unless authorized by the Department Head.
- D. Reimbursement: In order for an employee to be reimbursed by the County, upon registration for the course(s), an employee must submit an application for educational assistance to the Department Head for approval.
1. The application shall include the signature of the immediate supervisor and Department Head that acknowledges an employee's participation in the course(s) and affirms that reimbursement charges will be paid by the department.



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2. Up to fifty percent (50%) of fees, tuition, required texts, workbooks, or course required materials and activity expenses may be reimbursed. All documents provided to obtain educational assistance are subject to verification. Grants and scholarships shall be deducted from the available reimbursement.
 3. Employees who do not remain on the active payroll for the duration of the course and who received a grade of less than a “C” or a “FAIL” in a class shall be ineligible for reimbursement.
 4. Each employee will be required to sign an agreement stating that if they separate from County employment for any reason within one year of receiving reimbursement, an amount will be withheld from the final paycheck.
 5. Terms of repayment shall include a monthly prorated repayment reduced by 1/12 for each month if the employee leaves Mohave County employment during the first year
 6. Total annual reimbursement may not exceed department’s allocated budget.
 7. Total annual reimbursement may not result in a tax consequence in accordance with section “Educational Assistance” of Publication 15-B Employer’s Tax Guide to fringe Benefits. (IRS.gov/Pub15b)
- E. Continued Education and Training: To the extent possible, educational and training opportunities will be offered in an equitable and non-discriminatory manner and must be job related. Sufficient fund must be available in the budget to cover education and training requirements.

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6.5 MOVING EXPENSES

A relocation assistance allowance up to a maximum of one (1) month's pay is available for reimbursement of costs directly associated with a Department Head relocating to Mohave County. Eligible expenses are those which are recognized and accepted by the Internal Revenue Service as itemized deductions for expenses incurred in moving to a new place of employment.

- A. A one (1) year minimum stay should be required for a no repayment to apply.
- B. Terms of repayment shall include a monthly prorated repayment reduced by 1/12 for each month if the employee leaves Mohave County employment during the first year.

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6.6 LOAN REIMBURSEMENT ASSISTANCE PROGRAM (LRAP)

This program is subject to appropriation and budgetary limitations set forth in each fiscal cycle and may be discontinued at any time by order of the County Manager with sixty (60) days' notice.

- A. Eligibility: Full time eligible attorneys are eligible to participate, subject to the further provisions set forth in this policy.
- B. Professional Student Loan Repayment Assistance Program (LRAP): An otherwise qualifying exempt status attorney employed by Mohave County shall be eligible to seek assistance the first full month after their second anniversary of continuous employment with Mohave County.
- C. Professional Student Loan Repayment Assistance Program Policy:
 1. Eligible loans: To be eligible for participation in the student loan assistance program, the loan must have been for the purposes of obtaining a required master's level degree, a bachelor's degree, or a necessary pre-cursor degree. A required master's level degree is only one which resulted in obtaining a Juris Doctorate, or LLM degree. If a candidate has loans used to obtain both a JD and LLM, only the first of the obtained degrees will be eligible for program participation. A necessary pre-cursor degree is one which was required prior to pursuing a required degree. The determination of whether a degree is required or a necessary pre-cursor degree shall be made by the Department Head. The decision of the Department Head is subject to review and approval of the Financial Services Director either by the employee, or on the initiative of the Financial Services Director. An eligible attorney may seek a determination of loan eligibility prior to seeking actual participation in the program. It is the responsibility of the eligible attorney to provide sufficient proof of eligibility to satisfy the Department Head and the Financial Services Director.
 2. Eligible principal of loans: Only that portion of a loan utilized for tuition and books is eligible for repayment assistance under this program. To the extent that the total principal borrowed solely for tuition and books does not exceed twice the lifetime benefit under this program, eligibility shall be reduced pro rata accordingly. The reduction pro rate will be determined based on the value of the tuition and books principal amount divided by the twice the lifetime benefit under this program. By way of example only, if the total lifetime benefit is \$40,000 and the total tuition and books attributable to eligible loans is \$60,000, the eligible amounts for repayment assistance will be reduced to 75% ($\$60,000 / (\$40,000 * 2)$). This pro rate would apply to both monthly and lifetime maximum amounts. Under the above example the maximum an attorney would receive is 75% matching payment up to a maximum of 75% of \$500, with a lifetime maximum of \$30,000.



