



Town of Superior



2022

**PERSONNEL
POLICY**

Town of Superior

PERSONNEL POLICIES

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ARTICLE 1. GENERAL

Section

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TOWN OF SUPERIOR	
ARTICLE 1. GENERAL	
Purpose:	To define terminology used in these rules.
Applicability:	To the Town of Superior personnel policy.

HR-1-01. DEFINITIONS

The following words and phrases used in these rules have the defined meanings unless otherwise clearly indicated by the context.

1. "ADA" means the Americans with Disabilities Act of 1990.
2. "Age Discrimination in Employment Act of 1967" means the Town is prohibited from discrimination based on age against employees who are 40 years old and older.
3. "Announcement" means the public notice to fill positions by open competition, or the notice to employees to fill positions from within the Town service.
4. "Appeal" means the request for a review by the Hearing Officer of a disciplinary action as stated in these rules.
5. "Applicant" means any person who seeks appointment to an open position and files an application for the position with Human Resources.
6. "Appointment" means the offer to and the acceptance by a person of a position in the Town of Superior.
7. "Candidate" means an applicant that meets minimum qualifications for a position according to Human Resources and who is interviewed or whose name is placed in a register for open continuously positions.
8. "Cause" means any of the reasons for disciplinary action provided by statutes or these rules.
9. "Child" means:
 - a. For purposes of the health benefit plan, as stated in our health plan
 - b. For purposes of the life and disability income insurance plan, each unmarried natural, adopted, foster, and stepchild under age 19 who resides or is placed by court order in the household of the employee.
 - c. For purposes of the employment of relatives, bereavement leave, parental leave and FMLA leave, each natural, adopted, foster, and stepchild.
10. "Town" means the Town of Superior.

11. "Town Manager" means the Town Manager and the Manager's designee.
12. "Town service" means all departments, officers, and employees subject to these rules.
13. "Class" means a group of similar positions classified in one class or pay grade in the salary plan.
14. "Classified" means all positions within the Town protected under these rules with respect to all employment actions except the positions of Town Manager, Fire Chief, Police Chief, Magistrate, and Town Attorney.
15. "Competition" means the process leading to the identification of candidates for employment or promotional consideration, which includes the announcement of a vacancy, and a formal evaluation of applicants' qualifications.
16. "Conversion" means the non-competitive movement of an employee from a seasonal, part-time or temporary position to a permanent or Limited (grant- funded) position.
17. "Town Council" means the group of elected officials as council members.
18. "Covered position" means any position in the Town.
19. "Days" means calendar days unless otherwise stated.
20. "Demotion" means a change in the assignment of an employee for cause from a position in one class to a position in another class having a lower pay grade resulting from disciplinary action.
21. "Department" means any department, authority, or other governmental budget unit of the Town.
22. "Department Head" means the director or chief of any department of the Town.
23. "Disciplinary probation" means a probationary period used as a disciplinary measure to correct unsatisfactory work performance and may be the last step before termination.
24. "Emergency appointment" means an appointment made without regard to the recruitment, examination, certification, or selection requirements of these rules in response to a governmental emergency.
25. "Employee" means a probationary, regular, full-time, part-time, limited, temporary, or seasonal employee. The term "he" or "she" may be used without distinction to refer to either or both a male or female employee.
26. "Exempt" means an employee in a position that is exempt from overtime pay according to FLSA.
27. "Good standing" means the status of a former employee at the time of separation from the

- Town for reasons other than disciplinary or anticipated disciplinary action.
28. "Handicap" means a physical impairment that substantially restricts or limits an individual's general ability as defined in the American with Disabilities Act.
 29. "Limited" means a grant-funded position of limited duration.
 30. "Manifest error" means an act or failure to act, which is, or clearly has caused, a mistake of commission or omission to occur.
 31. "Non-classified" means employment positions at will of the Town Council, which are Town Manager, Fire Chief, Police Chief, Magistrate, and Town Attorney that do not follow the recruitment and disciplinary procedures outlined in these rules.
 32. "Non-exempt" means an employee in a position covered for overtime pay under FLSA.
 33. "Original probation" means the established period following initial appointment to the Town in a regular position for evaluation of the employee's work.
 34. "Participant" means all employees who are enrolled in the Town 's insurance programs.
 35. "Pay grade" means a salary level in the salary plan.
 36. "Pay status" means the condition of an employee who is receiving pay for work or for a compensated absence.
 37. "Plan Manager" means the Town Manager.
 38. "Promotion" means a permanent change in assignment of a permanent status employee from a position in one class to a position in another class having a higher pay grade.
 39. "Qualified" means meeting the minimum qualifications for a position as defined in the position description plus any special requirements that may be published for a position in that class.
 40. "Reclassification" means changing the classification of a position when a material and permanent change in duties or responsibilities occurs.
 41. "Reduction" means the non-appealable movement of an employee from one position to another in a lower pay grade as a result of a reduction in force.
 42. "Reemployment" means the appointment of a former regular status employee who was separated by a reduction in force or without prejudice.
 43. "Regular status" means the standing an employee achieves after the completion of an original probation.
 44. "Resident" means an individual who lives in the Town of Superior and gets hiring

preference in Town employment.

45. "Reversion" means the return of a promoted employee to a position in the class in which the employee held immediately prior to the promotion.
46. "Rules" means the Town of Superior personnel rules.
47. "Seasonal" means an appointment to a position for a limited period of time, not to exceed 1040 hours in any calendar year, which recurs on a seasonal or intermittent basis.
48. "Separation without prejudice" means the removal, without appeal rights, of an employee from the Town due to causes beyond the employee's control related to a serious health condition.
49. "Temporary" means an appointment to a full or part-time position, which is funded for a total of less than 1040 hours in a calendar year.
50. "Transfer" means the movement of an employee from one position to another position in the Town in the same pay grade.

TOWN OF SUPERIOR	
ARTICLE 1. GENERAL	
Purpose:	To establish the core rules that will guide the personnel policy
Applicability:	To the Town of Superior personnel policy.

HR-1-02. General Provisions

- A. Delegation of authority. A Department Head may delegate to an immediate subordinate any authority granted to the Department Head in these rules.
- B. Availability of funds. The granting of any compensation in these rules is contingent upon the availability of funds, as determined by the Finance Director and the Town Manager, and approved by the Town Council.
- C. Employment at will. The positions of Town Manager, Fire Chief, Police Chief, Magistrate, and Town Attorney are not covered by these rules for employment actions and employees in the positions of Town Manager, Fire Chief, Police Chief, Magistrate, and Town Attorney may be hired and terminated at the will of Town Council, and may have individual agreements negotiated with Town Council with respect to salary, severance, and other benefits according to Town Code.
- D. Employment. Nothing in these rules should be interpreted to mean that an employment contract exists between a classified employee and the Town. These rules are to facilitate equitable employment decisions and do not constitute a contract of employment between a classified employee and the Town of Superior.
- E. Conflict with federal requirements. Any provision of these rules which conflicts or is inconsistent with federal and/or state rules, regulations, or standards governing the granting of federal and/or state funds to the Town shall not be applicable to such fund- granting agency and does not invalidate the remaining portions of this document.
- F. Service of notice. If any notice or document is to be given to any person or department, the notice or document may be served personally or mailed to the last known residence or current business address of the addressee. Unless otherwise provided by law or these rules, service is complete upon mailing.
- G. Employee handbook. The Human Resources Director shall publish an employee handbook outlining pertinent rules and regulations and make such handbook available to all employees.
- H. The Personnel policy may be reviewed or amended by the Town Manager and the Town Council. A temporary amendment or change approved by the Human Resources Director and the Town Manager is binding and enters into effect when signed. Such temporary amendments will expire when the Town Council ratifies, changes, or revokes them.
- I. Correction of errors. The Human Resources Director may correct a manifest error or a clear inequity affecting an employee or an applicant for employment.

- J. It is the responsibility of the Human Resources Director to interpret and implement this personnel policy and communicate it to all employees by making it available to them.
- K. If these rules conflict with a department's standard operating procedures (SOPs), the rules or regulations in the SOPs supersede those listed herein.

TOWN OF SUPERIOR	
ARTICLE 1. GENERAL	
Purpose:	To define the application of the personnel policy.
Applicability:	To the Town of Superior personnel policy.

HR-1-03. Applicability

General. These rules are applicable to all covered employees and to all Town service positions including regular, full-time and part-time employees, contract employees, management, temporary, seasonal, and volunteer workers.

TOWN OF SUPERIOR	
ARTICLE 1. GENERAL	
Purpose:	To establish a nondiscrimination policy and to define common terms.
Applicability:	To all covered employees and to all Town service positions including contract employees, management, and volunteer workers.

HR-1-04. Nondiscrimination

- A. The Town of Superior shall not discriminate against an individual with respect to any employment decision such as to refuse or to fail to hire, to discharge, to discipline, and to reasonably accommodate an individual’s handicap because of such individual’s race, color, religion, sex, age, handicap or national origin. Furthermore, the Town shall not discriminate against an individual with respect to his compensation, terms, conditions or privileges of employment as stated in A.R.S. §§ 41-1461, 41-1463, and 41-1464.
- B. The Town shall not limit, segregate or classify employees or applicants for employment in any way, which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the individual’s status as an employee because of such individual’s race, color, religion, sex, age, handicap or national origin.
- C. The Town may apply different standards of compensation or different terms, conditions or privileges of employment pursuant to employee performance, evaluation, longevity, ability, applicant evaluation, or a bona fide employment reason provided that such differences are not the result of an intention to discriminate because of race, color, religion, sex, handicap or national origin.
- D. For the purposes of defining a handicap individual for this section, it means a qualified handicapped individual who can perform the basic functions of the position and who has an impairment that substantially limits one or more of the major life activities of the individual, has a record of such impairment, or is regarded as having such impairment and is capable of successfully performing the essential functions of the job under standard operating procedures. If needed, reasonable accommodations shall be provided as defined by the Americans with Disabilities Act.
- E. This section shall not be interpreted to require that the less qualified individual be preferred over the better qualified simply because of race, color, religion, sex, age, handicap or national origin.

TOWN OF SUPERIOR	
ARTICLE 1. GENERAL	
Purpose:	To establish a no harassment policy, define terms, and communicate procedures.
Applicability:	To all covered employees and to all Town service positions including contract employees, management, and volunteer workers.

HR-1-05. Non-harassment

- A. General. The Town of Superior shall promote a work environment free of harassment in which all individuals are treated with respect and dignity.
- B. The Town will not tolerate employee behavior that creates in others intimidation, coercion, hostile work environment and overall harassment on account of race, color, ethnicity, religion, age, sex or sexual orientation.
- C. Sexual harassment.
 - 1. Definition. Sexual harassment is defined as unwelcome or unwanted sexual advances, comments, requests for sexual favors, and any other verbal, visual, or physical conduct of a sexual nature, and is one or both of the following:
 - a. Quid pro quo. Submission to or rejection of this conduct by an employee is used as a factor in decisions affecting hiring, evaluation, retention, promotion, or any other aspects of employment (i.e. assignment of work, granting of leave)
 - b. Hostile work environment. This conduct reasonably could be expected to and does interfere with an individual's employment or creates an intimidating or hostile work environment.
- D. Employees are encouraged to report any harassing activities or behavior or alleged harassment to their supervisors or Department Heads, to the Human Resources Director, or the Town Manager.
- E. The Town shall not retaliate in any way against an employee who files a harassment complaint.
- F. Harassment accusations will be thoroughly investigated by Human Resources. If the prohibited behavior is found, disciplinary action will be taken up to and including dismissal. Confidentiality procedures will be followed.
 - 1. Complainant will be informed of harassment determination:
 - a. No harassment. Determination of no harassment found means that no adverse action shall be taken against accused harasser. If complainant is found to willfully, knowingly, and falsely accused alleged harasser with or without

intention to harm alleged harasser, the complainant may be severely disciplined up to and including dismissal.

- b. Harassment. Determination of harassment found means that complainant shall be reasonably and immediately protected from further harassment.
 - c. Indistinct. Indistinct determination means that the findings in the investigation were not clear to determine if harassment occurred or not. In most cases, one or both parties are found with some fault or there were misunderstandings. Disciplinary action may be taken against one or both parties. If appropriate, counseling and clarifying the events and misunderstandings to one or both parties may be the most adequate action.
 - d. If an employee is found to have committed harassment, disciplinary action will be taken, which may include any disciplinary measure up to and including dismissal.
 - e. If a non-employee is found to have committed harassment, the Town may be limited by the degree of control, if any, that we have over the alleged harasser, and our legal obligations. Appropriate action may include instruction or mediation, closing business with the non-employee, reporting the non-employee to her or his employer, reporting the non-employee to an appropriate agency, or any other appropriate action.
 - f. If any employee involved, either as the complainant or accused harasser, is dissatisfied with the determination, the employee may file a grievance under regular procedures.
- G. Human Resources will communicate reporting procedures to all employees and will work together with all the departments to train supervisors and employees to avoid harassing behavior.

TOWN OF SUPERIOR	
ARTICLE 1. GENERAL	
Purpose:	To define contents and access of personnel files.
Applicability:	To all covered employees.

HR-1-06. Personnel Records

- A. Content. Each employee's official personnel file will be kept in Human Resources under the responsibility of the Human Resources Director and each file shall contain:
1. A copy of the job application for the employee's current permanent position.
 2. A copy of all performance appraisal reports.
 3. A file of personnel action forms that have authorized changes in employment status, position, classification, pay, or leave status.
 4. Information and documents related to an investigation, accusation or complaint that resulted in disciplinary action against the employee.
 5. Letters of commendation or disciplinary letters, or objections filed thereto by the employee.
 6. Documents acknowledging receipt of disciplinary communications.
- B. Insurance records. Group insurance records and medical exam records will be contained in a separate employee medical file.
- C. Access. Access to any employee's official personnel file shall be limited to:
1. The employee or legal representative.
 2. Town personnel approved by the Human Resources Director and Town Manager/Clerk as having a need for such information. Exception: access to employee health files is limited to Human Resources employees.
 3. Human Resources employee in the normal line of duty.
 4. Officials acting in response to court orders or subpoenas after obtaining authorization from the Town Manager/Clerk.
 5. An official of an agency of the federal government, state government or any of their political subdivisions, but only when it is deemed by the Human Resources Director and the Town Manager/Clerk as appropriate to a proper function of the official requesting access.
 7. For purposes of subsection (C) of this Section, an official is one who provides identification verifying that he is exercising powers and duties on behalf of the chief administrative head of a public body.

D. Purging of documents and files. At the discretion of the Human Resources Director, files and documents may be purged from time to time. Record keeping requirements of federal and state law shall be observed.

E. Disclosure of information. The Human Resources Department may provide the following information to any person about a current or former employee. The request may be required in writing authorized by the employee or former employee.

1. Name of employee.
2. Date of employment.
3. Current and previous class titles and dates received.
4. Name and location of current and previous agencies to which the employee has been assigned.
5. Current and previous salaries and dates of each change.
6. Name of employee's current or last known supervisor.

The employee or former employee may request the Human Resources Director to disclose additional information to a third party by submitting a signed, written request.

F. Access to other files. The presence of copies of any item listed in subsection (A) in any other informational file concerning an employee shall not in itself confer upon such employee any right of access to such file.

