



Cochise County Board of Supervisors

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Chairman
District 3

PATRICK G. CALL
Vice-Chairman
District 1

ANN ENGLISH
Supervisor
District 2

EDWARD T. GILLIGAN
County Administrator

ARLETHE G. RIOS
Clerk of the Board

AGENDA FOR SPECIAL BOARD MEETING

Tuesday, September 25, 2018 at 11:00 a.m.

BOARD OF SUPERVISORS EXECUTIVE CONFERENCE ROOM
1415 MELODY LANE, BUILDING G, BISBEE, AZ 85603

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

ROLL CALL

Members of the Cochise County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.

The Board may permit public comment during the discussion of any item on this agenda. If you wish to be heard on a specific item, please sign up to be heard using the 'Specific Item' on the speaker form provided, and please list the item about which you wish to be heard. Persons will be permitted three minutes to speak.

ACTION

Board of Supervisors

1. Discussion and possible approval of proposed changes to the Cochise County "Administration of Leave" and "Attendance and Holidays" Policies effective December 16, 2018 and give the Human Resources Director the authority to make any ancilliary changes.

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

Cochise County Board of Supervisors

1415 Melody Lane, Building G Bisbee, Arizona 85603
520-432-9200 520-432-5016 fax board@cochise.az.gov

Special Board of Supervisors Meeting

Meeting Date: 09/25/2018

HR Policy Changes - Leave

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME Ed Gilligan

TITLE County Administrator

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Discussion and possible approval of proposed changes to the Cochise County "Administration of Leave" and "Attendance and Holidays" Policies effective December 16, 2018 and give the Human Resources Director the authority to make any ancillary changes.

Background:

Staff has worked on updating policies and making changes to fall in line with the implementation of a new payroll system and best practices.

Department's Next Steps (if approved):

Implement all proposed changes.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

n/a

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

County Holiday Compensation Policy Draft 9.19.19_Rev

County Hours of Operation Policy Draft 9.19.18_Rev

County Over Time Policy Draft 9.19.18_Rev

County Personal Leave Policy Draft 9.19.18_Rev

County Sick Leave Policy Draft 9.19.18_Rev

County Special Circumstances Leave Policy Draft 9-19-18_Rev



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Policy Title: Holidays

Policy Number:

Effective: December 16, 2018

Supersedes: *Human Resources Policy Manual, Attendance & Holidays Policy, Holidays Subsection; Feb 1, 2017; p17-18.*
Human Resources Policy, Attendance & Holidays Policy, Compensation for Hours Worked in Addition to the Regular Work Schedule, Part 2-iv-a, Feb 1, 2017; p20.
Human Resources Policy, Attendance & Holidays Policy, Alternative Work Schedules Section, Holiday Pay with Alternative Work Schedule Second Subsection, Feb 1, 2017; p24-25.

Last Reviewed/Updated:

Scope/Coverage: All [County Offices](#) and [Employees](#)

Policy Contact: Human Resources

I. Observance of Holidays

The County offices shall be closed to observe the following 10 [holidays](#): New Year's Day, Civil Rights Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Day after Thanksgiving Day, and Christmas Day.

II. Holiday Pay

- A. All [regular status full time employees](#) shall be allowed 8 hours time off with pay for all holidays under the following terms and subject to the direction of the appointing authority.
 - 1. Employees working in closed County offices should take the day off with pay unless there is a legitimate business purpose.
 - 2. All regular status employees required to work on an [observed holiday](#) may use their holiday hours on an alternative day agreed to by the employee's supervisor in the same pay period that the holiday occurred.
 - 3. A regular status employee required to work the observed holiday but is unable to use holiday hours in the same pay period shall be paid 8 hours of compensation in addition to their regular pay for the actual hours worked.
 - 4. If an observed holiday falls on an employee's normal day off, then the employee shall take an additional day off or receive holiday pay.
- B. Employees must be in a paid status the day before and after an observed Holiday to receive Holiday pay.



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Policy Title: Hours of Operation and Work Schedules

Policy Number:

Effective: December 16, 2018

Supersedes: *Human Resources Policy Manual, Attendance & Holidays Policy, Basic Work Week and Hours of Operation Section, Reporting of Hours Section, Tardiness and Absence Section, Feb 1, 2017; p16.*

Last Reviewed/Updated:

Scope/Coverage: All [County Offices](#)

Policy Contact: Human Resources

1. County offices shall be open to serve the public Monday through Friday, 8:00 am to 5:00 pm, excluding [observed holidays](#).
2. The [appointing authority](#) shall determine the work schedules of the [employees](#) ensuring that essential County services are provided and that the work schedules are in accordance with all Federal or State statutory or constitutional limitations relating to hours of work (e.g. Fair Labor Standards Act ([FLSA](#))).
3. Each employee is responsible for accurately reporting all hours worked in the approved County reporting system. The appointing authority or designee shall verify that all hours worked are properly recorded on the employee's time sheet.