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3. Eligible amounts: An eligible attorney may submit a claim for assistance equal to the full value of the attorney's voluntary payments to the loan, up to a maximum amount of \$500 per month. The maximum lifetime total assistance for which an eligible attorney shall be eligible shall not exceed \$40,000. Assistance may only be provided for voluntary payments made after the date the attorney becomes eligible for participation in the program and the effective date of the program.
- D. Procedure:
1. An eligible attorney shall execute a release allowing the Department, Human Resources Department and Financial Services Department to contact lenders for which assistance is sought.
 2. An eligible attorney must submit proof of a voluntary payment to an eligible lender within 30 days of such payment to the department administrator for certification of eligible status. Proof of voluntary payment shall include proof that the payment was received by the lender and complete identifying information of the lender, to include the address to which payments may be made, and account number to which payments shall be credited. The initial submission shall include proof that the loan was obtained in furtherance of the specific degree required as a condition of employment, or a necessary pre-cursor degree as well as sufficient information to establish that the amounts directly attributable to tuition and books.
 3. The Department Head, or authorized designee, shall approve all claims made pursuant to this program. Approval shall include verification of payment and that the requested match qualifies.
 4. Claims for assistance under this program shall be forwarded to the Human Resources Director and Financial Services Director for approval and tracking. The Human Resources Department shall verify eligibility based on length of service and evaluation standards. The Human Resources Department, in conjunction with Financial Services and the Department shall track the lifetime claims of all participating employees.
 5. Upon approval by the Human Resources Director, or designee, the eligible claim shall be forwarded to the Financial Services Department for payment.
 6. Upon receipt, Financial Services shall verify that a claim does not exceed either the monthly, or lifetime limits. Once verified, Financial Services shall cause payment to be made directly to the lender with a notification that any excess or unscheduled payment be applied first to the principal of the loan amount, and secondarily to the accumulated interest. Financial Services shall submit a payment directly to the lender no less than semi-annually for the aggregate sum of all eligible pending claims.



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Financial Services shall provide proof of payment to the lender to both the department and the eligible attorney.

7. Eligibility determinations are at the discretion of the Department Head, Human Resources Director and Financial Services Director within the parameters of this program.
8. Eligibility shall terminate 30 days prior to the attorney's last day of employment. No claims for payments made within 30 days of the attorney's last day of employment shall be paid under this program.

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6.7 MEETING MEALS

- A. With prior approval of the Department Head, a County business meeting that extends into a meal period involving multi-agencies or departments may qualify for meal or snack reimbursement, within a reasonable rate, if it is believed to be in the best interest of the County.
- B. This provision shall not apply to regularly scheduled meetings; meetings shall not be scheduled around a meal time.
- C. A supervisor may pay for an employee's meal (not to exceed meal per Diem), when eligible, and submit for reimbursement.
- D. The reason for the meeting, time of meeting and names of attendees shall be identified and submitted along with the receipt.

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6.8 VOLUNTEER PROGRAM

The Mohave County Volunteer Policy applies to all Mohave County officials, departments, and employees and establishes overall guidelines on department responsibilities, individual volunteer application and approval procedures, and training and management of Mohave County volunteers.

The County supports and encourages the use of volunteers when and where it is feasible and appropriate. Volunteers enhance and expand the work of paid staff. Volunteer programs in Mohave County are department-based and managed. The Risk and Emergency Management Department provides coordination of countywide volunteer communication and reporting. The County partners with community organizations in sharing resources and supporting effective volunteer programs.

6.81 Volunteer Approval Authority

The Mohave County Board of Supervisors is the Named Member under the Memorandum of Coverage (MOC) with the Arizona Counties Insurance Pool and can authorize volunteers to be covered Members. Upon receiving such Member authorization, an individual volunteer will be covered by the Arizona Counties Insurance Pool (ACIP) for injuries and liability incurred during the performance of the volunteer's authorized duties.

The Board of Supervisors hereby designates the Mohave County Manager and Risk and Emergency Management Director or their designees as agents for authorizing volunteers for all County departments and functions except for the Mohave County Sheriff's Office (MCSO) volunteers, who will be authorized by the Mohave County Sheriff or designee, and the Public Health Department volunteers, who will be authorized by the Public Health Director or designee. Other employees, officials, and volunteers are not authorized to approve volunteers.