G. Control.

1. Personnel records are available for review as authorized in (C) of this section in the presence of the Human Resources Director only; employees or their representatives shall not remove any documentation to these files. Employees or their representatives may request a copy of any or all the contents of their files by filling out a public records request form.
2. Changes in name, address, telephone number, marital and legal status, insurance data, beneficiary, tax exemptions, new or renewed licenses or certificates required to work, copies of education transcripts or certificates completed after date of hire that are relevant to the employee's position or paid by the Town are to be reported to Human Resources within 10 days of the change.
3. Separate files may be maintained for staff timesheet reports, leave requests, overtime, workers compensation, employee travel, and other files as required to facilitate record keeping, reporting, and compliance with government agencies.

ARTICLE 2. EMPLOYMENT

Section

HR-2-01. Employment HR-2-2. Recruitment

HR-2-03. Applicant Evaluation

HR-2-04. Applicant and Employee Testing and Medical Exams

HR-2-05. Identification and Selection of Candidates

HR-2-06. Appointment

HR-2-07. Employment of relatives

HR-2-08. Changes in assignment

HR-2-09. Probation

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish fair and competitive employment practices.
Applicability:	To all covered positions.

HR-2-01. Employment

- A. General. The Town of Superior employment process shall ensure open competitive practices in recruitment, selection, and placement of qualified candidates based on knowledge, skills, and abilities, overall qualifications, and overall fitness for employment with the Town.
- B. Waiver of rules. The Town Manager or the Town Council may implement temporary procedures or waive any policy in this article if essential public services are being hampered by critical employment needs for a specific class or position.

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish the recruitment procedure for the hiring of Town employees.
Applicability:	To all classified positions.

HR-2-02. Recruitment

- A. Filling of vacancies. In general, vacancies shall be filled through open competitive recruiting.
1. Residency in the Town of Superior is preferred. This applies to current employees, new hires and applicants.
 - a. Applications of applicants residing outside the U.S. shall not be considered.
 - b. The Town Manager may grant a temporary exception of residency requirements to a selected candidate, residing in the U.S. outside the 25 miles from Superior, provided the new employee establishes his residency in Superior within 6 months from the date of hire.
 - c. Applicants and candidates who are Superior residents shall receive preference over equally qualified applicants and candidates who reside outside of the Town limits. The preference shall consist of preference points on the assessment of the application form and in the overall score of the candidate and may not exceed 10 percent of the total possible points.
 - d. Employees who are not covered by a temporary exception and violate residency requirements shall be terminated.
 2. Human Resources will fill vacancies for positions and establish a procedure for announcing open vacancies, which may include internal posting, placing job order with state's job service office, and advertisements in local or area media outlets.
 3. Human Resources Director shall implement the use of employment applications, resumes, or alternative forms that provide the information to analyze the qualifications and suitability of an applicant and may review and change such forms when needed.
- B. Reemployment. Former employees who were laid off due to a reduction in force or elimination of position or were terminated without prejudice may request to be put on a hiring list for any opening for which they may be qualified for consideration before opening the vacancy to the public. They are eligible for reemployment consideration for up to 1 year after their termination date. Reemployment candidates may compete for a position internally with promotional candidates.
- C. The hiring of former Town employees who do not qualify for reemployment as described in (B) of this section shall be handled the same as any other applicant with the exception of a former employee who was discharged for cause or resigned to avoid a possible termination shall not be

eligible for employment.

- D. Administration. The Human Resources Director shall establish procedures for maintaining and keeping all resumes, applications, tests, test results, records, correspondence, and other documents used to seek employment in the Town.

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish a policy for periodic and regular employee evaluations.
Applicability:	To all classified employment positions.

HR-2-03. Applicant Evaluations

- A. Competitive evaluations. Human Resources shall establish open competitive evaluation procedures.
- B. Criteria for evaluation. The basis for evaluation of an applicant shall be the knowledge, skills, and abilities required for the position as identified in the job description or the position description. The same criteria shall be used to evaluate all applicants for a position.
- C. Only applications submitted during the announcement period for open positions or open continuously positions should be considered.
- D. Human Resources will disqualify any applicant that, according to the application, resume or assessment form filed, does not meet the minimum qualifications. The top candidates will be invited for a panel interview or further evaluation.
- E. Each new appointment, including and temporary appointments, will be subject to the Town's review of criminal history record provided by the Arizona Department of Public Safety. This will require that each employee submit to being fingerprinted by the Town's Police Department. An applicant's criminal history may be grounds for rejection if it is job-related and consistent with business necessity.
- F. Evaluations. Human Resources shall establish an evaluation procedure to determine a candidate's ability to perform the duties and responsibilities of the position for which the person is being considered for employment. A department shall not administer any evaluation technique or any combination of techniques other than job-related selection interviews without prior written approval from Human Resources Director.
- G. Interviewing of candidates should be done by a panel made up of 3 or more interviewers that may include but may not be limited to Department Heads, supervisors, Council members, and at least one interviewer from Human Resources.

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish a drug testing and ability testing policy for prospective and current employees.
Applicability:	To all classified and unclassified employees, including contracted employees, management, and volunteers.

HR-2-04. Applicant and Employee Testing and Medical Exams

- A. Candidate Testing. In determining qualifications, Human Resources or the hiring department may use written and performance testing such as evaluation, tests, examinations, interviews and other assessment tools.
1. All methods of candidate evaluation and work-related reason for the method of evaluation, tests, examinations, interview questionnaire, or assessment tool should be submitted in writing to Human Resources for approval prior to its implementation.
 2. Human Resources shall implement standard methods of candidate evaluation and make them available to the hiring department.
 3. A candidate may inspect the answers to a written test and request in writing the score within 7 calendar days of the test.
 4. A candidate may not retake a performance test for the same vacancy position unless the same position is closed and reopens.
 5. A candidate's refusal to undergo testing or assessment of approved methods shall be disqualified from competing for the position.
- B. Due to bona fide employment or safety reasons, candidates and employees may be required to undergo medical examinations performed by licensed medical professionals or institutions at Town expense. Such medical exams require approval from Human Resources and may include physical examinations, psychological evaluation, and illegal drugs and alcohol testing.
1. Employee time spent during medical examinations and en route to and from the medical facility is considered work time and should be scheduled during regular working hours when possible.
 2. Employees may be eligible for mileage reimbursement for use of their own vehicles according to the Town's travel policy.
 3. Refusal to take or failure to pass a required medical examination will result in disqualification of a candidate and in disciplinary action of an employee up to and including dismissal.
 4. Temporary or seasonal employees may be exempted from physical and

psychological examinations with approval of the Town Manager. No exceptions will be made for temporary and seasonal employees or candidates with respect to illegal drugs and alcohol testing if other employees or candidates in the same class or circumstances are required to test.

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish selection procedures that ensure fair employment practices.
Applicability:	To all classified employment positions.

HR-2-05. Identification and Selection of Candidates

A. Human Resources disqualifies ineligible applicants, evaluates candidates for a position based on their application or assessment form filed, makes list of candidates who possess the knowledge, skills, and abilities required for the position, forms the interviewing panel and recommends evaluation tools for the position, and presents the panel with candidate list and arranges for interviews.

1. A candidate list for internal recruiting may contain:

- a. Reemployment candidates
- b. Regular full-time employees of the Town

2. An external candidate list may contain any combination of qualified candidates.

B. Selection.

1. The hiring department may non-competitively select any qualified reemployment, or transfer candidate to fill a position.
2. If the Department Head does not select a reemployment or transfer candidate, a minimum of 3 candidates, if available, should be interviewed before making a selection.
3. The Human Resources Director shall establish procedures to check references or investigate a candidate's background, education, or work history as appropriate for the position.
4. The Town shall not discriminate an applicant or candidate in the selection process, compensation, terms, conditions or privileges of employment because of the applicant's or candidate's race, color, religion, sex, age, handicap or national origin.
5. The Town shall not limit, segregate or classify employees, applicants, or candidates for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the individual's status as an employee, because of such individual's race, color, religion, sex, age, handicap or national origin (ARS41-1463).

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To define the appointing authority and define the types of appointments in the Town.
Applicability:	To all classified employment positions.

HR-2-06. Appointment

A. General. The appointment or job offer to the selected candidate is made by Human Resources.

B. Types of appointments.

1. Regular full-time appointment. A regular-appointment employee who successfully completes an original probation period acquires the rights of regular status.
2. Seasonal appointment.
 - a. A seasonal appointment may be made for a recurring period of time up to a maximum of 1040 hour per calendar year. Seasonal employees may work full time or part-time. Seasonal appointments have no appeal rights.
 - b. Part-time. A part-time employee who works less than 31 hours per week and is not a temporary, or emergency employee. Part-time employees are seasonal employees and may work up to a maximum of 1040 hour per calendar year. Part-time appointments have no appeal rights.
3. Temporary appointment. A temporary appointment is for temporary positions of short duration full or part-time to cover temporary staffing needs not to exceed a total of 1040 hour per calendar year. Temporary appointments have no appeal rights.
4. Limited appointment. Limited positions are grant-funded positions that are temporary in nature. When the funds end, the position ceases to exist, and the employee is laid off without right of appeal. Normal selection and employment procedures are followed, including probationary period. Employees hired for these positions will be so advised and required to sign a statement that they understand this provision and that they have no appeal rights if laid off due to lack of funding or removal of the position.
5. Emergency appointment. Appointments shall be at the discretion of the Town Manager when an emergency situation arises that threatens disruption of public services. The Town Manager shall determine when an emergency exists and report all emergency appointments to Town Council.

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish an anti-nepotism policy and define the degree of affinity and consanguinity affected by the policy.
Applicability:	To all classified and unclassified employment positions.

HR-2-07. Employment of Relatives

- A. Relationship to supervisor. An individual shall not be appointed or promoted to a position if the immediate supervisor of the individual is related within the 3rd degree of affinity (marriage) or consanguinity (blood).
- B. Exceptions. The Manager may grant an exception to the prohibitions in subsections (A) and (B) for employees hired prior to the effective date of this policy.
- D. Definition. For the purpose of this Section, persons related by blood or marriage within the 3rd degree include a spouse, child, parent, grandchild, grandparent, sister, brother, great grandchild, great grandparent, aunt, uncle, niece, or nephew. As stated in this section, all relationships acquired by marriage or affinity to the 3rd degree including but not limited to sister-in-law, brother-in-law, father-in-law, and mother-in-law.

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish a fair and competitive policy of internal promotions and transfers.
Applicability:	To all classified employment positions.

HR-2-08. Changes in Assignment

A. Promotion.

1. In general, Town promotions shall be competitive not only within the department but within Town service.
2. A Department Head may promote a regular full-time employee who works in his/her department if the skills needed for the new position are so specialized that it would be highly unlikely that another individual working for the Town may have them; and it requires approval of the Town Manager.
3. Only regular status employees who successfully completed their original probation may compete for internal promotions.
4. Probationary employees (original, and disciplinary) may not compete for an internal promotion.
5. An internal promotion list would only contain regular employees who have successfully completed their probation and reemployment candidates.
6. Employees wishing to compete for a promotion should file with Human Resources a promotion/transfer form listing their present responsibilities and any other relevant experience or education. Reemployment candidates should file a new employment application or approved assessment form.
7. Criteria for evaluation. The basis for evaluating promotional candidates for a promotion list shall be the knowledge, skills, and abilities required for the position. Employment longevity with the Town is not an evaluation factor. The same criteria shall apply to all applicants.

B. Transfer.

1. General. The Town may transfer an employee to a similar position or to another department in a position in the same pay grade.
2. Intra-department transfers. An employee may transfer to a position in the same pay grade in another department, upon request by the employee and approval of both the gaining and losing Department Heads. Transfer request forms shall be submitted to Human Resources.

3. Qualifications. An employee shall possess the knowledge, skills, and abilities required for the position as identified in the class specification or the position description questionnaire for the position to which transferred. An employee in original or disciplinary probation may not request a transfer, but may be transferred at the initiative of Department Head or the Town Manager.

E. Voluntary grade decrease. An employee may request a permanent change in assignment to a position with a lower pay grade. The employee shall possess the knowledge, skills, and abilities required of the new position. The new position has to be available. The employee may be asked by the Department Head to serve an original probation if the employee has never successfully completed probation in that position. An employee is not eligible to grieve or appeal an approved voluntary pay grade decrease.

F. Demotion. An employee may be demoted to a lower pay grade for disciplinary reasons.

TOWN OF SUPERIOR	
ARTICLE 2. EMPLOYMENT	
Purpose:	To establish a probationary period of classified employees and to define the types of probation.
Applicability:	To all classified employment positions.

HR-2-09. Probation

A. Types of probation. *Original probation and disciplinary probation* are the only types of probation.

B. Original probation.

1. Duration. The original probationary period is 6 months of actual Town service for most Town positions. All police and fire positions require a 1 year probationary period of actual Town service. Probationary periods may be extended as stated in (B)(2) of this section.

2. Extensions.

- a. A Department Head may extend an original probation for up to an additional 6 months for employment-related reasons.
- b. The probationary period shall be extended for any period for which a probationary employee is on leave without pay for more than 80 consecutive working hours. If original probation is extended for this reason, the employee's probation will not exceed the period of actual Town service required for the probationary period plus the period of time of unpaid leave.

2. Completion of probation.

- a. A supervisor shall evaluate a probationary employee and submit a report to Human Resources before expiration of the employee's probationary period. If the Department Head takes no action to extend the probationary period or to terminate the employee, the Town shall grant permanent status to the employee upon completion of the probationary period.
- b. If the Town determines at any time during an original probationary period that the services of a probationary employee are no longer required in that position for any reason or for no reason, the Town may dismiss the employee without prejudice, without a stated reason, and without the right of appeal, providing the employee a letter of dismissal from Human Resources.

D. Disciplinary probation.

1. Duration. A permanent-status employee or a limited-status employee may be placed in disciplinary probation as a disciplinary action. The period of disciplinary

probation may vary from 30 days to 180 days and may be extended for the same length of time as approved leave of absences.

2. Procedure.

- a. An employee placed in disciplinary probation shall be informed in writing of the offense or behavior that caused the need for discipline, and the length of the disciplinary probation period.
- b. Prior to completion of disciplinary probation, the supervisor shall meet with the employee to discuss the employee's performance.
- c. Within 5 working days of the ending date of probation, the supervisor advises the employee and Human Resources of the successful or unsuccessful completion of probation.
- d. If the employee completes probation unsuccessfully, the employee is terminated with cause and has appeal rights.

E. Reemployment. When an employee is reinstated or reemployed, the Department Head:

1. May require the former employee to complete an original probation.
2. Shall require the former employee to complete an original probation if the former employee is reemployed in a position other than the position the employee previously held.

ARTICLE 3. CLASSIFICATION AND COMPENSATION

Section

HR-3-01. Classification HR-3-02. Salary Plans

HR-3-03. Salary Administration

HR-3-04. Performance-based Salary Adjustments

HR-3-05. Overtime Pay and Compensatory Leave

HR-3-06. On-call Assignment

HR-3-07. Travel

TOWN OF SUPERIOR	
ARTICLE 3. CLASSIFICATION AND COMPENSATION	
Purpose:	To describe procedure for classifying positions by job duties and responsibilities.
Applicability:	To all classified employment positions.