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Policy Title: Overtime

Policy Number:

Effective:	December 16, 2018
Supersedes:	<i>Human Resources Policy Manual, Attendance and Holidays Policy, Compensation for Hours Worked in Addition to the Regular Work Schedule Section, Feb 1, 2017; p19-22.</i>
Last Reviewed/Updated:	
Scope/Coverage:	All non-exempt full-time regular status employees. Exempt full-time regular status employees do not earn overtime.
Policy Contact:	Human Resources

- A. Employees shall work **overtime** only when authorized by the Appointing Authority or designee.
- B. An employee approved to work overtime shall be compensated for overtime hours worked by either one of the following methods, at the discretion of the Appointing Authority:
 - 1. By payment at one and one-half (1½) times the employee's current hourly rate;
 - 2. By **compensatory time** at a rate of one and one half (1½) hours off for each hour of overtime worked and not paid.
 - a. Compensatory time shall not accumulate in excess of forty (40) hours.
 - b. An employee eligible for overtime who has forty (40) hours of accrued compensatory time is to be paid for ~~future~~ authorized overtime worked.
 - c. Accrued compensatory time shall be used in the same manner as **personal leave**.
 - d. All accrued compensatory time will be paid when an employee changes positions, has a balance at the end of a fiscal year, or separates from employment.
- C. Overtime shall be allocated as evenly as possible among all employees qualified to do the work. While preference may be given to those employees who wish to volunteer for the work, all employees are required to work overtime when requested to do so.
- D. An employee who works any hours in addition to their scheduled hours without prior approval may be subject to disciplinary action up to and including dismissal.
- E. Appointing authorities are responsible for managing overtime and compensatory time payments within their department's adopted budget.



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Policy Title: Personal Leave

Policy Number:

Effective: December 16, 2018
Supersedes: *Human Resources Policy Manual, Administration of Leave Policy, Annual Leave Subsection, Feb 1, 2017; p26-27.*
Last Reviewed/Updated:
Scope/Coverage: All [full-time and part-time benefits eligible](#), regular status employees
Policy Contact: Human Resources

I. Conversion to Personal Leave

On the effective date of this policy, each current employee's balance of Annual and Sick leave hours shall be merged and converted to Personal Leave hours.

II. Accrual

- A. All [benefits-eligible](#) employees accrue Personal Leave from the date of hire provided they are in a paid status.
 - 1. Full-time employees shall accrue Personal Leave at a rate of 6.5 hours per pay period up to a maximum of 2,080 hours.
 - 2. Part-time employees scheduled to work at least 20 hours each week shall accrue Personal Leave at a pro-rated accrual amount up to a maximum of 2,080 hours.
- B. Pursuant to [A.R.S. §38-961](#) Public Safety Officers on [Workers' Compensation](#) shall accrue Personal Leave at a rate of 6.5 hours per pay period.
- C. An employee who transfers between County departments, and/or employment types shall retain any accrued Personal Leave.

III. Use of Personal Leave

- A. Accrued Personal Leave shall be available for use from the onset of employment.
- B. Employees may use personal leave for any purpose, providing the employee:
 - 1. requests time off and receives approval from the appointing authority or designee.



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- a. Unless waived by the appointing authority or designee, employees shall submit written requests for use of personal leave for an anticipated absence at least two weeks in advance of the dates of leave. The appointing authority shall respond to written requests for leave within five business days.
 - b. The employee shall notify the appointing authority or designee of an unanticipated absence as soon as possible or not less than 30 minutes prior to scheduled work start time to be eligible to use personal leave.
2. accurately reports all approved personal leave on the employee's time sheet.
- C. Except for the use of Personal Leave for a qualifying condition under the [FMLA](#), the appointing authority, or designee:
1. has the sole authority to approve or disapprove Personal Leave requested by an employee. Disapproval of leave must be made in writing and be for a valid business purpose.
 2. may require that an employee postpone or change scheduled personal leave for a valid business purpose.
 3. shall ensure an employee's use of leave is properly recorded on the employee's timesheet
- D. Personal Leave shall not be charged against an employee's accrued leave balance for an observed holiday that occurs while an employee is using Personal Leave.
- E. Personal Leave accrued during a paid leave of absence may not be used until the employee has returned to work from the absence and has worked at least one (1) full day.
- F. Deductions of Personal Leave for authorized absences from work are taken based on the employee's regularly scheduled work hours.
- G. Personal Leave may be used to supplement Workers' Compensation payments up to 100% of an employee's regular bi-weekly base salary.
- H. To facilitate a healthy work/life balance and ensure employees are at work in a refreshed and productive state, all employees should take at least two, one-week periods of Personal Leave per year, or the equivalent of 80 hours.