6.82 Establishment of Volunteer Programs

- A. Each County Department Head may establish a Department Volunteer Program upon determining that volunteers could make an effective contribution toward meeting the needs of the department, that the use of volunteers is appropriate to the mission and tasks of the organization, and that resources will be dedicated to establishing and maintaining a volunteer program.
- B. Upon the determination to establish a volunteer program, the department shall designate a Volunteer Coordinator. It is the Department Volunteer Coordinator's role to serve as a point of contact for the department's volunteer activities and to assist the department in organizing, implementing and overseeing the volunteer program,



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including the establishment of goals, objectives and appropriate department-level volunteer policies.

- C. The completion of certain documents and collection of required information from each volunteer applicant is necessary for verification that the applicant is suitable from safety, risk, and task aptitude perspectives and for receiving workers' compensation and liability coverage. Volunteers are covered only when authorized as a member of a County Department Volunteer Program and when performing assignments within the course and scope of their written duty description.
- D. The Mohave County Sheriff's Office oversees all of its volunteer programs with unique requirements, qualifications, and documentation and maintains appropriate procedures and criteria for volunteer selection, approval, training, duties, and supervision.

6.83 Application and Approval Process (MCSO establishes its own Process)

- A. Approval of each volunteer is the responsibility of the County Manager, Risk and Emergency Management Director, Public Health Director (for PH volunteers), County Sheriff or their designees. A sponsoring department other than MCSO will electronically provide Risk and Emergency Management:
 - 1. A recommendation to approve the applicant as a County Volunteer or, for Public Health, the Public Health Director's or designee's approval.
 - 2. Copies of the signed application, signed duty description (including a statement on what County or personal vehicles will be driven for job duties), signed drug free certification, and signed volunteer agreement.
- B. Upon receipt and review of the above information and the background check results provided by HR, the County Manager or Risk and Emergency Management Director or designees will authorize the applicant as a County Volunteer and will so notify the department. The Public Health Director will authorize Public Health Department volunteers in the same manner.
- C. Applicants are prohibited from conducting any County duties, including orientation and training, until authorization as a County Volunteer is given.
- D. Authorized Volunteers cannot drive County vehicles or personal vehicles on County business without approval by the Risk and Emergency Management Department.
- E. Adult County Volunteer Application Process



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The following documents must be utilized and, where applicable, completed and signed by each volunteer applicant. These original documents can be kept by the individual department volunteer coordinator with electronic copies sent to Risk and Emergency Management.

1. Application - A Volunteer Services Application serves to ensure that volunteers are registered and that their status as volunteers is documented. Each volunteer must have a current Volunteer Services Application on file with the department they serve (and an electronic copy with Risk and Emergency Management). The standard County Volunteer Services Application can be used. However, a Department may use its own unique Volunteer Services Application as long as the application form requires the following basic minimum information and the form has been approved by Risk and Emergency Management.

Name – Address – Phone number – Emergency Contact – Email Address – Criminal History – Current Employer – Driver's License Number – References.

An individual department may apply additional criteria specific to the department's volunteer program to determine acceptable applicants.

2. Volunteer Duty Description – A Description form will be provided to each applicant by the department, and applicant will sign the form to indicate understanding of the expected duties. It is recognized and should be noted on the Description Form that not every task can be listed but can be assigned as needed; however, the overall scope, expectations, key duties, and potential task hazards should be noted. **The Duty Description must state whether the volunteer will potentially be driving County vehicles or personal vehicles on county business and what vehicles will be driven.**
3. Mohave County Volunteer Agreement – The standard Volunteer Agreement will be utilized and must be signed by the volunteer when the sponsoring department decides to recommend acceptance of the volunteer to Risk and Emergency Management or, in the case of Public Health, prior to approval by the Public Health Director.
4. Drug Free Certification Form – The standard Drug Free Certification must be signed.
5. Background Checks – Background checks must be conducted on all adult volunteers and be reviewed by Human Resources, which has authority to reject prospective volunteers based on the results of a background check except for Health Department



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volunteers, who can be rejected by the Public Health Director. HR will notify Risk and Emergency Management of the results. Background checks are not necessary for minor volunteers. Checks may be waived with Risk and Emergency Management approval for prospective volunteers who are current employees of other government entities.

F. Outside Organization Volunteers

Community organizations or schools may desire to assist County activities by providing their members or students as volunteers. Such organizations must provide the following at least two weeks prior to the date of the activity which the organization will be supporting.