HR-3-01. Classification

- A. General. The Human Resources Director shall group positions into classes or pay grades based on similarities of duties and responsibilities. All positions are assigned a position description with a specific title. Human Resources is the department with the authority provided by the Town Manager to appoint, transfer, promote, or demote an employee, suspend, terminate, or make any change in salary for any classified position.
- B. Class title. A department shall use the position title to designate the position in all budget estimates, payrolls, vouchers, and communications in connection with personnel processes.
- C. Job description. A job description indicates the duties and responsibilities described for that position. Each job description shall contain a statement of the education, experience, knowledge, skills, abilities, and other qualifications required to perform the work. Required postsecondary education shall be attained in an institution that meets the standards established by a recognized accrediting body.
- D. Change in classification plan. The Manager may establish new positions and divide, combine, alter, or abolish existing pay grades or classes.
- E. Allocation. The Town Manager shall place every position in a class or pay grade based on its duties and responsibilities.
- F. Exempt and non-exempt positions. Human Resources shall establish exempt and non-exempt positions according to the Fair Labor Standard Act of 1938 (FLSA) and shall review them periodically and may change the exempt or non-exempt status of a position or an employee as appropriate to comply with FLSA. The Department of Labor who administers FLSA or a labor attorney may be consulted for clarification or recommendation.
- G. Change in job duties. If a material and permanent change takes place in the duties and responsibilities of a position, the Department Head shall report this change to the Human Resources Director or Town Manager who may order a reclassification of the position. The employee in the position at the time of reclassification is entitled to continue to serve in the position.

TOWN OF SUPERIOR	
ARTICLE 3. CLASSIFICATION AND COMPENSATION	
Purpose:	To establish authority of the salary plan and the existence of a minimum and maximum pay grade for a position.
Applicability:	To all classified employment positions.

HR-3-02. Salary plans

- A. Pay plan. The Manager will establish, and Town Council shall approve a competitive pay plan with procedures for assigning salaries and shall review it periodically as economic, government, and industry factors dictate.
- B. Authority.
 - 1. Town Council shall approve a salary plan and related budget and may change, modify or add other incentive pay including but not limited to performance increases, skills pay, and cost of living increases.
 - 2. The Town Manager or authorized designee shall implement the salary plan and any other incentive pay to individual employees or classes.
- C. Pay grades. Human Resources shall allocate each position to a specific pay grade or rate.
- D. Salary. The base salary of an employee shall not be less than the minimum nor more than the maximum of the pay grade to which the employee's position is allocated.
- E. Alternative salary plan. The Council may approve a special salary plan and pay practice for or for a certain class or group of employees. In approving a special salary plan, Town Council shall consider factors such as occupational patterns, economic conditions, and incentive plans common to government, business, and industry.
- F. Hiring bonus. The Manager may authorize the payment of a hiring bonus not to exceed 7% of the minimum entry salary to attract a new employee when there is:
 - 1. A shortage in the labor market; and
 - 2. Recruitment or retention difficulty; and
 - 3. A requirement for a unique, critical skill; and
 - 4. To fill an exempt position
- G. Town Manager may offer a salary below the minimum rate within a pay grade if:
 - 1. Economic conditions allow for a surplus in the job market; or
 - 2. The Town faces budget restraints; or

3. An applicant with less training and/or experience than the minimum job requirement is deemed viable for the position. In the case of (3) only, the employee may work their way to the minimum of the pay range through on the job training and experience.

TOWN OF SUPERIOR	
ARTICLE 3. CLASSIFICATION AND COMPENSATION	
Purpose:	To establish policy of salary administration for entry salaries for new hires, demotions, promotions and transfers and other employment situations requiring the allocation of a starting salary.
Applicability:	To all classified employment positions.

HR-3-03. Salary Administration

A. Salary. The salary of an employee shall be not less than the minimum nor more than the maximum of the pay grade of the position to which the employee's position is allocated except for:

1. The salary of an employee that exceeds the maximum salary of the pay grade of a class due to a downward reclassification of the employee's position;
2. The salary of an employee that exceeds the maximum salary of the pay grade of a class due to a change of the class to a lower pay grade;

B. Salary adjustment. The salary used to compute an adjustment covered in this Section is the employee's base salary not including overtime pay, shift differential, special performance adjustment previously granted, skills pay, or pay for other special situations. Following an adjustment to the base salary, a department

C. shall add to the new rate of pay any special pay situation still valid.

C. Administrative adjustment. Subject to available funding, the Manager may approve a pay adjustment to:

1. Resolve a manifest error;
2. Increase the base salary of a supervisor that is below the base salary of a subordinate;
3. Correct an inequity; or
4. Increase a transferred employee's base salary based upon documentation of recruitment difficulties to fill the position, specific needs identified by the department, or the employee's education, experience, knowledge, skills, and abilities.

D. Classification or pay grade changes.

1. The base salary of an employee in a position that is reclassified to a position with a higher pay grade, or in a class that is allocated to a higher pay grade, shall be

increased by 2.5%. If increasing the base salary of an employee whose position is reclassified to a class allocated to a higher pay grade would result in a salary level that is less than the entrance salary or greater than the

maximum salary of the pay grade, the employee's salary shall be the entrance salary or the maximum salary of the pay grade, respectively.

2. The base salary of an employee shall remain the same if the employee's position is reclassified to a position with a lower pay grade, or is in a class that is allocated to a lower pay grade, and is:
 - a. Within the salary range of the new pay grade, or
 - b. Greater than the maximum salary of the new pay grade.
3. In the situation described in subsection (D)(2)(b), the employee is not eligible for a general salary adjustment or performance based salary adjustment until the employee's salary is less than the maximum salary of the new paygrade.

E. Demotion. An employee who has a change in assignment for cause from a position in one class to a position in another class having a lower pay grade shall receive a salary decrease. The employee's salary shall be within the range of the new pay grade. Employees, who request a demotion or are demoted due to a disciplinary action go back to their former pay grade if they are demoted to the same or similar position or to the minimum entry salary of the lower position.

F. Basic hiring rate. A new employee may be paid a salary up to the midpoint of the pay grade established for the class to which the employee is appointed. The basic hiring rate for a qualified applicant is the minimum entry salary and may be up to the midpoint of the pay grade based on factors such as the applicant's education, experience, knowledge, skills, or abilities, the availability of qualified applicants, or the applicant's earning history. Human Resources will establish procedures under the Pay plan to assign numerical amounts or percentages for the factors mentioned above.

G. Special recruitment rate. The Manager may establish a special recruitment rate for a position up to the midpoint of the pay grade when:

1. It is not possible to recruit a qualified employee at the established basic hiring rate; or
2. Competitive starting salaries for the class exceed the established basic hiring rate.

H. Promotion.

1. A permanent status employee who has a permanent change in assignment from a position in one class to a position in another class having a higher pay grade shall

receive a salary increase of 5%. If the increase in the employee's salary results in a salary that is less than the entrance salary or greater than the maximum salary of the new pay grade, the employee's salary shall be within the range of the pay grade.

2. Human Resources may authorize a salary increase for a qualified employee that is greater than the percentage listed in subsection (H)(1), based on factors such as the unusual and outstanding character of the employee's education, experience, knowledge, skills, or abilities, the availability of qualified applicants, or the applicant's earning history.
3. A promoted employee may accept a lower salary in the new pay grade than is otherwise authorized if fiscal constraints prohibit the granting of the normal promotional increase and the new salary is not less than the entrance salary of the new pay grade.

I. Reduction in force. The salary of an employee who is reduced to a class in a lower pay grade due to a reduction in force remains the same even if the salary is higher than the maximum salary of the new pay grade. Unless the employee's salary is less than the maximum of the new pay grade at a later date, the employee is not eligible for a general salary adjustment or a performance increase.

J. Reemployment.

1. The salary of a former Town employee who is reemployed—the employee was laid off or separated without prejudice and is reinstated to Town service within 1 year—may:
 - a. Be the same salary as that paid when separated,
 - b. Not exceed the maximum salary of the pay grade, and
 - c. Not be less than the entrance salary of the pay grade.
2. A former employee under reemployment may accept a lower salary in the pay grade than is otherwise authorized if fiscal constraints prohibit the granting of the former salary and the salary is not less than the entrance salary of the pay grade.
3. The salary of a former Town employee other than as described in (J)(1) of this section is the same as for new employees and in no case will be more than the midpoint.

K. Reversion. An employee who is promoted and returns to the former position or to another position in a class in a lower pay grade shall be paid the same salary as that paid at the time just before the promotion, plus the percentage or dollar amount of increase of an intervening general salary adjustment or special market adjustment for which the employee is eligible, and the dollar amount of a performance increase that the employee received at the higher grade, if any.

L. Shift differential. The Town Manager may authorize a shift differential to be paid to an employee on other than a day shift. The Town Manager shall establish a competitive shift differential rate periodically based on an annual survey of the market place. Employees in the same class in the same department who work on the same shift shall

receive the same shift differential rate. The Manager may decide not to establish a shift differential.

M. Temporary Assignments. An employee temporarily assigned to cover another position of higher or lower grade or assigned to assume some of the duties of a higher or lower pay grade shall remain at the employee's regular rate of pay. For the purposes of this section, a temporary assignment may last from a fraction of a day to 3 months. When an employee is assigned to a temporary assignment that lasts longer than 3 months or of an indefinite nature where the supervisor cannot reasonably foresee an ending date for the assignment, the employee may receive the entry salary of the position or 5% increase from the employee's rate of pay, whichever is higher. The new wages have to be within the maximum rate for the temporary assignment.

N. Transfer. The salary of an employee who is transferred from a position to a similar position or to another class in the same pay grade shall be the same salary as that paid before the transfer unless the provisions of subsection (C)(4) apply.

O. Voluntary Pay Grade Decrease.

1. A permanent status employee who volunteers for a pay grade decrease shall be paid a salary decreased by an amount equal to the midpoint of the pay grade held before the pay grade decrease multiplied by 7.0% and then deducted from the employee's current base salary. If the decrease in the employee's salary is less than the entrance salary or greater than the maximum salary of the new pay grade, the employee's salary shall then be within the range of the new pay grade.
2. An original probationary employee who volunteers for a pay grade decrease shall be paid the basic hiring rate of the new pay grade.

TOWN OF SUPERIOR	
ARTICLE 3. CLASSIFICATION AND COMPENSATION	
Purpose:	To establish a policy and define authority to administer performance-based salary adjustments.
Applicability:	To all classified employment positions.

HR-3-04. Performance-based Salary Adjustments

- A. Performance-based salary adjustment limits. Subject to Town Council appropriation, the Town Manager shall determine employee eligibility and the minimum and maximum percentage for a performance-based salary adjustment.
- B. Performance-based salary adjustments.
 - 1. Human Resources shall issue performance-based salary adjustment guidelines and apply them.
 - 2. All employees who are working for the Town on the date listed in the guidelines and meet the criteria listed in the guidelines are eligible for a performance-based salary adjustment that takes effect on the date set in the guidelines.
 - 3. A performance-based salary adjustment may not raise the base salary of an employee beyond the maximum salary of the paygrade.
 - 4. An employee may not receive a performance-based salary adjustment greater than the percentage limit set in the guidelines issued by the Town Manager.
- C. Special performance adjustment. An employee who is not due for a regular performance-based salary may be eligible for a special performance adjustment at the discretion of the Town Manager. A special performance adjustment may be made for a new or existing employee whose salary does not correspond to his experience and knowledge, for extraordinary achievement of an employee, or for other extraordinary circumstances. The special performance adjustment shall not go over the maximum rate for the position.
- D. The Town Council may approve a special skill pay for specific positions or departments.
 - 1. These payments, just as any other benefit or increase, shall not be automatic and will depend on budgetary or financial constraints. Town Council may decide on a periodic basis if such special skills pay will take effect.
 - 2. The special skills pay may be paid for any one or more parts of the fiscal year, for any one or any combination in whole or in part of several fiscal years, and may be modified, suspended or cancelled. The Town is a whole entity, and if skills pay is approved for several positions or departments, payments shall be made to all qualified recipients. If available funds are insufficient, Town Council may
 - a. Distribute available funds among all qualified employees at a reduced rate

b. Modify, delay, suspend, or cancel skills pay

- G. If Town Council decides to implement any type of employment-related freeze such as hiring freeze, performance increase freeze, or pay grade freeze, such freeze actions automatically cancel skills pay. Provisions for employee performance increases, regular hiring practices, and a competitive pay grade list shall be active before any skills pay can be considered.
- H. The decision of Town Council is final, and employees have no right of appeal.
- I. If an employee is only eligible to receive skills pay during a portion of the approved period, the skills pay amount may be prorated at the discretion of the Finance Director.
- J. To be eligible to receive skills pay, an employee must be actively employed when skills pay is issued.

TOWN OF SUPERIOR	
ARTICLE 3. CLASSIFICATION AND COMPENSATION	
Purpose:	To define overtime pay and compensatory leave and establish positions entitled to overtime pay as defined by FLSA.
Applicability:	All Non-Exempt employment positions.

HR-3-05. Overtime Pay and Compensatory Leave

- A. Approval of overtime work. A Department Head may require that an employee work overtime and require an employee to take accumulated compensatory leave within the fiscal year during which the leave was earned:
1. Shall approve in advance all work in excess of 40 hours per workweek, 212 hours per 28-day work period for firefighter positions, or in excess of a work period as defined by the Fair Labor Standards Act (FLSA); 29 U.S.C. 203, and
 2. May assign an employee who volunteers for overtime before mandatory overtime is required.
- B. Exemptions. Human Resources Director shall determine exemptions from minimum wage and maximum hour requirements in accordance with the Fair Labor Standards Act, 29 U.S.C. 213 and establish exempt and non-exempt positions.
- C. Non-exempt employees.
1. The Town shall compensate an employee in a non-exempt position who works in excess of 40 hours per workweek, for fire personnel who work an excess of 212 hours in a 28-day work period, or in excess of a work period as defined by the FLSA by either:
 - a. Additional pay at the rate of 1 1/2 times the employee's regular rate for each excess hour worked, or,
 - b. Compensatory leave at the rate of 1 1/2 hours for each excess hour worked.
 2. The supervisor shall select either overtime pay or compensatory leave for overtime compensation.
- D. Exempt employees. An employee in a position that is exempt from overtime under FLSA, who works in excess of 40 hours per workweek or in excess of an established work period shall not be eligible for overtime pay or compensatory pay.
- E. Hours worked. Only hours worked in excess of 40 hours during the employee's regular workweek or in the case of fire personnel, in excess of their regular number of hours during their regular work period count toward overtime pay and compensatory leave.

1. Holiday pay, vacation pay, on-call pay, or compensation leave do not count toward hours worked to determine overtime pay or compensatory leave.
2. Sick leave and any other type of leave do not count toward hours worked to determine overtime pay or compensatory leave.

F. Payment.

1. The Department Head shall require an employee to take accumulated compensatory leave within the next pay period in which the leave was earned.
2. Compensatory leave that is not taken within the time described in (1) above must be paid at the appropriate overtime rate.
3. A department shall pay an employee who has unused compensatory leave at the time of separation for each hour of compensatory leave at the employee's final base salary.

TOWN OF SUPERIOR	
ARTICLE 3. CLASSIFICATION AND COMPENSATION	
Purpose:	To establish on-call duty as non-work time and define guidelines to provide consideration for employees on-call.
Applicability:	To non-exempt positions approved for on-call duty.

HR-3-06. On-call Assignment

A. Authority. A Department Head may assign an employee to on-call assignment when the Department Head considers such action to be in the best interests of the Town.

