

1. Temporary employees may work for an entire fiscal year at fewer than twenty (20) hours per week; or may work twenty (20) hours or more per week for up to nineteen (19) weeks in a fiscal year and then may work the remainder of the year at fewer than twenty (20) hours per week. Under this schedule temporary employees are not required to contribute to the Arizona State Retirement System.
2. Temporary employees working twenty (20) or more hours per week in excess of nineteen (19) weeks in a fiscal year are required to contribute to the Arizona State Retirement System through the end of that fiscal year.
3. The look-back methodology is utilized to determine if a temporary employee becomes eligible for medical insurance.
4. Temporary employees may be dismissed at any time, without cause, without notice, and without a statement of reasons. Temporary employees do not have access to the Personnel Board; However, temporary employees shall have the right to file formal grievances under the Grievance Procedure (Article 1-90).

(Ord. No. 2018-36, Amended, 11/06/18); (Ord. No. 2022-23, Amended 10/20/2022)

1-10-040. PERSONNEL BOARD

- A. The Personnel Board is appointed by the City Council. The Personnel Board is responsible for determining that the City has followed proper procedures in matters concerning the dismissal, demotion, or suspension without pay of ten (10) working days or more.
- B. Membership and Responsibility of the Personnel Board
 1. The City Council shall appoint seven (7) individuals to serve on the Personnel Board and the terms shall be for five years.
 2. Any member who misses two consecutive hearings may cease to be a member of the Board, contingent upon Council action.
 3. No member of the Personnel Board shall hold any other paid municipal position.
 4. The Human Resources Director shall be an ex officio member of the Board and shall be allowed to take part in all actions of the Board, except for making motions and voting.
 5. A majority of the Board shall constitute a quorum for the transaction of business.

6. The Personnel Board shall determine the order of business for the conduct of its meetings.
7. The Board shall meet on call by the Chair or Secretary or a majority of the members of the Board.
8. The Board shall hear appeals submitted by any tenured employee in the classified service in relation to dismissal, demotion, or suspension.
9. The provisions of this Section shall not apply to reductions in pay via reclassifications or other matters described in Article 1-90 (Grievance Procedure).

C. Request for Hearing

1. Any tenured employee in the classified service who has been dismissed, demoted, or suspended, and any classified employee who has been disciplined under Sections 1-40-090, 1-40-110, or 1-40-120, shall be entitled to a written statement of the reasons for such action.
2. The employee shall have up to seven (7) calendar days from receipt of reasons to answer the charges and request a hearing before the Personnel Board. The response must be in writing and state why the employee believes the discipline is improper and the relief requested and must be submitted to the Human Resources Director.
3. Upon the filing of an appeal, the Human Resources Director shall set a date and place, with concurrence of the Board Chair, for a hearing on the appeal, not less than ten (10) calendar days nor more than thirty (30) calendar days from the date of filing. The Human Resources Director shall notify all interested parties of the date, time, and place of hearing.

D. Form of Hearing

1. The employee shall appear personally, unless physically unable to do so, before the Personnel Board at the time and place of the hearing. Hearings shall be conducted by rules set by the Personnel Board and approved by the City Council. All such rules shall be reviewed by the City Attorney and forwarded to the Council with comments.
2. The employee has the right to be represented by any willing person of his/her choice; however, the City is not liable for any cost or expense incurred for such representation. The employee must notify the Human Resources Director as to whom, if anyone, will be representing him/her at the hearing at least two (2) working days prior to the commencement of the hearing.

3. When a case is brought before the Personnel Board, the Department Head or a City representative, shall prepare and present the City's case to the Personnel Board.

E. Witnesses and Exhibits

1. The Board, shall have the power to examine witnesses under oath when conducting a hearing.
2. The Chair or Acting Chair of the Personnel Board shall have the power to administer oaths to witnesses.
3. A list of witnesses must be submitted to the Human Resources Director prior to the hearing. Once both parties have provided their witness lists, copies will be exchanged between the employee and the supervisor.
4. All documents/exhibits that will be presented as evidence during the hearing will be submitted to the Human Resources Director prior to the hearing. Once these documents/exhibits have been submitted they will be provided to both parties.

F. Closing Decision

1. Upon conclusion of the hearing the findings and recommendations of the Personnel Board shall be forwarded to the City Manager or designee for action. The City Manager or designee shall accept in whole or in part, or deny, said findings and recommendations. The decision of the City Manager or designee shall be final. No additional evidence, testimony, or comments will be considered by the City Manager or designee once the hearing has been officially closed. When the hearing is closed, only the evidence, testimony, and comments made prior to the official closing will be considered.

G. Disposition of Records

1. All records pertaining to the hearing will be maintained by the Human Resources Division and will not become part of the employee's personnel record. All documents provided to the City Manager or designee and/or Board shall be returned to the Human Resources Division at the completion of the process.

(Ord. No. 2007-39, Amended, 08/07/07)

1-10-050. POSITION CLASSIFICATION PLAN

- A. The Human Resources Director shall be responsible for the classification of all positions based on the scope and level of the duties and responsibilities of the positions, to the end that all positions in the same class shall be sufficiently alike