1. A certificate of insurance that shows the organization's Commercial General Liability coverage limits and any required endorsements, such as additional insured or waiver of subrogation status in favor of the County, as specified and/or accepted by Risk and Emergency Management.
2. Workers Compensation coverage limits or a signed sole proprietor workers compensation waiver.
3. A signed memorandum of understanding or intergovernmental agreement, if required by Risk and Emergency Management based on the type of activity being supported and the associated level of risk.

G. One Time Special Event Volunteers

For certain onetime activities, individual volunteers may be accepted if they sign a hold harmless/indemnification agreement covering those activities and are approved by Risk and Emergency Management.

H. Minor Volunteers

Minors may be accepted for certain volunteer activities if the activities are approved by Risk and Emergency Management and the minor and minor's parent or guardian sign the most current minor hold harmless/indemnification volunteer agreement.

I. Emergency Worker Volunteers

During emergency or disaster situations, the County Manager, Risk and Emergency Management Director, Public Health Director, Sheriff, or their designees may appoint new volunteers as emergency workers, which under state statute have the same responsibilities and workers compensation coverage as official volunteers, while background check results are



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pending. The other application documents are still required. Such volunteers will not be allowed to work in situations involving handling of money or access/exposure to confidential information, use of sensitive equipment, or unsupervised close contact with minors, persons with disabilities, the elderly, or other at risk persons. Nor will they be allowed to participate in high risk duties or specialized skill duties unless they have valid and up-to-date certification documentation for a particular skill. Upon receiving notification of a failed background check, the volunteer will be immediately terminated as a volunteer or emergency worker.

6.84 Management of Volunteer Programs

A. Recruitment

Citizens interested in volunteer opportunities with Mohave County may be referred to a Department Volunteer Coordinator by local community groups, through the recruitment efforts of the coordinator, by other Department Coordinators, by the Human Resources Department, or by the Risk and Emergency Management Department. When possible, the sponsoring department coordinator should ensure that a formal interview with potential volunteers takes place, during which the volunteer's skills and interests are compared with the department's opportunities to ensure an appropriate match.

B. Processing

Each department will follow the most current new volunteer processing procedure provided by Risk and Emergency Management, ensure that the appropriate documentation and agreements stipulated under Section I above are completed as applicable, and send copies of the signed application, signed duty description, and signed volunteer agreement to Risk and Emergency Management.

C. Readiness

Before beginning an assignment, volunteers shall receive an orientation to the volunteer program, the department, the responsibilities and duties of their position and a review of applicable County and department policies. Department staff who will be working with the volunteer shall also receive an orientation to prepare them for working with and supervising volunteers. Both the volunteer and staff orientation will help ensure that volunteers will be eagerly accepted as part of the department team serving the community.

D. Goal Setting and Accountability

Volunteers shall be treated as unpaid staff subject to performance evaluations, termination and other personnel management techniques. Volunteers will be provided with appropriate initial training and ongoing supervision by the department to which they are assigned. The



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composition and extent of training may vary with the assignment, and the completion of any training should be documented within the volunteer's performance evaluation. Goals should be established for each volunteer program and for individual volunteers within the program.

E. Safety

Safety training will be provided as part of the overall training for volunteer work:

1. General safety training, including trips and falls, overhead dangers, electrical hazards, and weather hazards will be provided to all volunteers.
2. Special emphasis will be given on hazards specific to the type of work being done, including hand tool usage, and to the need to utilize personal protective equipment specific to the type of work being performed.
3. For groundskeeping or other outside duties, used needles will not be touched or picked up by volunteers but will be reported to the County employee supervising the work.
4. Volunteers will not be allowed to use power tools.
5. Individual Departments are responsible for their volunteers' safety training and are required to monitor individual volunteer performance, with special emphasis on safety awareness and compliance with safety procedures, and take appropriate action to correct deficiencies, and, if necessary, terminate volunteer status if safety performance does not improve. The Risk and Emergency Management Department may recommend termination if an individual volunteer poses a significant and ongoing safety risk.

F. Recognition

The recognition of volunteer efforts is the responsibility of the department to which a volunteer contributes. Departments are encouraged to recognize volunteers in as many ways as possible, both formally and informally.

G. Record Keeping

Volunteer records will be compiled and maintained for reference, recognition, and required statistical reports. Records for all volunteers shall be updated when necessary to reflect performance evaluation notes, the completion of any training, changes in emergency information, changes in duty description, etc. It is not necessary to use employee evaluation forms for volunteers.



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At the first of each calendar quarter, each department, including the Sheriff's Office, shall provide to the Risk and Emergency Management Department a listing of volunteers who worked in the immediately preceding quarter on the Risk and Emergency Management Volunteer Spreadsheet template.