1. The Department Head may request that a classification be approved by the Town Manager as eligible for on-call pay subject to the availability of funds.
2. The Department Head shall certify that the functions or services performed by the positions within the class assigned to on-call assignment require an employee to be available to answer calls and/or report to work to protect the public health, safety, or welfare or in emergency situations via telephone, beeper, or other notification method at a time when the employee is not scheduled to work.

B. Rate of Pay. The rate of pay for on-call assignment shall be determined by the Town Manager. Payment for on-call assignment is a stipend and does not represent hours worked per 29 CFR 785.17.

C. Pay Administration

1. Once a class has been approved as eligible for on-call pay, payment begins when a person is required to be available to answer calls and/or report to work. On-call assignment ends in accordance with the standards set forth in subsections (C)(2)(a) and (b) below when an employee enters regular work status while performing a work assignment as stated in (C)(2)(a), (b) and (c), and shall resume on-call assignment upon completion of the work assignment if returning to on-call status.
2. Upon reporting to work as a result of a call to duty as specified below in (a), (b), and (c), an employee shall be paid at the regular rate of pay if the employee has worked fewer than 40 hours during the normal workweek. If the employee has worked 40 hours during the normal workweek, the employee shall receive, as appropriate, overtime pay or compensatory leave if the employee's position is eligible for such overtime compensation.
 - a. Regular rate of pay will begin at the time the employee reports to the regular work site and will continue through completion of the work assignment.
 - b. If the employee is ordered to report to a location other than the regular work site, regular rate of pay will begin at the time the employee is ordered to report to work and will continue through completion of the work assignment and a reasonable return transit time.

c. If the employee conducts business via telephone, etc., without reporting to a work site, regular rate of pay will begin at the time the employee begins the work assignment and will continue through completion of the work assignment.

3. Time on-call shall not be used to determine eligibility for overtime compensation.

D. Department procedures. A department that places employees on call shall adopt an on-call assignment procedure pursuant to this rule. Each department will submit its proposed on-call assignment procedure and any subsequent changes to the Town Manager for approval and to Human Resources. The procedure shall include as a minimum:

1. Methods of scheduling employees for on-call assignments;
2. Notification procedures, including use of pagers;
3. Criteria to determine when on-call duty ends and resumes;
4. Requirement that any on-call duty pay shall be reported and paid together with other earnings in the pay period for which it is earned.

E. On-call assignment requirements. An employee on-call assignment shall be able and available to immediately answer a call to duty as follows:

1. an employee on-call assignment is to remain sober and to abstain from consuming alcoholic beverages and other intoxicating substances that may impair his ability to work.
2. an employee on-call assignment shall notify the Police Dispatcher if the employee is at a different location or telephone number.
3. an employee must be able to respond to calls within a twenty-minute time period.
4. on-call assignment is required of all employees assigned to a position approved for on-call assignment unless otherwise determined by the supervisor or Department Head.
5. a supervisor or Department Head shall schedule and advise employees in advance for on-call assignments. A supervisor may excuse an employee from on-call assignment, may reassign the on-call assignment to another employee or modify an employee's schedule.
6. an employee on-call assignment who fails to keep the dispatcher informed of location and telephone number, fails to respond to a call, or is under the influence of alcohol or its aftereffects when called to duty shall not receive on-call pay for that week and may receive disciplinary action up to and including dismissal.

TOWN OF SUPERIOR	
ARTICLE 3. CLASSIFICATION AND COMPENSATION	
Purpose:	To establish a policy for travel reimbursement expenses and to define in-travel status.
Applicability:	To all covered employees and to all Town service positions, classified and unclassified, including but not limited to volunteers, management, and contract employees.

HR-3-07. Travel

Travel reimbursement is not a payment but an employee’s reimbursement of travel expenses for travel assigned by the Town and shall not be considered wages. The following guidelines apply:

1. Reimbursement is for approved travel only which was for business reasons.
2. When possible, the use of the most economical mode of transportation should be used and not the employee’s convenience.
3. The use of Town vehicles should be considered before an employee is authorized to use their personal vehicle. The supervisor must approve the use of an employee’s personal vehicle prior to travel.
4. Mileage reimbursement shall be the amount authorized by the federal government under the Internal Revenue Service in the computation of mileage reimbursement. Employees claiming mileage reimbursement must submit log form to supervisor for approval and then forward it to the Finance Department.
5. The lodging allowance and meal per diem shall be determined in advance in a schedule approved by the Finance Director and the Town Manager.
6. Travel arrangements including per diem, lodging, and transportation advance or reimbursement must be approved in advance by the Department Head, the Town Manager, and the Finance Director.
7. Employees are allowed reimbursement of one call home per day when out of town in business.
8. Employees shall not purchase, request advance or reimbursement for alcohol products from Town funds.

ARTICLE 4. BENEFITS

Section

HR-4-01. Benefit Administration

HR-4-02. Training

HR-4-03. Holidays

HR-4-04. Vacation Leave

HR-4-05. Sick Leave

HR-4-06. Industrial Leave

HR-4-07. Civic Duty Leave

HR-4-08. Military Leave

HR-4-09. Administrative Leave

HR-4-10. Bereavement Leave

HR-4-11. Leave for Serious Health Conditions

HR-4-12. Leave Without Pay

HR-4-13. Insurance Plans

HR-4-14. Health Benefit Plan

HR-4-15. Life and Short-term Disability Income Insurance Plans

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To define appointments that are eligible for employee benefits.
Applicability:	To all classified and unclassified employees.

HR-4-01. Benefit Administration

- A. Eligibility for leave. All Town service employees, except original probationary employees, emergency, seasonal, and temporary employees, are eligible for any type of leave with pay from the date of appointment. Original probationary employees earn vacation and sick leave from their date of appointment but may only use sick leave during their probationary period. Emergency, seasonal, and temporary employees are eligible only for administrative leave, military leave, and civic duty leave for the purpose of voting and jury duty.
- B. Requests for leave. Except in an emergency, an employee must obtain approval in advance and in writing prior to taking any leave.
- C. Duration. Except for military and civic leave, the combination of all approved leave shall not exceed 26 weeks days in a 12-month period.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To classify types of training and employment development education and to establish a tuition reimbursement policy
Applicability:	To all covered positions, classified and unclassified, and to all Town service positions including contract employees, management, and volunteer workers

HR-4-02. Training.

- A. Mandatory training or technical training or seminar assigned to an employee by a supervisor either at the supervisor’s initiative or at the request of the employee that is directly related to the employee’s job is paid by the Town and time spent during class is considered worked time as stated in 29CFR785.29.
- B. Certification and licensing. Certification and licensing required for maintaining an employee’s current position shall be paid by the Town . This may include payment for courses, training, testing, and certification or licensing fees.
 - 1. Time spent in training, en-route, studying, preparing or doing homework to obtain required license or certification is not work time.
 - 2. Certifications and/or licensing, training or education not required for the current position will not be paid under this sub-section but may be considered for partial or full reimbursement of tuition only under D(1).
 - 3. Certifications and/or licenses, training or education required for another position, for a potential promotional opportunity, or to advance in an employee’s career will not be covered by this section but may be considered for partial or full reimbursement of tuition only under D(1).
- C. Other training. Wellness classes and employee development classes of short duration that are not directly related to the employee’s current job may be paid by the Town and an employee may be allowed to attend class during working hours at the discretion of the supervisor. Travel time and other time spent in activities related to the class are not work time.
- D. Tuition Reimbursement. Tuition reimbursement is part of employment development and, if approved, may be granted to an employee.
 - 1. The conditions to approve tuition reimbursement are the following:
 - a. Classes or course shall be at an accredited institution approved by Human Resources.
 - b. Knowledge acquired and contents of the course or class shall be related to the current position.

- c. Course or class is not available internally.
- d. Course or class time is not work time and the class schedule should not be in conflict with working hours unless the supervisor agrees to a modified work schedule to accommodate the class.
- e. Requires approvals from immediate Supervisor, Department Head, Human Resources, Town Manager and Finance.
- f. Approval is subject to budgetary constraints and availability of funds. The Finance Director may establish a general training budget and/or training budget for departments.

2. Payment.

- a. Approved reimbursements shall be made at the end of the successful completion of the class or course.
- b. Approved reimbursements shall be paid only if at the time that the payment requisition is submitted there are sufficient funds allocated to training to cover it.
- d. An employee's academic achievement in the class must be at least 80%, a grade of C or better, or pass in a pass/fail course to obtain tuition reimbursement as follows:

<u>Grade</u>	<u>Reimbursement %</u>
80%, or C	80%
90%, or B	90%
100%, or A	100%
pass	100%

- e. Employee must be employed at the time the reimbursement requisition is processed and the check is issued.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish holidays observed by the Town and to determine eligibility for holiday pay.
Applicability:	To all covered employees, classified and unclassified.

HR-4-03. HOLIDAYS

- A. Town service holidays. Holidays shall be observed on the day they occur unless the Holiday falls on a Saturday, at which time the Holiday will be observed the Friday preceding it, and if the Holiday falls on a Sunday, it will be observed the following Monday. The Town observes 10 holidays as follows:
1. January 1, "New Year's Day".
 2. Third Monday in January, "Martin Luther King, Jr./Civil Rights Day".
 3. Third Monday in February, "Lincoln/Washington Presidents' Day".
 4. Last Monday in May, "Memorial Day".
 5. July 4, "Independence Day".
 6. First Monday in September, "Labor Day".
 7. Second Monday in October, "Columbus Day".
 8. November 11, "Veterans Day".
 9. Fourth Thursday in November, "Thanksgiving Day".
 10. December 25, "Christmas Day".
- B. Employees scheduled to work. An employee who is regularly scheduled to work on a day on which one of the holidays listed in subsection (A) above is observed is entitled to be absent with pay for the number of hours regularly scheduled to work, not to exceed 12 hours for employees working 28-day work periods and 8 hours for employees working a 7-day work week, unless required to work to maintain essential Town services.
- C. Employees not scheduled to work. An employee, excluding seasonal, temporary, emergency, and part-time employees, who is not scheduled to work on a day on which one of the holidays listed in subsection (A) above is observed shall receive holiday compensation for the number of hours normally worked per day, not to exceed 8 for employees working a 7-day work week and 12 hours for employees working a 28-day work period, provided the employee is not on leave without pay on the employee's work days immediately preceding or following the day on which the holiday is observed.
- D. Employees required to work. An employee who is required to work on a day on which a holiday listed in subsection (A) of this section is observed shall receive both holiday compensation and 1 ½ hour of pay at the current salary rate for each hour worked. Holiday hours shall not be counted as hours worked for purposes of determining overtime or compensatory leave.
- E. Special 28-day work period. An employee other than seasonal, part-time or emergency working in a

28-day work period receives 12 hours of holiday compensation.

1. If the employee is off during the holiday, the employee shall receive 12 hours of holiday pay.
2. If the employee works during the holiday, the employee receives 12 hours of holiday compensation plus 1 ½ hour of pay at the current salary rate for the first 12 hours worked during the holiday. Additional hours worked during the holiday shall be paid at straight time unless the employee has already worked the 212 hours in the 28-day work period.
3. Hours scheduled and worked in one shift that do not fall in the actual holiday will be paid at the regular rate of one hour of pay for every hour worked.
4. The Finance Director may decide to pay holiday compensation and hours worked during a holiday at the end of the 28-day work period.

F. Holiday compensation.

1. Seasonal, temporary, and emergency employees do not receive holiday compensation and shall receive one hour of pay at the current salary rate for each hour worked during a holiday.
2. An employee may not receive more than 8 hours of holiday compensation for any holiday if the employee works a 7-day work period or 12 hours of holiday compensation for any holiday if the employee works a 28-day work period.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish eligibility, accruals and payment for vacation leave.
Applicability:	To all regular covered employees.

HR-4-04. Vacation Leave.

A. Definition. "Vacation leave" means a period of approved absence with pay that is not chargeable to another category of leave.

B. Accrual.

1. All employees except temporary, emergency, and seasonal employees shall accrue vacation leave in accordance with the following schedule:

VACATION LEAVE	Employees on 7-day work periods	Employees on 28-day work periods
Credited Service	Hours accrued biweekly	Hours accrued biweekly
Fewer than 6 years	3.07	4.07
6 years but fewer than 11 years	4.62	6.12
11 years or more	6.15	8.15

2. Employees may accrue a maximum of 360 hrs. Once maximum leave is accrued, accrual will cease until maximum accrual level is reduced below maximum level. Employees are encouraged to take vacation at least annually.

a. Employees with accrual amounts of over 360 at the time of adoption are set at the amount of accrued vacation as of March 8, 2018, and the employee must enter into a written agreement to take vacation paid out upon separation as regular bi-weekly paychecks until the balance is used.

3. Temporary, emergency, seasonal, and part-time employees shall not accrue vacation leave.

4. Eligible employees accrue vacation leave on the last day of each bi-weekly pay period if the employee is in a pay status for at least 1/2 of the scheduled work hours in that pay period.

5. Original probationary employees accrue vacation leave from their date of hire but

may not take vacation leave during the first 6 months following the date of hire. If an original probationary employee is terminated, the employee shall be paid for all accrued vacation.

6. The effective date for change in the accrual rate is the 1st day of the pay period immediately following the attainment of the required credited service.

C. Credited service.

1. Credited service shall be calculated from the first day of the first complete pay period worked.
2. Credited service shall include:
 - a. Any period of leave without pay of 240 hours or less;
 - b. Approved Family Medical Leave Act (FMLA) leave;
 - c. Military leave taken under A.R.S. §§ 26-168, 26-171, or 38-610; and
 - d. Active military service of an employee who is restored to Town service.

D. Accumulation. An employee shall forfeit vacation leave accumulated in excess of the maximum as of the last day of the last pay period that begins in the fiscal year.

F. Use of vacation leave. An employee may take vacation leave at any time approved by the Department Head. The Town shall not advance vacation leave pay to an employee.

G. Payment.

1. Vacation leave shall be paid according to regular payroll procedures on a regular payday.
2. If a holiday falls within an employee's vacation period, the holiday shall be paid as holiday pay and not as vacation.
3. Vacation pay does not count toward hours worked for purposes of calculating overtime.
4. Worked hours plus vacation hours shall not exceed 40 hours or the regular number of hours of an employee's workweek.
5. Any combination of hours worked, vacation, sick leave or any other leave may not exceed 40 hours or the regular number of hours that an employee works.
6. To determine how many hours of available vacation to pay in the presence of other leave, payroll shall pay for all hours worked, all other available and eligible leave, and then, if needed, the number of hours of available vacation not to exceed a total

of 40 hours or the number of regular scheduled hours in a work period.

- H. Separation. The Town shall pay an employee who separates from the Town for all unused and unforfeited vacation leave at the employee's current rate of pay.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish eligibility, accruals and payment for sick leave.
Applicability:	To all covered positions, classified and unclassified, and to all town service positions including contract employees, management, and volunteer workers

HR-4-05. Sick Leave.

A. Definition. "Sick leave" is any approved period of paid absence granted an employee due to:

1. Illness or injury, which renders the employee unable to perform the duties of the position.
2. Disability caused by pregnancy, childbirth, miscarriage, or abortion.
3. Examination or treatment by a licensed health care practitioner.
4. Illness, injury, examination, or treatment by a licensed health care practitioner of an employee's spouse, dependent child, or parent. For the purposes of this Section, the term "dependent child" is defined as a natural child, an adopted child, a foster child, or a stepchild, over 1/2 of whose support is received from the employee. The term "parent" is defined as a birth parent, adoptive parent, stepparent, foster parent, grandparent, parent-in-law, or anyone who can be considered "in loco parentis", i.e., someone who assumed the responsibility of a parent. Sick leave granted for this purpose shall be charged to the employee's sick leave account and shall not exceed 40 hours per fiscal year, except in the case of FMLA leave.