IV. Disposition of Accrued Personal Leave

- A. Employees who are on initial probation at the time of separation of employment shall forfeit without compensation all accrued Personal Leave.



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- B. An employee that separates from County service after successful completion of initial probation shall be paid as follows:

Separation Other Than Retirement	
Unused Personal Leave Hours at Departure	Payment % Upon Departure
0 – 280 hours	100% of hours
281 – 2080 hours	0% of hours
Separation Due to Retirement into Arizona State Qualifying Plan*	
Unused Personal Leave Hours at Retirement	Payment % Upon Retirement**
0 – 280 hours	100% of hours
281- 2,080	30% of remaining hours
<p><i>* Employees who have a sick leave balance of more than 720 hours and an annual leave balance of more than 280 hours on December 15, 2018, can elect that on separation from Cochise County due to retirement into an Arizona State Qualifying Plan to be paid as follows, 100% of hours up to 448, and 50% of remaining hours up to 1040 hours. This one-time election must be made no later than May 31, 2019.</i></p> <p><i>** Maximum payment upon retirement is \$20,000 for employees hired after January 1, 2019. Employees have the option to receive this payout as a lump sum or over two fiscal years.</i></p>	



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Policy Title: Earned Paid Sick Leave, A.R.S. Title 23, Article 8.1

Policy Number:

Effective: December 16, 2018
Supersedes: *Human Resources Policy Manual, Administration of Leave Policy, Sick Leave Section, Feb 1, 2017; p28-30.*
Last Reviewed/Updated:
Scope/Coverage: Cochise County Employees
Policy Contact: Human Resources

I. **Accrual** [A.R.S. §23-372](#)

- A. Regular full-time employees shall be afforded 40 hours of sick leave each year.
 - 1. On January 1 all hours shall be available for use.
 - 2. Employees who commence employment on or after February 1 of each calendar year shall receive a pro-rated number of hours based upon the remaining months of the calendar year.
- B. Regular part-time and temporary employees shall earn 1 hour of sick leave for every 30 hours worked.
 - 1. Accrual of earned paid sick leave shall stop at 40 hours per calendar year.
 - 2. Accrued sick leave shall be carried over to the next calendar year.

II. **Use of Earned Paid Sick Leave** [A.R.S. §23-373](#)

- A. Employees may take, and supervisors must permit, earned paid sick leave in accordance with [A.R.S §23-373](#).
- B. Earned paid sick leave can be taken in increments of 15 minutes.

III. **Reporting and Recording Sick Leave**

- A. The employee is responsible for reporting all sick leave taken through the reporting system.
- B. The appointing authority or designee shall verify that all leave is properly recorded on employee's time sheet.

IV. **Disposition of Accrued Sick Leave**



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- A. An eligible employee who transfers between County departments shall retain any accrued Sick Leave.
- B. An employee who separates from County service shall forfeit, without compensation, any accrued Sick Leave.
- C. If the employee rehires within nine months of separation any previously accrued Sick Leave that was not used shall be reinstated.

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Policy Title: Special Leave Circumstances

Policy Number:

Effective: December 16, 2018
Supersedes: *Human Resources Manual*, Administration of Leave Section, Special Leave Circumstances Subsection, Feb 1, 2017; p45-47
Last Reviewed/Updated:
Scope/Coverage: Cochise County Employees
Policy Contact: Human Resources

I. Civic Duty Leave

A. Jury Duty:

1. The Appointing Authority is responsible for ensuring employees are permitted leave for jury service as provided for in [A.R.S. §21-236](#).
2. Employees who are summoned to serve as jurors in federal, state or local courts are eligible for paid jury leave providing the employee:
 - a. schedules leave in advance by providing a copy of the jury summons to his or her immediate supervisor
 - b. drives a personal vehicle to jury service
 - c. reports for jury duty as scheduled
 - d. remits any supplemental jury service payment (excluding mileage reimbursement) to the finance department

B. Voting:

The Appointing Authority is responsible for ensuring employees are permitted paid leave of no more than three hours to vote pursuant to the limitations set forth in [A.R.S. §16-402](#).

II. Administrative Leave

An employee may be placed on paid administrative leave when:

- A. it is necessary to suspend work following a declared State of Emergency



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- B. the County Administrator and/or Chairperson of the Board of Supervisors determines it is unsafe for employees to report to or remain at their work location
- C. an appointing authority or designee determines it is in the best interest of the County pursuant to the conditions and requirements of [Merit Rule 7.4](#)

III. Bereavement Leave

The appointing authority may approve up to five (5) days paid bereavement leave upon the death of an employee's [immediate family member](#).

IV. Military Leave for Active Service

Appointing Authorities and their designees are required to provide military leave for active service in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 and as provided in [A.R.S. § 38-298](#).

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