H. Review

Departments are encouraged to conduct an annual review of their volunteer program to evaluate its effectiveness and identify areas for improvement and/or expansion. This could include a description of their recruiting program(s), special volunteer activities/achievements, and volunteer program goals for the upcoming year.

6.85 Use of Vehicles

A. County Vehicles

Departments who desire designated volunteers to drive County vehicles for volunteer work activities will provide a description and rationale of such use to Risk and Emergency Management to obtain prior approval. Designated volunteers will then be required to pass driving history checks and the Defensive Driver's training before Risk and Emergency Management will allow volunteers to drive a vehicle. (MCSO sets its own policy for its volunteer drivers.)

- B. Volunteer Personal Vehicles – Volunteers will use personal vehicles only to travel to and from work site. Personal vehicles will be used on work activities only after approval of Risk and Emergency Management following receipt of a signed Private Vehicle Use Authorization Form (FSD-3). (MCSO sets its own policy for its volunteer personal vehicles.)

6.86 The Risk and Emergency Management Department

Through cooperation with Department Volunteer Coordinators, the Risk and Emergency Management Department will assist County departments with their volunteer programs and ensure that the following functions and/or roles are filled:

A. Communication

The Risk and Emergency Management Department shall disseminate information relevant to the County's volunteer program participants during periodic scheduled meetings with Department Coordinators, through electronic mail, and when circumstances warrant.

B. Referral



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The Risk and Emergency Management Department and other departments may refer potential volunteers who approach the Department/departments to other more suitable departments.

C. Annual Volunteer Report

The Risk and Emergency Management Department shall submit an annual consolidated report to the Board of Supervisors encompassing information provided by all Mohave County departments which utilized volunteers during the previous fiscal year. The information reported shall include volunteer program benefits, donations to volunteer programs, volunteer program costs, and the net benefit to the department from the volunteer program. Additionally, each department shall provide to the Risk and Emergency Management Department a description of their recruiting program(s), special volunteer activities/achievements, and volunteer program goals for the upcoming year.

D. Promotion

The Risk and Emergency Management Department will assist Department Volunteer Coordinators in organizing unified promotional materials using mediums such as the County Website, brochures and pamphlets, newspaper advertisements, and others.

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6.9 DEFINITIONS

The following words and terms as used in this manual shall have the meaning indicated unless the context clearly indicates otherwise:

1. **Abandonment of Job:** The separation from County Service of an employee who has been absent from their position for three (3) or more consecutive days without authorized leave.
2. **Accrued Holiday Leave:** Holiday leave accrued and added to the PTO balance of an eligible non-exempt status employee who is approved to work on a County recognized holiday.
3. **Administrative Suspension:** An involuntary leave with or without pay in the best interest of the County imposed upon and employee who is under investigatory or judicial proceedings.
4. **Appeal:** A request of the Personnel Commission to investigate a complaint alleging improper suspension, demotion, or dismissal or alleged illegal discrimination.
5. **Appellant:** An employee whose appeal is presented before the Personnel Commission.
6. **Applicant:** A person seeking County employment or an employee seeking a transfer, reappointment, reinstatement, detail, promotion or demotion within the County and who has completed and returned, on a timely basis, an official Mohave County Application according to instructions.
7. **Appointment:** The official offer of employment and acceptance by an eligible in accordance with these policies.
8. **Armed Forces:** The United States Air Force, Army, Navy, Marine Corps, Coast Guard or Arizona National Guard.
9. **ARS:** Arizona Revised Statutes.
10. **Assignment:** A position (duty assignment and work location assignment) to which an individual is appointed.
11. **At-Will Employee:** Unclassified employees and employees on initial probation who are not covered by the Personnel Policies and Procedures of the County. "At-will" employees may be separated for cause or no cause.
12. **Board:** The Mohave County Board of Supervisors.
13. **Candidate:** An applicant approved for participation in an examination process.
14. **Certificate of Eligibles:** An official list of eligibles placed in order of suitability of a particular position which is submitted to the hiring department for selection.
15. **Civic Duty Leave:** Approved periods of absence with pay and related benefits from regularly scheduled work approved in advance while: serving as a juror; responding to a subpoena to appear as a witness; serving as a member of a public service board, commission or similarly constituted body; serving in the Arizona National Guard or Military Reserve; or for voting.