B. Accrual.

1. All employees, except seasonal, temporary, and emergency shall accrue sick leave at the rate of 3.69 hours per pay period for employees with a regular work period of 7 days and at the rate of 4.89 hours per pay period, for employees with a regular work period of 28 days.
2. Eligible employees accrue the appropriate number of hours of sick leave on a pay period. Accrued sick leave is credited on the last day of the pay period in which earned, provided the employee has been in a pay status for at least 1/2 of the employee's working days in that pay period.
3. Part-time, Temporary and Seasonal employees shall accrue one hour for every 30 hours worked, up to 40 hours per year.

C. Accumulation. The maximum number of hours of sick leave that a regular employee may accumulate is 360 hours.

1. Seasonal, Part time and Temporary employees accrue up to 40 hours, and may carry unused hours into the following year.

D. Use of sick leave.

1. An employee may take paid sick leave when approved by the Supervisor and Human Resources. Leave requested as part of approved FMLA leave shall be approved as sick leave if sick leave is available.
2. A supervisor or Human Resources may require submission of evidence substantiating the need for sick leave. If Human Resources determines the evidence is inadequate, the absence shall be charged to another category of leave or considered absence without leave.
3. Human Resources may require an employee to be examined by a licensed health care practitioner designated by Human Resources. If the licensed health care practitioner determines that the employee should not work due to illness or injury, Human Resources may place the employee on sick leave or, if the employee's sick leave is exhausted, on vacation leave, or on leave without pay. Human Resources may require the employee to obtain approval from the licensed health care practitioner prior to returning to work. The Town shall pay for all examinations required pursuant to this subsection. The employee shall not be charged any leave while participating in or traveling to or from any examination required pursuant to this subsection.

- E. Forfeiture. All sick leave credits are forfeited upon separation from the Town service except as otherwise provided by law. However, employees who are laid off due to a reduction in force and are reemployed within 1 years after separation will be credited with all unused sick leave at the time of separation.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish use of available leave benefits and health benefit plan participation for employees under workers' compensation leave.
Applicability:	To all covered employees, classified and unclassified.

HR-4-06. Workers' Compensation Leave.

A. Use of leave.

1. Human Resources shall place an employee who sustains a job-related disability that is compensable under the Workers' Compensation Law, A.R.S. Title 23, Chapter 6 on 2.66 hours or 33% hours of available sick leave per day.
2. If an employee exhausts all sick leaves and does not request annual or compensatory leave, or has exhausted annual or compensatory leave, Human Resources Director shall place the employee on leave without pay.
3. If an employee is on leave under the Worker's Compensation laws and that leave qualifies for Family Medical Leave Act (FMLA) leave, the leave shall count as FMLA leave. Human Resources shall apply industrial leave and FMLA concurrently.

B. Reporting. All industrial injuries and illnesses must be reported to the immediate supervisor. Human resources shall keep records of industrial injuries, report to appropriate agencies, and assign employees to modified or light duty.

C. Payments.

1. An employee shall use leave in an amount necessary to receive total payments (leave payments plus Workers' Compensation payments) that do not exceed the gross salary of the employee. See A (1) in this section.
2. If an employee receives a retroactive Workers' Compensation payment for any period of industrial illness or injury for which leave payments were received, the employee shall reimburse the Town for Workers' Compensation payments that exceed 100% of the employee's base pay before the illness or injury, and the Town shall restore the equivalent value of leave to the employee's appropriate leave account.

C. Light duty. If an employee has a job-related permanent or temporary disability that impairs performance on the current or former job, Human Resources shall make every effort to place the employee in a suitable position or in a temporary position or task that the employee can reasonably be expected to successfully perform given his light-duty restrictions, disability, education, and experience.

1. Human Resources Director shall obtain the consent of the Department Head where the employee is to work in modified or light duty, which may or may not be the

department or position where the employee was working prior to the industrial injury or illness.

2. For temporary assignments or tasks, an employee in modified duty shall be paid at the current rate of pay, and for permanent transfers to suitable positions, the employee shall be paid according to these rules.
3. The Town shall observe any applicable ADA considerations as mandated by law.

D. Restriction. Human Resources shall not grant sick leave or leave without pay to an employee who fails to accept compensation available under the industrial injury and disease provisions of A.R.S. §§ 23-901 to 23-1091.

E. Health benefit plan participation.

1. An employee who is on leave without pay due to an industrial illness or injury may continue to participate in the health benefit plan for the employee and the employee's eligible dependents for a maximum of 6 months from the date of illness or injury by paying the employee contribution, if any.
2. At the end of the 6-month period, an employee who remains on leave without pay due to industrial illness or injury may continue to participate in the health benefit plan for the employee and the employee's eligible dependents by paying COBRA.

F. Life insurance plan participation. An employee who is on leave without pay due to an industrial injury or illness continues to participate in the basic life and accidental death and dismemberment insurance plan for the employee without cost for 6 months after the month in which the illness or injury occurs. During this time, the employee may continue supplemental life and dependent life coverage that were in effect at the start of the leave by paying the applicable premium.

G. Termination. The insurance coverage of an individual on leave without pay who fails to pay insurance premiums or contributions when due shall terminate at 11:59 p.m. on the last day of the period covered by the last premium or contribution paid.

H. Accrual of leave. An employee shall continue to receive full leave accrual as long as the employee uses 2 or more hours of paid leave each day.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish policy for civic duty leave.
Applicability:	To all covered Town positions.

HR-4-07. Civic Duty Leave.

- A. General. Upon substantiated application, an employee shall receive absence with pay as civic duty leave while serving as a juror, complying with a subpoena, voting, or serving as a member of a governmental board, commission, or similarly constituted governmental body.
- B. Use of civic duty leave. Except for voting pursuant to A.R.S. § 16-401 (primary elections) or A.R.S. § 16-402 (general elections), an employee granted civic duty leave shall report for duty whenever the employee's presence is not required for the civic duty, unless:
 - 1. The distance to the work location would preclude timely reporting for the civic duty; or,
 - 2. The employee cannot return to work at least 1 hour before the end of the workday.
- C. Appearance as a witness. An employee who is subpoenaed as a witness by any court, administrative, executive, or judicial body in this state may be absent with pay unless the testimony or evidence to be given relates to the employee's commercial, business, or personal matters.
- D. Jury duty pay. Employees who are granted civic duty leave when called for jury duty or subpoenaed, as a witness shall remit any monies paid to them to the Town, except for mileage allowance. The Finance Director may elect to deduct such monies paid to an employee called to serve as a juror or witness from the employee's paycheck instead of asking the employee for reimbursement.
- E. Membership on a public service body. An employee serving as a member of a governmental board, commission, or similarly constituted governmental body may be absent with pay while performing official duties with the public service body.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish policy for military leave.
Applicability:	To all covered employment positions.

HR-4-08. Military Leave.

- A. General. An employee who requests absence with pay on military leave under A.R.S. § 26-168, 26-171, or 38-610 shall submit a copy of the orders for duty with the request for military leave. An employee may be absent with pay for military purposes for up to 30 workdays in any 2 consecutive fiscal years.
- B. An employee in military leave with pay shall continue to receive all accrual benefits as if he was working for the Town. Military leave with pay shall not be charged against vacation, sick leave, or any other leave.
- C. Military personnel shall be reinstated according to 38 USC 4301 (USERRA of 1994).

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish the authority of the Town to place an employee in administrative leave.
Applicability:	To all covered Town employees.

HR-4-9. Administrative Leave.

- A. The Town Manager may authorize an employee to be absent with pay on administrative leave during a state of emergency declared by the Mayor or in other emergency situations such as extreme weather conditions, fire, flood, or malfunction of publicly-owned or controlled machinery or equipment.
- B. The Town may grant paid or unpaid administrative leave to relieve an employee of duties temporarily during the investigation of alleged wrongdoing by the employee.
 - 1. A supervisor or Department Head may authorize up to one workday of administrative leave pending an investigation and notification to Human Resources.
 - 2. Human Resources Director may authorize 5 days or less of paid or unpaid administrative leave.
 - 3. The Town Manager may authorize longer periods of paid or unpaid administrative leave.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To create a policy for bereavement leave to help an employee grieve the death of a close relative
Applicability:	To all covered Town employment positions.

HR-4-10. Bereavement Leave.

- A. Bereavement leave is paid leave for up to 24 regularly scheduled work hours due to the death or funeral of a spouse, natural child, adopted child, foster child, stepchild, natural parent, stepparent, adoptive parent, one who functioned "in loco parentis", grandparent, grandchild, brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law, son-in-law, or daughter-in-law.
- B. Bereavement leave is a separate leave from other types of leave and is only earned when requested and approved due to the death and funeral of a qualifying relative as described in (A).
 - 1. Bereavement leave may only be used during the actual days of absence immediately following the qualifying event and does not count toward time worked for purposes of overtime.
 - 2. Time worked, bereavement leave, and other combination of leaves may not exceed 40 hours or the regular number of hours of a workweek.
 - 3. The supervisor or Human Resources Director may request evidence of eligibility to grant bereavement leave.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To define eligibility for serious health condition leave and the administration of the leave and of FMLA.
Applicability:	To all regular appointment employees not in original probation.

HR-4-11. Leave for Serious Health Condition.

A. FMLA Leave. If an employee's condition qualifies as a serious health condition under FMLA, the employee may take a maximum of 12 weeks of leave in the following order:

1. The employee shall use all accrued sick leave;
2. The employee shall then use all accrued vacation leave;
3. If the employee exhausts all accrued sick and vacation leave, the Town shall grant medical leave without pay; and
4. The provisions of the FMLA shall govern return to work from leave without pay granted to complete an FMLA-qualified leave.

C. Leave not qualified under FMLA. The Town Manager may grant an employee leave for serious health condition of an employee, the employee's spouse, or the employee's children when the employee does not qualify under FMLA as follows:

1. Leave may not exceed 12 weeks in a 12-month period and shall run concurrently with sick leave, vacation leave, and any other leave authorized for the same reason or illness.
2. FMLA rules to determine serious health condition for employee, spouse, and children shall apply only for purposes of determining if the serious health condition qualifies for the leave.
3. An employee must be in pay status for more than 26 weeks during the last 12 months.
4. Employee must exhaust all paid leave available before going into unpaid leave.
5. An employee's position may not be replaced during the duration of the leave for serious health condition and if the position is not available at the end of the leave, the employee may be laid off due to a reduction in force.
6. The maximum amount of leave granted for one or more periods of absence due to one or more illnesses for employee, spouse, and children shall not exceed 12 weeks in a 12-month period.
7. If an employee does not return at the expiration of the leave, the employee may be

separated without prejudice.

- D. Family leave. If an employee's leave qualifies for FMLA leave to care for a family member with a serious health condition:
1. The employee may use any sick leave available;
 2. The employee then shall use all accrued vacation leave;
 3. If the employee exhausts all available sick and accrued vacation leave, the Town shall grant leave without pay; and
 4. The provisions of the FMLA, not the provisions of these rules, shall govern return to work from leave without pay granted to complete an FMLA- qualified leave.
- D. Compensatory time. An employee may use accrued compensatory time for an FMLA qualified leave.
- E. Leave without pay. Leave without pay granted for an FMLA-qualified leave runs concurrently with FMLA leave.
- F. Counting FMLA leave. To determine the maximum leave available under FMLA, include all leave time granted that qualifies as FMLA leave.
- G. Health benefit plan participation. An employee who is on FMLA leave is eligible to participate in the health benefit plan. The Town contributes the same premium amount for health insurances as when the employee was in working status.
- H. Life insurance plan participation. An employee who is on FMLA leave without pay:
1. Continues to participate in the Basic Life Insurance Plan; if available. The Town contributes the same premium amount for Basic Life Insurance Plan, if available, and
 2. May continue to participate in the supplemental life, dependent life insurance, and supplemental insurance coverage, if available, by paying the full premium.
- I. Return from FMLA. An employee on FMLA leave should contact Human Resources 2 weeks in advance to advise of his intentions to return to work. The employee shall provide a release to work from the employee's doctor to Human Resources prior to his starting date.
2. An employee shall not be allowed to return to work from FMLA due to a personal illness or disability without a release to work from the employee's doctor.
 3. An employee must be able to perform the basic duties of his position in order to return to work.
 4. An employee released to modified work, limited hours, light duty, or restricted work, for injuries or illnesses not directly related to work or not covered under

Workers' compensation shall not be allowed to return to work unless the employee can perform the basic duties of his position.

5. An employee who does not return or is unable to return at the expiration of the FMLA leave shall be terminated without appeal rights unless medical evidence clearly indicates that the employee would be able to return to work within a definite, short period of time and the Town Manager grants the employee additional leave, and the return to the employee's position or similar position is not guaranteed.

J. Conflict. If there is a conflict between the provisions of these rules and the FMLA, the provisions of the FMLA govern.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	Establish authority to grant leave without pay and limit the circumstances under which the Town may grant leave without pay.
Applicability:	To all covered Town employment positions.

HR-4-12. Leave without Pay.

- A. Approval. All leave without pay in excess of 40 consecutive hours requires a written request by an employee in advance and approval by the Town Manager. Approval of leave without pay for FMLA or for serious health condition per HR-4-11(B), military, or civic duty leave does not require the approval of the Town Manager. Leave without pay in excess of 40 consecutive hours shall be for extenuating circumstances and in the discretion of the Town Manager in the best interest of the Town . Total leave paid and unpaid shall not exceed 26 weeks, unless otherwise provided by law.
- B. Documentation of leave. A request for leave without pay in excess of 40 consecutive hours shall include the beginning date of the leave without pay, the reason for the request, the anticipated date of the return to work, and the signatures of Department Head, Human Resources Director, Finance Director, and Town Manager.
- D. Use of leave. Except for military leave, or leave granted to forestall a reduction in force,
- E. The Town Manager shall not grant leave without pay in excess of 40 consecutive hours until all accrued paid leave and, if the leave without pay is for medical reasons, sick leave are exhausted.
- D. Return to work.
 - 1. An employee who returns to work after a period of leave without pay of 80 consecutive hours or less shall return to the same position occupied at the start of the leave without pay.
 - 2. Except as provided in subsection (D)(4), an employee who returns to work after a period of leave without pay in excess of 80 consecutive hours is entitled to return to a position in the class and pay grade held at the start of the leave without pay, if a position is available and funded, and if the leave without pay is terminated in one of the following ways:
 - a. Expiration of its term and the employee's return to work;
 - b. Rescission of the leave without pay by the Town Manager before its scheduled expiration, due to an unforeseen need that results in an insufficient number of employees available to provide service for which:
 - i. Human Resources shall provide written notice of the rescission to the employee's last known address at least 15 days before the date

the employee is directed to return to work; or

- ii. If circumstances beyond the Town 's control do not permit at least a 15-day notice, the Town shall provide notice as soon as possible after becoming aware of the need for the employee to return to work; or
 - iii. Curtailment of the leave without pay before its scheduled expiration date, upon request of the employee and with approval of the Town.
3. Human Resources may consider the failure or inability of an employee to return to work on the first work day after an approved leave without pay as a resignation, a separation without prejudice, or cause for dismissal.
 4. If no funded position is available to accommodate an employee's return to work on the first working day following expiration of an approved leave without pay or any extensions, the Town may separate the employee without prejudice.
 5. An employee returning to work from leave without pay granted for military service, for industrial illness, or FMLA leave shall return to the position occupied at the start of the leave without pay. If this position or a position in the same class and pay grade is not available and funded, the Town shall follow the applicable law or conduct a reduction in force, if appropriate.

E. Health benefit plan participation.

1. The Town shall pay health benefits for an employee who is on FMLA leave for the duration of the FMLA leave.
2. The Town shall pay health benefits for an employee who is on leave without pay for a health-related reason that is not an industrial illness or injury for up to 12 weeks. An employee may continue to participate in the health benefit plan for dependents or after the 12-week period by paying both the Town and employee contributions. Authority to continue participation in the health benefit plan shall terminate on the earliest of:
 - a. Receipt of long-term disability benefits for which there is eligibility to continue health benefit plan participation;
 - b. A determination of eligibility for Medicare coverage; or
 - c. Termination of leave and failure to return to work status.
3. An employee who is on leave without pay for other than a health-related reason may continue to participate in the health benefit by paying both the Town and employee contributions.

- F. Life insurance plan participation. An employee who is on leave without pay may continue to participate in the basic life insurance plan by paying the full premium. An employee who elects to continue to participate in the basic plan may also continue any supplemental or dependent life coverage that is in force at the beginning of the leave without pay by continuing to pay the premium. Authority to continue in the life insurance plan shall terminate in accordance with the time limits specified in subsection (E).

- G. Termination. The insurance coverage of an individual on leave without pay who fails to pay insurance premiums or contributions when due shall terminate at 11:59 p.m. on the last day of the period covered by the last premium or contribution paid.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To define qualifying and other insurance plans that may be available to covered employees.
Applicability:	To all covered Town employment positions.

HR-4-13. Insurance Plans.

A. Designation of qualifying health care plans. The following types of plans are qualifying health care plans:

1. Medical Insurance.
2. Dental Insurance.
3. Vision Insurance.

B. Designation of other qualifying insurance plans. Other qualifying insurance plans are:

1. Life Insurance.
2. Short-term Disability Income Insurance.
3. Long-term Disability Income Insurance.
4. Supplemental Insurance.

C. Town Insurance Plans. The Town may or may not offer all or any of the qualifying health care and other insurance plans.

D. Complaints. An employee who wishes to submit a complaint about an employee insurance plan shall contact Human Resources.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To establish appointment eligibility and conditions required to join, or make changes to a health insurance plan.
Applicability:	To all regular appointment employment and unclassified positions.

HR-4-14. Health Benefit Plan.

A. Eligibility.

1. All Town employees, except those listed in subsection (A)(2), and their eligible dependents may participate in the health benefit plan, if they comply with the contractual requirements of the selected health benefit plan. An eligible employee may enroll in a health benefit plan at any time within the first 30 days of employment or during an open enrollment period specified by the Plan. An eligible employee may submit an application for enrollment within 31 days of a family status event.
2. The following categories of employees are not eligible to participate in the health benefit plan:
 - a. An employee who works fewer than 32 hours per week;
 - b. An employee in a temporary, emergency, or seasonal or reserve position;

B. Eligibility exception. An employee who is on leave without pay may continue to participate in the health benefit plan under the conditions in:

1. HR-4-06 for employees on leave without pay due to industrial illness or injury;
2. HR-4-11 for employees on medical or FMLA leave without pay; or
3. HR-4-12 for employees on leave without pay for any other reason.

C. Dependent eligibility. Dependents eligible to participate in the health benefit plan include an employee's spouse and each qualifying child as defined in the Health Benefit Plan.

D. Enrollment of dependents. An eligible employee may enroll eligible dependents at the time of the employee's original enrollment, within 31 days of a family status event, or at open enrollment.

TOWN OF SUPERIOR	
ARTICLE 4. BENEFITS	
Purpose:	To define eligibility for employee participation in life insurance and short-term disability income insurance plans.
Applicability:	To all regular appointment employment and unclassified positions.

HR-4-15. Life Insurance, Disability Income Insurance Plans, and Retirement Plans.

A. Eligibility.

1. All Town employees, except those listed in subsection (A)(2), may participate in the life insurance, disability income insurance plans, and retirement plans, if the plans are available to Town employees.
2. Safety personnel, fire and police employees, shall participate in the Public Safety Personnel Retirement System, and all other eligible Town employees shall participate in the Arizona State Retirement System.
3. The following categories of employees are not eligible to participate in the life insurance, disability income insurance, and retirement plans:
 - a. An employee who works fewer than 31 hours per week;
 - b. An employee in a temporary, seasonal, or emergency position;

B. Supplemental insurance coverage. In addition to the basic life insurance provided at no cost to an employee, an eligible employee may elect to purchase additional group life insurance according to the amounts and rates specified in the insurance plan, if supplemental coverage is available.

C. Dependent coverage. An eligible employee may elect to purchase group life insurance for the employee's spouse and each qualifying child in an amount established in the insurance plan, if dependent coverage is available.

D. Disability coverage. The monthly benefit paid under the disability portion of a plan provided might be reduced by other payments the employee receives or is eligible to receive in the same month as determined by the terms and conditions of the plan.

ARTICLE 5. CONDITIONS OF EMPLOYMENT

Section

HR-5-01. Standards of Conduct

HR-5-02. Drug Policy

HR-5-03. Internet Policy

HR-5-04. Hours of work

HR-5-05. Performance Appraisal System

TOWN OF SUPERIOR	
ARTICLE 5. CONDITIONS OF EMPLOYMENT	
Purpose:	To prevent employees from engaging in prohibited conduct and establish behavior expectations
Applicability:	To all covered Town employment positions, classified and unclassified, including contract employees, management, and volunteer workers.

HR-5-01. Standards of Conduct.

- A. General. In addition to statutorily prohibited conduct, a violation of the standards of conduct listed in subsections (B), (C), and (D) below is cause for discipline or dismissal of a Town employee.

- B. Required conduct. Town employees shall:
 - 1. Maintain high standards of honesty, integrity, and impartiality, free from any personal considerations, favoritism, or partisan demands.
 - 2. Be courteous, considerate, and prompt in dealing with and serving the public.
 - 3. Conduct themselves in a manner that will not bring discredit or embarrassment to the Town.
 - 4. Sign a loyalty oath as required by ARS 38-231. Refusal to sign oath shall result in immediate termination.
 - 5. Comply with Town laws and rules.
 - 6. Administer Town programs and services in an unbiased manner and without favoritism for or against any political party or political group or any member of a political group in order to promote public confidence in our Town government, governmental integrity and in the efficient delivery of services.
 - 7. Be free of any expressed or implied requirement of any political or other pressure of any kind to engage or not to engage in any political activity.

- C. Prohibited conduct. Town employees shall not:
 - 1. Use their official position for personal gain, or attempt to use, or use, confidential information for personal advantage.
 - 2. Permit themselves to be placed under any kind of personal obligation, which could lead any person to expect official favors.
 - 3. Perform any act in a private capacity, which may be construed to be an official act.

4. Accept or solicit, directly or indirectly, anything of economic value as a gift, gratuity, favor, entertainment, or loan which is, or may appear to be, designed to influence the employee's official conduct. This provision does not prohibit acceptance by an employee of food, refreshments, or unsolicited advertising or promotional material of nominal value.
5. Directly or indirectly use or allow the use of Town property of any kind, including property leased to the Town, for other than official activities.
6. Engage in outside employment or other activity of any kind that may interfere with an employee's duties or responsibilities without written approval of the Town Manager.
 - i. Outside employment or any other activity which is not compatible with the full and proper discharge of the duties and responsibilities of Town employment, or which tends to impair the employee's capacity to perform the duties and responsibilities in an acceptable manner is prohibited.
 - ii. An employee shall disclose any other employment, gainful activity, or any other activity that may present a conflict of interest or has the potential to interfere with an employee's duties and responsibilities.
7. Participate in any manner in issues or decisions where the employee has a substantial interest. An employee is required to disclose a substantial interest in any contract, sale, purchase or service, or if the employee has a relative related by blood or marriage to the third degree who has a substantial interest in any contract, sale, purchase or service and shall abstain from participating in any manner as an employee in such contract, sale or purchase as per ARS 38-503.
8. Inhibit an employee from joining or refraining from joining an employee organization.
9. Use an employee's official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office as stated in 5USC1502; or the promise to use any official authority or influence for the purpose of influencing the vote or political action of any person or for any consideration.
10. Use Town personnel, equipment, materials, buildings or other resources for the purpose of influencing the outcomes of elections; or using the authority of a Town employee position to influence the vote or political activities of any subordinate employee as stated in ARS 9-500.14.
11. Use any political endorsement in connection with any appointment to a position in the Town.

12. An employee of the Town of Superior may engage in political activities as a private citizen and off Town property. Employees shall ensure that the ideas expressed are the employee's alone and not in any way endorsed by the Town and its staff. No employee of the Town of Superior shall be an officer (Chairman or Treasurer) of a Political Action Committee (PAC). This includes Primary, General, Initiative, Referendum, and Recall elections, except that any employee may:
 - i. Cast his vote and express his opinion and attend meetings concerning the candidates for public office and the political issues
 - ii. Circulate and sign nominations and recall petitions
 - iii. Contribute to candidates, political parties or campaign committees to advocate the election or defeat of candidates; or solicit contributions to be made directly to candidates or committees to advocate the election or defeat of candidates.
 - iv. Engage in activities to advocate the election or defeat of any candidate
13. An employee shall not engage in any political activity permitted in section (C)(12) while on duty, while in uniform or at public expense, except as provided by law with respect to voting.
14. Nothing contained in this section shall be interpreted or construed as denying any employee of the employee's civil or political liberties as provided by law.
15. No employee or official shall solicit or suggest any assessment, contribution or services for any political party or candidate from an employee of the Town of Superior or any government employee, nor shall any employee solicit any assessment, contribution, or service from any party or candidate.
16. Running for political elected office. An employee shall submit the resignation prior to the announcement of his candidacy for public office.
17. To receive, agree or contract for, before, during or after a Town Council election or any other election provided by law, money, gifts, loans or other valuable consideration, office, place or employment for the employee or for another person, for voting or agreeing to vote, or for going or agreeing to go to the polls, or for refraining or agreeing to refrain from voting for a particular person or measure, or for inducing any person to vote or refrain from voting, or to vote or refrain from voting for a particular person at an election and as provided in ARS 16-1013 and ARS 16-1014.
18. Town employees shall not use Town equipment, material, buildings or other resources for the purpose of influencing the outcome of elections.

- D. Grooming. Town employees are expected to maintain high standards of professionalism and expected to dress accordingly considering their positions and duties. If an employee's grooming and appearance is questionable as to its appropriateness for a Town employee, Human Resources would determine acceptable grooming and appearance standards on a case by case basis by using guidelines of what most normal individuals would consider appropriate under similar circumstances.
1. An employee who is provided a uniform or is expected to wear a uniform must do so while working.
 2. Reasonable accommodations on a case-by-case basis for special grooming and dress shall be made for religious, physical conditions, and other personal reasons or practices protected by law.
- E. Employee searches. A Department Head may conduct a search with or without the employee's consent or knowledge on all Town -owned property at any time, this includes but is not limited to desks, filing cabinets, lockers, computer and other electronic devices used to store data.
- F. Employee rights. An employee shall not take any disciplinary or punitive action against another employee, which impedes or interferes with that employee's exercise of any right granted under the law or these rules. Any employee or Town representative who is found to have acted in reprisal toward an employee as a result of the exercise of the employee's rights is subject to discipline. Such discipline is to be administered in accordance with state and federal laws and these rules affecting employee rights and benefits.

TOWN OF SUPERIOR	
ARTICLE 5. CONDITIONS OF EMPLOYMENT	
Purpose:	To establish a safe working environment free of illegal drugs and controlled substances.
Applicability:	To all covered Town employment positions.

HR-5-02. Drug Policy.

- A. General. All Town of Superior employees, classified and unclassified shall not consume, sell or possess illegal drugs, drug-related paraphernalia, or controlled substances without the specific instruction of a licensed physician. Human Resources shall develop and implement employee and pre-employment drug testing policy.

- B. Prescribed drugs and over-the-counter medication. All covered employees shall follow safety precautions to protect Town property and equipment, the employee’s own safety and the safety of others while working and operating machinery. If an employee is taking prescribed medication or over-the-counter medication that may impair the employee’s ability to safely operate machinery or to perform the employee’s work duties, the employee must report it to the employee’s immediate supervisor. The supervisor may keep the employee in the same duties, reassign the employee temporarily to other duties, may require the employee to provide information about the medication, and/or may require a doctor statement regarding the employee’s ability to work.

- C. Failure to report medication that may impair an employee’s ability to work. If an employee fails to disclose the use of medication that may impair the employee’s ability to safely perform the assigned work duties or to operate machinery, the employee may be disciplined up to and including dismissal.

TOWN OF SUPERIOR	
ARTICLE 5. CONDITIONS OF EMPLOYMENT	
Purpose:	To clarify appropriate Internet use, prevent prohibited use, and to inform employees that stored data may be accessed, read and reviewed at any time by authorized Town employees.
Applicability:	To all covered Town employment positions and to all Town Internet users

HR-5-03. Internet Policy.

- A. General. Internet services are Town property and are to be used for Town business. All Town employees shall follow proper conduct and business etiquette when communicating by e-mail.
- B. Prohibited use. Employee use of Internet is for business use. Town employees are to maintain their proper and ethical behavior in navigating through the Internet.
 - 1. Internet pornography is prohibited at work.
 - i. Employees shall not access pornographic Internet sites.
 - ii. Employees shall not mail or attach pornographic material.
 - 2. Chain letter distribution is prohibited. Employees are to abstain from e-mailing chain letters to Town employees and to outside sources from Town property.
 - 3. Distribution of harassing, degrading, obscene, and vulgar comments and jokes is prohibited at work. Town employees shall follow proper conduct and the Town 's Non-Harassment Policy.
 - 4. Joining chat rooms is prohibited.
 - 5. Employees are not to install unauthorized software.
- C. Searches. Town computers and data are owned by the Town and may be subject to searches with or without the employee's knowledge at any time. An employee's supervisor may access any and all documents stored in a computer and may read an employee's e-mails at any time. Information stored in Town -owned computers and other electronic equipment, including but not limited to documents, downloads, and e-mails become the property of the Town and may be classified as public records.
- D. Disciplinary Action. An employee violating the Town 's Internet Policy may receive disciplinary action up to and including dismissal.

TOWN OF SUPERIOR	
ARTICLE 5. CONDITIONS OF EMPLOYMENT	
Purpose:	To define hours of work.
Applicability:	To all covered Town employment positions.

HR-5-04. Hours of Work.