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16. **Classification:** A title assigned to a position or group of positions with similar duties and responsibilities which require like training, experience, knowledge, and skills.
17. **Classification Plan:** The orderly arrangement of positions under separate and distinct classification on the basis of current duties and responsibilities.
18. **Classified Employee:** An employee whose position is budgeted and assigned to a classification in the classification plan and who is covered by these policies.
19. **Compensatory Time (comp time):** Earned time recorded at time and one half on a non-exempt employee's time card in lieu of overtime pay
20. **County:** Mohave County government.
21. **County Employee:** A person who has been appointed to and is currently filling a budgeted position within Mohave County; excludes temporary and contractual hires unless the terms of a contract permits inclusion under the County's Personnel Commission. Participants of the temporary placement program (JTPA) are not considered employees for purposes of this policy.
22. **County Manager:** Highest ranking administrator under the Board of Supervisors.
23. **Court Employees:** Employees who work for offices of the Superior Court including Clerk of the Superior court, a combined Adult and Juvenile Probation Department (including Juvenile Detention), and Superior Court Administration. The Presiding Judge oversees and administers the Superior Court employees and has oversight of the Justice Courts within the County.
24. **Demotion:** A change in the assignment of an employee from a position in one classification to a position of another classification having a lower salary range.
25. **Department:** A county governmental unit under the control of a Department Head.
26. **Department Head:** A Department Head is defined as a Department Director or Elected Official managing a department.
27. **Department Supervisor:** An at-will employee who provides administrative and operational supervision to a department or division to maintain efficiency within the department or division; reports to a Manager, Division Head or Department Head/Elected Official.
28. **Dismissal:** The involuntary termination of a person from County employment for disciplinary reason.
29. **Division Manager:** An at-will employee who provides management and front line supervision for a division within the overall structure of a department; reports to Department Head/Elected Official.
30. **Elected Official:** Statutory officers of the State of Arizona; for the purposes of this policy are deemed a Department Head.
31. **Employee:** Elected, appointed or chosen representative of a department within Mohave County; may be classified or unclassified.
32. **Exempt Status Employee:** Executive, administrative and professional employees who are deemed exempt from overtime and reporting provisions of the Fair Labor Standards Act (FLSA).



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33. **Full-time Position:** A position which provides employment for thirty-two (32) to forty (40) hours a work week and which has a regular schedule on a year round basis.
34. **Grant Employee:** An employee who is paid through a federal or state grant. Employee may be full-time or part-time status, classified or unclassified.
35. **Grievance:** A complaint alleging misinterpretation, misapplication or unequal enforcement of personnel policies or alleging unlawful discrimination.
36. **Layoff:** The conditional separation of an employee due to lack of funds, lack of work, reorganization (causing cutbacks and reductions), abolition of position or other reasons specified in these policies.
37. **Leave Eligible:** Classified employees that work 20 or more hours are eligible to receive paid time off.
38. **Management Leave:** Time off with pay during an exempt employee's normal working hours to offset extraordinary hours worked in unusual circumstances as determined by the Department Head.
39. **Manifest Error:** An act or failure to act which is or clearly has caused, a mistake of commission or omission to occur.
40. **Moral Turpitude:** Act or behavior that gravely violates moral sentiment or accepted moral standards of the community.
41. **Non-Exempt Status Employee:** Employees covered by the overtime and reporting provisions of the Fair Labor Standards Act (FLSA). The County shall compensate non-exempt employees in pay or compensatory time at the discretion of the Department Head and consistent with the provisions of the Fair Labor Standards Act (FLSA) and these policies.
42. **Official Position Audit:** The examination of the required duties and responsibilities of a budgeted position by the Human Resources Department in order to determine proper classification.
43. **Part-time Position:** A position which provides employment for less than thirty two (32) hours within a work week, and which has a regular schedule on a year-round basis.
44. **Personnel:** A group of employees within a department or division.
45. **Personnel Record:** Any personnel information maintained in the official employee record.
46. **Probationary Employee:** An employee being observed for performance while serving either an original, promotion, reappointment, transfer, demotion, disciplinary action or certain types of reinstatement, probationary period. An employee who fails a probationary period, other than a demotion probationary period, has no right of appeal. Original probationary employees do not have grievance, appeal or hearing rights, except as otherwise provided in these policies.
47. **Probationary Period:** A qualifying period following initial appointment, reinstatement, reappointment, transfer, promotion, demotion, or disciplinary action which is the final step in the examining process during which the work performance of an employee is evaluated.