- A. Town employee’s workweek. The Town service workweek is the period of 7 consecutive days starting Saturday at 12:00 a.m. and ending Friday at 11:59 p.m. for all employees except employees in certain firefighter positions that work a work period of 28 consecutive days.
- B. Hours of employment. Each Department Head shall determine the hours of employment in the workweek for each employee.
- C. Flexible work schedules. If, in a Department Head's discretion, it is determined that the Town ’s existing services can be maintained by employees working a 40-hour work week or other regular work week in a flexible work schedule, the Department Head shall offer this option to the affected employees.
- D. Breaks and mealtime rest periods.
 - 1. Employees working 6 consecutive hours or more shall get unpaid time off for mealtime of at least 30 minutes, except for Police Officers and Firefighters. This applies to regular and overtime or after-hours work. The supervisor shall schedule mealtime breaks.
 - 2. Employees are not entitled to rest breaks other than unpaid mealtime breaks. At the discretion of the supervisor, employees may be granted up to 2 rest periods for up to a maximum of 15 minutes each of paid time off. An employee who misses a scheduled rest break for any reason, forfeits the break unless the supervisor approves it.

TOWN OF SUPERIOR	
ARTICLE 5. CONDITIONS OF EMPLOYMENT	
Purpose:	To establish a policy for employee performance evaluation system.
Applicability:	To all classified employment positions.

HR-5-05. Performance Evaluation System.

- A. General. Human Resources shall establish a performance evaluation system to evaluate the job performance of all employees. All employee evaluations shall be submitted to Human Resources to include in employee’s personnel file.

- B. Frequency.
 - 1. A supervisor shall evaluate a permanent status employee at least annually 3 weeks prior to the anniversary date of date of hire, date of promotion, date of demotion, or date of last performance increase, whatever occurred last.
 - 2. Prior to achieving permanent status, a supervisor shall evaluate a probationary status employee at least twice during the probationary period:
 - a. At the midpoint of the probationary period, and
 - b. 30 days prior to the end of the probationary period.
 - 3. When an employee changes positions, if the last evaluation was done 60 days or more, the supervisor should evaluate the employee prior to the employee changing to the new position and provide a copy to the gaining supervisor, if any.
 - 5. One week prior to the expiration of the probationary period, a supervisor shall evaluate an employee under disciplinary probation at least once.
 - 6. At termination.

- C. Performance rating. The performance appraisal system established by the Human Resources Director shall contain performance-rating levels that distinguish among standard, above standard, and below standard performance. The system shall contain numerical points to apply to each performance rating level established.

- D. Review: An employee may file a written request for a review concerning an overall performance rating or a specific performance rating. Human Resources shall adopt a performance evaluation review procedure subject to the approval of the Town Manager.

TOWN OF SUPERIOR	
ARTICLE 5. CONDITIONS OF EMPLOYMENT	
Purpose:	To establish a Town of Superior policy for social networking to be used in a responsible and legal manner.
Applicability:	To all classified employment positions.

HR-5-06. Social Media Policy.

STATEMENT OF POLICY: Town of Superior employees must not compromise data confidentiality or data integrity and must mitigate risks when utilizing social media as part of the Town’s technology resources.

Definitions.

1. **Social Media:** The various activities that integrate technology, social interaction, and content creation so individuals or groups can create, organize, edit or comment on, combine, and share content. Social media includes, but is not limited to, social-networking (e.g. Twitter, Facebook, LinkedIn), blogs, wikis, photo–sharing, video–sharing, podcast, social bookmarking, mash-ups, widgets, virtual worlds, microblogs, and Really Simple Syndication (RSS).
2. **Official Town Email Account:** An email account that is used for official Town business.
3. **Post:** An administrator submitted message/blog in the form of, but not be limited to, text, videos, photographs, graphics, links (hyperlinks), documents, and computer applications.
4. **Comment:** A user submitted response to an administrator post.

A. Department and Elected Official Responsibilities. Town departments or elected officials prior to the use of office social media technology shall implement the following practices:

1. Establish a written social media plan that furthers the department’s mission and goals, audience, authorized personnel, technical capabilities, security issues, emergency response procedures, etc.
2. Designate a Social Media Coordinator or point of contact responsible for overseeing the social media activity and policy compliance.
3. Comply with all applicable federal, state, and Town laws, regulations and media use and all other Town policies.
4. Designate appropriate levels of social media use identifying what sites the individual is approved to use, as well as defining whether the employee may publish content, edit content, comment or view only.
5. Assure that all authorized users have reviewed the Town’s social media policies and procedures and have acknowledged their understanding.
6. At a minimum, apply the User Responsibility Guidelines as listed in section F of this policy to all social media websites utilized by the departments or elected officials.

B. Authenticity Establishment. Town social media sites shall be created and maintained with identifiable characteristics indicating it is an official Town site that distinguishes them from nonprofessional or personal uses. At a minimum, the social media site shall:

1. Be created using an official Town email account which is designated by the @superioraz.gov domain and is managed by Town of Superior Information Technology Department.
2. Display an official Town email address and provide a link to the Town or department website.
3. Include the name "Town of Superior" and display the official Town seal and a link to the terms of use policy.

C. Site Content. Departments and elected officials are responsible for establishing and maintaining content posted to their office social media sites and meeting the following requirements:

1. Compliance with public records and retention requirements.
2. Review site activity daily for exploitation or misuse.
3. Review of social media content for compliance with all Town policies.
4. Include a link to the Town of Superior Social Media User Responsibility Guideline.
5. Consult with the Town Attorney's Office to develop department specific disclaimers to meet the Town's legal needs.

D. Records Management. All department and elected official use of office social media shall be documented and maintained in an easily accessible format that tracks account information, including the following:

1. All content is to be saved for at least one year in a format that allows compliance with any appropriate public records request.
2. The creation, administration, and deactivation of social media accounts.
3. Content deemed inappropriate per the Town of Superior Social Media User Responsibility Guidelines shall be promptly documented (screenshot/printout), saved pursuant to Town policies and procedures regarding record retention, and then be removed immediately.
4. Individuals (e.g., friends, fans, or followers) who continue to post inappropriate content may be removed.
5. Contact the Town Attorney's Office if there is a question regarding the removal of any content or the blocking of any individual from the Town's social media sites.
6. Postings/comments on Town social media websites by individuals who are not Town employees may have First Amendment free speech implications. Consult with the Town Attorney's office before removing any content or comments from a Town social media page unless such content is a

clear violation of the Town of Superior Social Media User Responsibility Guidelines.

E. Prohibitions. Town employees, volunteers, and contractors are specifically prohibited from accessing social networking on Town property for the purposes of engaging in the following activities:

1. Receipt or dissemination of sexually explicit, hate-oriented, threatening or illegal information, including offensive jokes or cartoons;
2. Gambling;
3. Downloading or streaming video or audio files for amusement or entertainment purposes;
4. Engaging in fund raising efforts or political activities (not including official activities from the Elections Department or Town Recorder's Office);
5. Engaging in abusive language or behavior toward a fellow employee, a supervisor, or the public;
6. Violating trademark, copyright or intellectual property rights; and
7. Violating public records law.

F. Town of Superior Social Media User Responsibility Guidelines. All Town social media sites must post a link to the following User Responsibility Guidelines. The following forms of content posted by external and authorized users may be subject to removal if they contain:

1. Profane language or content;
2. Content that promotes, fosters or perpetuates discrimination of protected classes;
3. Sexual harassment content;
4. Solicitations of commerce or advertisements including promotion or endorsement;
5. Promotion or endorsement of political groups or individuals;
6. Conduct or encouragement of illegal activity;
7. Information that may tend to compromise the safety or security of the public or public systems;
8. Content intended to defame any person, group or organization;
9. Content that violates a legal ownership interest of any other party, such as trademark or copyright infringement;
10. Making or publishing of false, vicious or malicious statements concerning any employee, the Town or its operations;
11. Violent or threatening content; and

12. Disclosure of confidential, sensitive or proprietary information.

Unacceptable content and repeat individual violators shall be removed.

ARTICLE 6. GRIEVANCES AND APPEALS

Section

HR-6-01. Review

HR-6-02. Grievance System

HR-6-03. Appeals

TOWN OF SUPERIOR	
ARTICLE 6. GRIEVANCES AND APPEALS	
Purpose:	To provide an informal method to clarify or correct major management decisions that directly affect an employee’s job, and wages.
Applicability:	To all classified employment positions.

HR-6-01. Review.

- A. Purpose. A review is an informal method for an employee to ask management to review the basis for a decision that directly affects the employee’s job or wages.
- B. Limitations. A review is limited to the review of an alleged error or fact that would-be material in the decision affecting the employee. An employee may not request review for a management decision or action or for the lack of action but may request review of alleged errors in the facts or issues that lead to management’s decision or action.
- C. Procedure. An employee may request review by addressing the employee’s supervisor verbally or in writing within 5 working days. The review process may go up the chain of command ending with the Town Manager. The decision of the Town Manager is final, and there are no appeal rights.

TOWN OF SUPERIOR	
ARTICLE 6. GRIEVANCES AND APPEALS	
Purpose:	To provide an amicable and internal method to resolve employee's objections, concerns or complaints about the manner in which management carries some employment decisions by a grievance procedure
Applicability:	To all classified employment positions.

HR-6-02. Grievance System.

- A. General. Human Resources shall adopt a grievance procedure, which will afford each employee a systematic means of resolving complaints concerning discrimination, noncompliance with these rules, or other work-related matters which directly and personally affect the employee.
- B. Non-applicable matters. The adopted grievance procedure shall not apply to any matter for which another method of review is provided, including but not limited to:
 - 1. Retirement, Life Insurance, or Health Insurance;
 - 2. Suspension for more than 40 working hours, demotion, or dismissal resulting from disciplinary action;
 - 3. Any examination, certification, or appointment;
 - 4. Any classification action;
 - 5. Any reduction in force action.
- C. Restrictions. An employee may not submit a grievance challenging the following management rights but may submit a grievance concerning the manner of their administration, insofar as these personally affect the employee:
 - 1. The Town 's right to direct its employees.
 - 2. The Town 's right to hire, promote, transfer, assign, and retain employees.
 - 3. The salary plan and assignment of pay grades.
 - 4. The Town 's right to maintain efficiency of government operations and to determine the methods, means, and personnel by which these operations are to be conducted.
 - 5. The adoption, amendment or cancellation of a policy.
 - 6. A disciplinary action.
- D. Performance increases and decreases. An employee may submit a grievance concerning an

overall performance evaluation or a specific rating but may not submit a grievance concerning the receipt of a performance decrease, the non-receipt of a performance increase, special performance award, or skills pay, the amount of any increase or decrease, or the use of any job-related supplemental rating factors to determine the receipt or amount of an increase, decrease, skills pay or special performance award.

- E. Town control. An employee may not submit a grievance concerning any matter not subject to the control of the Town, except for complaints alleging a violation of these rules.
- F. Town Council. Town Council shall comply with grievance and appeal procedures in employee-related issues, and shall encourage employees to follow the chain of command and to resolve employee issues through the proper channels. If a Town Council member receives or is approached by an individual or employee regarding a classified employee's concern, objection, or complaint about any personnel or management action, including but not limited to hiring, promotion, demotion, termination, salary or incentive pay implementation, reclassification of a particular employee or class, shall refer the issue and the employee to the employee's immediate Supervisor and notify the Town Manager.
- G. Amendments. Once a grievance is referred to any step beyond the immediate supervisor, it may not be amended. If additional documentation is submitted by the grievant after the initiation of the grievance, the reviewing official may remand the grievance to the appropriate previous level for reconsideration.
- H. Review of grievances alleging discrimination or noncompliance with laws. The Town Manager may appoint an individual not in Town service or a professional consultant, lawyer, or firm that manages employee relations to investigate the alleged discrimination or noncompliance. The investigator submits findings within 20 working days to Town Manager along with the decision. The 20 working days may be extended by the investigator with the concurrence of the grievant.
- I. Discrimination and non-compliance with the law. An employee who has a complaint alleging discrimination prohibited by A.R.S. § 41-1463 or a federal or state law and who is not satisfied with the final grievance resolution will be referred to the EEOC or the appropriate agency.
- J. Procedures. The grievance procedure is as follows:
 - 1. The grievant must have an oral discussion with the immediate supervisor in an attempt to resolve the problem prior to initiating the written grievance procedure.
 - 2. The grievant must file the grievance in writing with the immediate supervisor within 5 calendar days after the occurrence of the action being grieved.
 - 3. The grievance shall contain a complete statement of all the facts and circumstances involved in the alleged violation and the specific redress sought.
 - 4. A grievance alleging noncompliance with these rules shall specify the precise rule alleged to have been violated.

5. All employees presenting a grievance in which the issues and redress sought are identical will sign the grievance and designate a contact person from the group.
6. An employee or group of employees filing a grievance may select a representative at any step in the procedure after the oral discussion with the immediate supervisor.
7. A grievant must be allowed a reasonable amount of work time to prepare and process a grievance and that the use of such time shall be approved in advance by management.
8. A Town employee who serves as the representative of a grievant must receive approval for vacation pay or compensatory leave to represent the grievant.
9. The grievant must have a minimum of 5 calendar days after receipt of a response to forward the grievance at any step, must sign the grievance at each step, and must state the reasons why the response at the previous step was unsatisfactory.
10. The immediate supervisor shall respond to the grievant in writing addressing the decision, which may be affirmed, reversed or modified within 5 working days of the receipt of the written grievance. Copy sent to Human Resources.
11. Grievant reviews decision and may continue with grievance process by submitting grievance complaint in writing within 5 days of receipt of supervisor's decision to Department Head or next supervisor in the chain of command stating reasons for disagreement with decision.
12. Department Head or next supervisor in the chain of command answers grievant in writing within 5 working days notifying of decision which may be affirmed, reversed, or modified and submits copy to Human Resources.
13. Grievant reviews decision and may continue with grievance process by submitting grievance complaint in writing within 5 days to Human Resources.
14. Town Manager recommends solution to grievant and supervisor. This is the final step in a grievance procedure and employees have no appeal rights.

TOWN OF SUPERIOR	
ARTICLE 6. GRIEVANCES AND APPEALS	
Purpose:	To define and limit personnel actions eligible for appeal to the Hearing Officer and to establish procedure.
Applicability:	To all regular status employees in classified positions.

HR-6-03. Appeals.

A. Eligibility.

1. In general, classified, permanent status employees have appeal rights.
2. Unclassified employees, employees in original probation, seasonal, temporary, part-time, and in emergency appointments have no appeal rights.

B. Appeals issues. An employee with appeal rights may file an appeal with Human Resources to appeal the following personnel actions:

1. Demotion due as a result of disciplinary action.
2. Suspension without pay or administrative leave without pay for more than 5 days.
3. Dismissal due as a result of disciplinary action.

C. Restrictions. An employee may not submit an appeal challenging any other Town or employment action not mentioned in B (1)(2)(3).

D. Procedures. An employee submits a written appeal notice to Human Resources within 10 calendar days from the written notification of the adverse employment decision of suspension without pay for more than 2 weeks, demotion for disciplinary reasons or dismissal for disciplinary reasons. Human Resources schedules the date of the hearing. The hearing date shall be within a reasonable time from the receipt of notice of appeal. The appellant may not file the appeal directly with the Hearing Officer.

1. Failure of an employee to file a timely appeal shall constitute a waiver of the employee's right of appeal and the determination becomes final and binding.
2. Untimely appeals shall not be accepted.

E. Hearing Officer.

1. The Town Manager appoints an independent Hearing Officer.
2. The independent Hearing Officer shall be an attorney at law specializing in labor law or with professional experience in labor law.