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48. **Promotion:** A change in the assignment of an employee from a position in one classification to a position in another classification in the same career path or track as established through the classification section of the Human Resources Department having a higher salary range.
49. **Reappointment:** A competitive change in assignment not in the same career path, and required to serve a probationary period.
50. **Reassignment:** A noncompetitive change in the assignment of an employee from one position to another of the same classification and salary range within the employee's department.
51. **Recall:** When an employee is reinstated after a reduction in force.
52. **Reclassification:** A non-competitive change in the classification of an incumbent employee when their position has been reclassified.
53. **Register:** An official list of eligibles of a particular classification or group of classifications.
54. **Reinstatement:** The appointment of a laid-off employee to a position of the same or lower classification from which laid-off, or the returning of an employee as ordered by the Personnel Commission.
55. **Reinstatement Register:** The official file containing applications of employees who have been laid-off from a specific department and specific classification.
56. **Respondent:** The Department Head or the other individuals named by the Appellant whose interests are adverse to those of the Appellant who will be directly affected by the Commission's decision in an appeal.
57. **Safety Sensitive Positions:** A list can be obtained from the Human Resources Department.
58. **Separation:** Separation of an employee from Mohave County employment.
59. **Service Years:** Length of continuous Mohave County service as determined by the employee's original date of hire, or the last date of re-hire following any period of separation from County service. Seniority shall be calculated on full business days and shall not be calculated based on hours and minutes.
60. **Suspension:** An involuntarily imposed leave with or without pay on an employee.
61. **Temporary Employee:** An employee who has been appointed on a full-time, part-time or variable-time basis for a time-limited period 12 (twelve) months unless extended an additional twelve (12) month period.
62. **Third Degree Relations:** Persons related with the third degree, which include spouse, child, parent, grandchild, grandparent, sister, brother, great grandchild, great grandparent, aunt, uncle, niece, nephew or first cousin.
63. **Transfer:** The noncompetitive change in the assignment of an employee to another classification in the same pay range or to a position of the same classification in another Department.
64. **Unclassified Employee:** An employee whose position is budgeted and assigned to a classification in the classification plan or an employee on initial probation and who is not covered by these policies.



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65. **Unclassified Position:** A position in the County Service which is exempt from the provisions of these policies.
66. **Vacant Position:** A position currently under recruitment or available to be filled.
67. **Veteran:** Any person separated from active duty in the Armed Forces of the United States (Army, Navy, Air Force, Marine Corps or Coast Guard) under honorable conditions following more than six (6) months of active duty.
68. **Volunteer:** A non-paid person providing a service to Mohave County.
69. **Work Period:** A work period is any established and regularly recurring period of work which cannot be less than seven (7) consecutive days or more than twenty-eight (28) consecutive days.
70. **Work Week.** All time within a seven (7) day period which an employee is required to be on the employer's premises for the performance of prescribed duties, at a prescribed work place or on duty and begins at 12:01 a.m. Saturday and ends at 12:00 a.m. (midnight) the following Friday.

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PERSONNEL POLICIES AND PROCEDURE CHANGES MADE AFETER 4/4/2016

BOS

Meeting

Date	Item #	Section	Consent/Regular	Summary
5/2/2016	47	6.14.E.3.c.i	Regular	Meal per diem rates
8/15/2016	37	1.52.B	Consent	Added Deputy Clerk of Board/Unclassified
11/21/2016	42	6.3	Regular	MC Technology Acceptable Use Policy
5/1/2017	26	1.63	Consent	Resignation
5/1/2017	26	1.94.B&C	Consent	Breaks
5/1/2017	26	1.95	Consent	Lactation Breaks
5/1/2017	26	1.200.A.5	Consent	Outside Employment
5/1/2017	26	3.30.A.4,F.1	Consent	Employee Ill Bank (EIB)
5/1/2017	26	4.2.A.7	Consent	Conflict of Interest/Discipline
5/1/2017	26	4.41.F	Consent	Confidentiality Procedure
5/1/2017	26	4.62.G.4	Consent	Types of Discipline/Dismissal of Employment
5/1/2017	26	4.94.A	Consent	Personnel Commission/Nature of Hearing
5/1/2017	26	5.4	Consent	Drug Free Workplace and Substance Abuse
5/1/2017	26	6.304.A	Consent	Vehicle Use/Unmarked Vehicles
5/1/2017	26	6.8.13	Consent	Definitions
6/19/2017	41	3.4	Regular	Earned Paid Sick Time
7/17/2017	19	3.1	Consent	Paid Time Off (PTO) Leave - Prop 206 changes
8/21/2017	35B	2.41.D	Regular	Call Back Time and Pay
8/21/2017	35B	3.1.C.4	Regular	Use of PTO Leave
10/2/2017	25	2.41.D	Regular	Call Back Time & Pay - verbiage change
11/20/2017	17	B	Consent	Power and Duties. HR Director
11/20/2017	17	1.81.J	Consent	Disposition of Records
11/20/2017	17	4.9.F	Consent	Personnel Commission/Nature of Hearing
11/20/2017	17	6.1.A	Consent	Travel Procedures
7/2/2018	22	6.6B	Consent	LRAP
8/20/2018	45	5.13.C.D.E.F	Regular	Accident Review Board (ARB)
8/20/2018	46	5.6	Regular	Add Employee Safety and Loss Prevention
9/4/2018	24	3.27B	Consent	FMLA Job Protection
10/1/2018	36	3.1.C.3	Consent	Remove Return from leave (1) full day
10/15/2018	60	6.3G	Regular	Social Media Usage
8/19/2019	25	All	Consent	Rename Risk & Em. Mngmt titles
8/19/2019	40	4.100	Regular	Personnel Commission-remove CAO legal counsel
8/19/2019	41	6.3	Regular	IT - Acceptable Use Policy updates
9/16/2019	39	3.5	Regular	Combine section 3.5 and 3.200 Unpaid Leave



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Date	Item #	Section	Consent/Regular	Summary
9/16/2019	40	3.2	Regular	FMLA term when notified removed. Modify Lang
9/16/2019	41	6.4	Regular	Added Max amount on Educational Assistance
10/7/2019	62	2.6J	Regular	Added Paid hours in the pay period
10/7/2019	63	2.35	Regular	Added what hours paid meant
10/7/2019	64	2.7	Regular	Added electronic filing, added Medical Facility
10/21/2019	35	5.1	Regular	Updated reporting requirements
10/21/2019	36	5.6	Regular	Updated reporting requirements/automation
11/4/2019	45	6.2	Regular	Updated current practice and best practices
11/18/2019	35	3.1.F.G.K.	Regular	Updated PTO language to PPP
11/18/2019	36	3.7	Regular	Civic duty pay up to Budgeted Hrs/use of unpaid time
11/18/2019	37	5.2	Regular	Updated to use current practice-run.hide.fight
2/18/2020	47	2.2	Regular	Update language step 5+6 placement
3/20/2020	1	3.5	Regular	Added Attendance Policy during Pandemic
4/18/2022	37	5.4	Regular	Separated Drugs and Alcohol updated CDL.Marijuana
11/7/2022	80	3.1	Regular	PTO Buy Back Policy
1/17/2023	35	1.3	Regular	Updated and combined Probationary policy
1/17/2023	36	2.74.B.1.g	Regular	Made to comply with A.R.S.38-961
2/6/2023	62	4.5	Regular	Provide clarification to coverages for injury & liability. Updated language for authorization for personal vehicle use on County Business.
2/6/2023	63	6.2	Regular	
2/21/2023	49	6.8	Regular	Add Volunteer Program Policy as 6.8
2/21/2023	49	6.9	Regular	Re-number Definitions from 6.8 to 6.9
03/06/2023	49	6.301B	Regular	Add the word 'not' to 6.301 B
07/17/2023	1	2.2	Special Session	Added steps to salary range.
07/17/2023	1	3.1	Special Session	Front load PTO and changing accrual rate.
8/21/2023	23	2.21	Regular	Replace 2.21 B, with the wording in 2.21 C.



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BOS Meeting Date	Item #	Section	Consent/Regular	Summary
`8/21/2023	23	2.22 J	Regular	Add the word decrease.
01/16/2024	23	6.12, 6.13, 6.14	Regular	Amendment to travel policy and Travel Authorization and Expense Report Mandate.
09/16/2024	30	6.26.E 6.2 subsection	Regular	Amendment to personal vehicle policy to comply with IRS regulations.
10/07/2024	83	6.307	Regular	Amendment to assigned vehicle policy.
`10/07/2024	84	3.1B,F, 3.10	Regular	Requirement of pay back for any front-loaded PTO used in advanced of accrual.
11/18/2024	64	1.300	Regular	Creation of Out-of-State Work Policy
`11/18/2024	65	2.7	Regular	Clarification of return to work policy.

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