3. The Town shall pay for the fees of the Hearing Officer.

F. Hearing.

1. An employee may produce evidence and be represented by legal counsel at the hearing.
2. The Hearing Officer will review documentation and testimony provided by appellant, immediate supervisor, Human Resources and any other representative or witnesses of the appellant or the Town.
3. All testimony at the appeals hearing shall be under oath or affirmation and recorded by a certified Court Reporter.
4. The hearing shall not be bound by formal rules of evidence, and it is not a hearing open to the public.
5. A record of the disciplinary action shall be included in the minutes of the hearing.
6. The order of proof in the hearing shall begin with Town 's Legal Counsel, Human Resources, immediate supervisor and/or Department Head presenting evidence supporting the disciplinary action, which shall be followed by the rebuttal and presentation of evidence of the employee, followed by rebuttal from Town 's Legal Counsel, Human Resources, immediate supervisor or Department Head.
7. Both, employer and employee shall have opportunity to present closing statements.
8. The Town Manager may grant a continuance of the hearing for good cause.
9. The Hearing Officer shall issue a written report to appellant and to the Town indicating if the disciplinary action is affirmed, revoked, or modified and the reasoning for the decision.
10. The decision of the Hearing Officer is final on all appeals.

ARTICLE 7. DISCIPLINARY ACTIONS

Section

HR-7-01. General

HR-7-02. Disciplinary Action HR-7-03. Suspension

HR-7-04. Demotion HR-7-05. Discharge

TOWN OF SUPERIOR	
ARTICLE 7. DISCIPLINARY ACTIONS	
Purpose:	To list offenses that may require disciplinary action.
Applicability:	To all classified and unclassified employment positions.

HR-7-01. General

- A. Purpose. The Town shall apply any disciplinary action as a corrective measure to bring acceptable behavior and shall not use it as a punitive measure. The discipline shall be reasonable, applied fairly and consistently, and in a timely manner to all employees for similar offenses.
- B. Offenses.
1. Insubordination
 2. Tardiness
 3. Absenteeism
 4. Absence without approved leave
 - a. Unreported absence of 3 working days or more is a voluntary resignation unless the leave is later approved under FMLA leave.
 - b. Leaving work site during working hours for non-business reasons
 - c. Unreported absences
 - d. Unapproved absence when request for leave is denied
 - e. Any absence without approved leave
 5. Falsification of application for employment.
 6. Malingering.
 7. Disorderly, indecent, or immoral conduct, including but not limited to, inciting others or participating in riots, fights, or brawls, horseplay, and scuffling at the work site
 8. Stealing
 9. Possession of fire arms or weapons unless authorized by the Town and provided as a working tool

10. Threatening an employee or an employee's family member
11. Use of violence or the threat to use violence against any person while at the work site.
12. Knowingly endangering the life of other employees
13. Committing unsafe acts due to gross negligence with or without intent to harm others, self or property
14. Smoking at the work premises where prohibited

15. Intentionally providing or producing false records, timesheets, and material information on employment application
16. Willfully and purposely damaging or abusing Town property or equipment
17. Using company property for personal use or removing equipment or Town property from the work site without authorization
18. Leaving the work area without authorization
19. Possessing, selling, or being under the influence of alcohol while at work
20. Possessing, selling, consuming or being under the influence of illegal drugs on or off work
21. Failure to pass an illegal drug screening or refusal to take an illegal drug screening
22. Conviction of a felony, certain misdemeanors or crime involving moral turpitude
23. Poor job performance
24. Harassment to others
25. Use of abusive, profane or disrespectful language to others
26. Willful interference to restrict Town business or to encourage other employees to restrict Town activities
27. Any action on or off the job to intentionally bring discredit to Town service
28. Violation of any of these rules, including but not limited to violation of the standards of conduct as set forth in HR-05-01.

TOWN OF SUPERIOR	
ARTICLE 7. DISCIPLINARY ACTIONS	
Purpose:	To define disciplinary measures.
Applicability:	To all classified and unclassified employment positions.

HR-7-02. Disciplinary action.

A. General. Nothing in these rules should indicate that a disciplinary step must be taken before another disciplinary step. An employee may receive one or more disciplinary actions that may range from counseling to discharge without going through the rest of the disciplinary steps. Any one and all steps in the following disciplinary actions may be taken or skipped. The disciplinary actions are

1. Counseling
2. Written warning
3. Written letter of reprimand
4. Suspension with pay
5. Suspension without pay
6. Disciplinary probation
7. Demotion
8. Discharge

B. Grievance. An employee has no appeal or grievance rights with respect to the order in which the disciplinary actions were taken or to the number of disciplinary steps applied. The employee may file a timely grievance with respect to the manner in which discipline was applied and with respect to the offense for which discipline was applied. An employee may have appeal rights for a suspension without pay, demotion, or discharge.

TOWN OF SUPERIOR	
ARTICLE 7. DISCIPLINARY ACTIONS	
Purpose:	To provide for the authority to suspend an employee.
Applicability:	To all classified and unclassified employment positions.

HR-7-03. Suspension

- A. Authority. A Department Head may suspend with pay a subordinate employee reporting directly to the supervisor for up to one day until Human Resources is notified. Human Resources may suspend an employee with or without pay for up to 5 days as a result of disciplinary action, or to conduct an investigation. The Town Manager may suspend any employee with or without pay for more than 5 days for cause and may also suspend an employee under administrative leave (suspension with pay) to conduct an internal investigation or to await the results of an external investigation involving a crime, preceding a discharge, or for other reasons that in the discretion of the Town Manager are in the best interest of the Town .
- B. Notice. Human Resources shall provide the employee with a written statement of the reasons for the suspension. The statement shall specify the period of suspension and the employee's appeal rights, if any.
- C. Limitation. Except as otherwise provided by statute or rule, suspensions without pay shall not exceed a total of 60 working days during any 12-month period. The 12-month period begins with the first day of the first suspension.
- D. Appeals. A regular status employee may file an appeal within 10 calendar days of a suspension without pay for more than 5 days.

TOWN OF SUPERIOR	
ARTICLE 7. DISCIPLINARY ACTIONS	
Purpose:	To define conditions for demotion.
Applicability:	To all classified employment positions.

HR-7-04. Demotion

- A. Authority. A permanent status employee may be demoted for cause to any permanent position, provided the employee meets the minimum qualifications for such class or pay grade.
- B. Notice. Prior to the effective date of the demotion, a written notice containing specific reasons for the demotion and the employee's right of appeal shall be provided to the employee.
- C. Probation. Except as otherwise provided in these rules, a demoted employee shall not be required to serve a probationary period in the position to which demoted.
- D. Except as otherwise provided in these rules, a demoted employee *shall be* required to serve a probationary period, not to exceed 1 year, in the position to which demoted.

TOWN OF SUPERIOR	
ARTICLE 7. DISCIPLINARY ACTIONS	
Purpose:	To establish authority to discharge an employee.
Applicability:	To all classified employment positions.

HR-7-05. Discharge

- A. Authority. Human Resources may discharge a regular-status employee for cause and may discharge an employee in original probation, a temporary, seasonal, part-time or emergency employee for no reason or for any reason.

- B. Notice.
 - 1. Regular-status employees. Prior to the effective date of the discharge of a regular-status employee, Human Resources shall give notice to the employee of the intention to terminate the employment as specified in HR-8-04. A termination letter shall be sent to the employee by mail or hand delivered from Human Resources and shall contain the reason or reasons for the discharge, effective date of the discharge, and appeal rights.

 - 2. Other employees. Human Resources shall notify original probationary employees, temporary, seasonal, part-time and emergency employees of the termination of employment and may or may not state a reason for the termination. There are no appeal rights, grievance, or review options.

ARTICLE 8. TERMINATIONS

Section

HR-8-01. General

HR-8-02. Resignation

HR-8-03. Reduction in force

HR-8-04. Separation without Prejudice

HR-8-05. Discharge

HR-8-06. Early Retirement Incentive Program

TOWN OF SUPERIOR	
ARTICLE 8. TERMINATIONS	
Purpose:	To define actions that terminate the employee/employer relationship.
Applicability:	To all classified and unclassified employment positions.

HR-8-01. General.

- A. Definition. "Termination" is the end of the employee/employer relationship. All terminations are either a discharge or a resignation.

- B. Resignation. The termination is a resignation if the employee is the moving party to sever the employee/employer relationship. It may be carried out by giving proper written notice in a resignation letter to occur in the very near future, usually in 2 weeks; or it may be verbal, or the relationship may be severed by the employee's actions or lack of actions not limited to but including walking out of the job without supervisor approval, failure to return to work at the expiration of approved leave, and/or failure to provide proper notice of absence from work.

- C. Discharge. The termination is a discharge when the Town is the moving party in severing the employee/employer relationship. A discharge may be for cause in the case of regular status employees, without cause in the case of unclassified employees, temporary, emergency and seasonal, or due to a reduction in force, a temporary reduction in force, or due to separation without prejudice.

TOWN OF SUPERIOR	
ARTICLE 8. TERMINATIONS	
Purpose:	To clarify when the employee is the moving party to sever the employment relationship.
Applicability:	To all classified and unclassified employment positions.

HR-8-02. Resignation.

- A. General. An employee may terminate employment with the Town by submitting a written resignation to the Department Head or Human Resources at least 10 working days prior to the effective date of the resignation. Unless the Director determines that the employee had good cause for not giving such notice, an employee who fails to give such notice shall not be eligible for rehire.
- B. Oral resignation. If an employee resigns orally, the Department Head shall confirm the resignation in writing to Human Resources within 2 working days.
- C. Refusal of resignation. Human Resources may refuse to accept a resignation and dismiss an employee pursuant to HR-7.
- D. Withdrawal of resignation. A resignation may be withdrawn only in writing by personal delivery to the Department Head not later than the end of the next working day after the employee gives notice of resignation. If a withdrawal is not submitted by this time, the resignation shall be final unless both the Department Head and the employee agree that the resignation may be withdrawn.

TOWN OF SUPERIOR	
ARTICLE 8. TERMINATIONS	
Purpose:	To define reduction in force and establish procedures to conduct it.
Applicability:	To all classified employment positions.

HR-8-03. Reduction in Force.

- A. General. Reduction in force shall follow fair labor practices and comply with all applicable anti-discrimination laws.
- B. When possible, temporary, seasonal, limited and original probationary employees shall be selected for reduction in force over regular status employees.
- C. The Town Manager shall establish guidelines for a reduction in force when this policy does not specify the procedure, which may include but are not limited to reassignment of positions, transfer, and offering a lower pay grade to a regular status employee. The Town Manager shall instruct Human Resources Director to carry out the reduction in force.
- D. Employee request for review. A regular-status employee who receives a reduction in force notice resulting in the employee's transfer, reduction of wages, or separation due to a reduction in force may request a written review within 3 days of the notice. The request for review shall be based upon an error, contain specific information concerning the error involved, and include a proposed resolution of the problem. Human Resources shall review the request and respond to the employee within 5 working days after receipt of the request.
- E. There is no grievance or appeal right for reduction in force actions.

TOWN OF SUPERIOR	
ARTICLE 8. TERMINATIONS	
Purpose:	To define separation without prejudice.
Applicability:	To all classified employment positions.

HR-8-04. Separation without Prejudice.

- A. General. A separation without prejudice is a resignation. Human Resources shall determine if a resignation is a separation without prejudice.
- B. Definition. The employee separates from Town service for causes beyond the employee’s control such as, but not limited to,
 - 1. the employee is not able to return to work at the expiration of an approved leave due to a serious health condition of the employee or a member of the employee’s immediate family as defined in FMLA.
 - 2. the employee is not able to perform the basic duties of the employee’s job after a workers’ compensation leave. ADA guidelines shall be followed, and reasonable accommodations shall be considered.
- C. Reemployment. Regular status employees who are separated without prejudice may be reinstated to Town service within one year of the termination by applying for reemployment to a vacant, open position. Reemployment candidates may compete in internal promotions and have hiring preference when competing with external candidates. Regular recruiting procedures are followed except that reemployment candidates receive preference points not to exceed 10% and a Department Head may recommend hiring a reemployment candidate without conducting interviews. Reemployment candidates are former employees and have no appeal rights.

TOWN OF SUPERIOR	
ARTICLE 8. TERMINATIONS	
Purpose:	To establish procedures for discharge terminations.
Applicability:	To all regular status employees in classified positions.

HR-8-05. Discharge.

- A. Pre-Termination Meeting. Prior to discharge for cause, Human Resources Director shall meet with the employee about to be discharged to inform the employee in writing of the intentions of the Town to terminate the employee’s employment in 5 working days and the specific reasons for the decision. The employee may request a pre-termination hearing at least 3 working days prior to the proposed discharge date to present additional information either orally or in writing.
- B. Pre-Termination Hearing. If requested, the pre-termination hearing is held prior to the effective date of termination. It is an informal meeting for the employee to present information or evidence. The information presented by the employee shall be reviewed and the employee shall be notified of the decision. If there is no change in the termination decision, an additional notice in writing is not required. The decision of a pre-termination hearing may not be appealed, but a regular status employee may appeal the discharge.
- C. Appeal Rights. Regular status employees have appeal rights. A regular status employee may file an appeal with the Human Resources after the effective date of the discharge and within 10 calendar days of the effective date of the discharge.
- D. Human Resources hand delivers or mails a discharge letter to employee notifying the employee of the discharge, and the relationship is terminated unless a timely appeal is filed, and the decision is revoked by the Hearing Officer.

TOWN OF SUPERIOR	
ARTICLE 8. Terminations	
Purpose:	To establish the procedures for the Early Retirement Incentive Program
Applicability:	To all regular status employees in classified positions.

HR-8-06. Early Retirement Incentive Program.

QUALIFICATIONS:

- A. Eligible Employees: To be an eligible for participation in this program an employee must:
 - a. Must be a full-time employee of the Town paid out of the General Fund on the date of acceptance of the person’s application.
 - b. Must be a current participant in the Arizona State Retirement System, age 62 with 10 or more years of service, or be 65 years of age and eligible for a normal retirement from the Arizona State Retirement System.
 - c. Employees who are participants in the Corrections Officer Retirement System, Public Safety Retirement System or Elected Officials Retirement System are not eligible to participate in this Early Retirement Incentive Program. This program is not available to participants in the Arizona State Retirement System who are less than age 62 or have not achieved 80 points.
- B. Resignation: Eligible Employee participants in the program shall resign their positions with the Town prior to receiving benefits.
 - a. Application and Agreement: Each qualified Eligible Employee who wishes to participate must submit an application and agreement. The application and agreement may be withdrawn by the employee at any time before issuance and acceptance of the incentive payment. Failure to submit the application or agreement within the time frame specified therein shall result in the rejection of such application.
 - b. Terminated Employee’s Ineligibility: An employee who has received written notice of possible termination for reasons other than reduction in force shall NOT be eligible and may NOT participate in this program,

BENEFITS:

- C. Calculation of Benefits: An Eligible Employee requesting to receive the ERIP shall receive the following benefits:
 - a. Payment of 100% of accrued unused vacation time.
 - b. A negotiated severance of up to 3 months pay may be offered if it is the best interest of the town to accept early retirement.

- i. The town is not obligated to offer a severance,
 - ii. The Town Council must approve any severance offer.
- D. Income Tax Consequences: Early Retirement Incentive pay has been determined to be taxable income for state and federal income tax purposes and will be treated as such. It will be reported as a taxable retirement payment. Any required state or federal withholdings will be subtracted from each payment to the retiree.
- E. Retired employees are eligible to continue the County Benefits coverage under COBRA for 18 months.