

SECTION 2: COMPENSATION AND BENEFITS

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2.1 COMPENSATION PROGRAM

2.11 Policy:

The Board of Supervisors has defined two key objectives for its compensation program:

- A. to establish and maintain equity among all county jobs; and
- B. to provide employee pay ranges that are market competitive.

2.12 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

2.13 Job Descriptions/Job Titles:

A job description is intended to define the primary purpose, major duties and responsibilities, skill requirements and reporting relationship of each job. The job description is a summary document. It is not intended to define every task that may be required of an employee, nor is it intended to document the procedures required to perform the major job duties.

A job title is intended to represent the primary purpose of the job. It is intended to describe the responsibilities of the job to the public and to other employees. All job titles shall be approved by the Board of Supervisors.

Updating job descriptions to ensure that they are accurate and complete is the responsibility of each elected official and department head. Job descriptions will be forwarded to Human Resources for evaluation and comparison to ensure that employees with the same job titles have similar duties and requirements. The job descriptions and job title listings shall be maintained by the Human Resources Department.

2.14 Salary Range:

Every job is assigned to a salary range. Job titles of equivalent value are assigned to the same salary range. Those of higher value are assigned to higher ranges. The process for assigning jobs to ranges considers duties and responsibilities, authority, fiscal accountability, etc. In a limited number of cases, job titles have been assigned to higher ranges in order to compare to a particularly competitive external marketplace.

2.15 Salary Structure:

The salary structure combines internal equity and market competitiveness. Each salary range includes a series of positions defined to have a comparable value, even though the personnel in these positions might perform very different types of functions.

Each salary range has three primary points of reference:

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Minimum: The minimum salary range is the lowest salary generally available within a salary range. The minimum is 80% of the midpoint. Employees will typically be hired at the minimum of their salary range, although prior experience and competitive pressures may justify a higher starting salary.

Midpoint: The midpoint salary range is the targeted pay level for fully qualified and fully trained employees who are performing well. The midpoint is also the point of reference with the market and corresponds closely with competitive market data; therefore, employees paid at or near the midpoint are being paid competitively.

Maximum: The maximum is the highest salary generally available within a salary range. The maximum of a salary range is 120% of the midpoint. Employees will typically be limited to the maximum of their salary range. Special circumstances may justify salaries above the maximum.

2.16 Job Changes:

This material describes the different types of job changes that may occur within the Apache County classification and salary plan and the impact that these changes may have on an employee's salary.

Promotion: A promotion is a transfer from one position to a second position assigned to a higher salary range. A salary increase will normally be granted at the time of promotion.

Transfer: A transfer is a change to a different position title that is in the same salary range. There is no salary change at the time of the transfer.

Demotion: A demotion is a change from one position to another at a lower salary range. Typically, a demotion results in a reduction in pay for the employee to a level commensurate with the skills required to successfully perform the duties of the position.

2.17 Elected Official/Department Head Responsibilities:

The elected official or department head is responsible for documenting changes in job responsibility and organization. He/she is also responsible for reviewing changes with Human Resources to evaluate the impact these changes may have on pay.

The elected official or department head is responsible for communicating job changes and pay changes to his/her staff.

2.18 Human Resources Responsibilities:

The Human Resources Department is responsible for administering the Apache County salary and classification plan on an ongoing basis. This responsibility includes:

- A. conduct new employee orientations;
- B maintaining records of current job descriptions, job titles and salary range assignments;
- C evaluating new and revised jobs and recommending salary range changes;
- D. recommending starting salaries and new salaries as job changes occur;
- E. analyzing external market changes annually and as special situations arise;
- F recommending possible changes in the salary structure and suggested salary increase budgets annually;
- G being responsible for special analysis, reports and administrative tasks as necessary.
- H advise and assist elected officials and department heads with disciplinary actions.
- I review and track open and ongoing disciplinary cases.

2.19 Board of Supervisors' Responsibilities:

The Board of Supervisors will approve all changes in job titles, salary range assignments, salary structure and salary levels. The Board will approve all starting salaries. The Board has final authority over any annual salary increases and pay changes that occur as a result of job changes. The Board of Supervisors may suspend pay increases, freeze hiring, eliminate positions and direct employee layoffs to meet budgetary requirements.

2.2 OVERTIME /COMPENSATORY TIME

2.21 Policy:

This policy is designed to be consistent with the Fair Labor Standards Act (FLSA). All non-exempt employees, as defined by the FLSA, are eligible for overtime compensation. Exempt and non-covered employees, as defined by the FLSA, are not eligible for overtime compensation under this policy. Overtime work is time worked beyond forty (40) hours in any single workweek. Holiday, vacation or other leave hours in any work week do not count toward the 40 hours worked. More than eight (8) hours worked in a day will not result in overtime compensation unless they also result in more than forty (40) hours worked in a given week.

2.22 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

2.23 Prior Authorization:

All overtime worked must be pre-approved and subsequently documented in writing, and submitted with the timesheets, by the employee’s immediate supervisor as essential for the operation of the department before it is worked.

Written approval must consist of:

- Overtime Payroll Exemption Form
- Name of the employee authorized to work overtime.
- Name of Supervisor authorizing the overtime.
- Number of hours authorized.
- Detailed justification of the need for the overtime.
- Alternatives considered to avoid the overtime.

At the end of each pay period, before the time sheets are submitted to Payroll, the Department Head/Elected Official will review the approved overtime of subordinate employees to affirm that the overtime worked was mission essential, and had to be performed in an overtime status. Disagreements between Department Heads/Elected Officials with supervisors over approving overtime may be discussed with HR.

At the end of each fiscal quarter the County Manager, with the assistance of the Human Resources Director, will review the overtime worked in each department. This review will be conducted with the objective of determining why the overtime was necessary, what actions could have been done to avoid the need for the overtime, and what actions will be taken in the future to avoid a recurrence of the situation. Departments with large amounts of overtime worked will be given closer scrutiny to determine why the overtime was greater than other departments and what can be done to reduce the amount of overtime worked in the future.

Employees are not permitted to work overtime without prior written authorization from their supervisor, and may not volunteer for uncompensated overtime. Employees may be disciplined for working overtime without prior authorization. All unauthorized overtime hours will be

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reported on time sheets along with an explanation for a determination by HR of whether overtime compensation is required.

2.24 Hours of Work:

The normal workweek for full-time employees is forty (40) hours. The normal workweek begins on Sunday morning at 12:01 a.m. and ends at 12:00 midnight the following Saturday. The elected official or department head may change the standard workweek for his/her operation, with the concurrence of the County Manager, but must keep records establishing the adjusted workweek. Copies of the adjusted records must be given to Human Resources and the County Payroll Department. All classified and unclassified employees must report all hours worked on their regular time sheet. Failure to report all hours worked may result in employee discipline.

2.25 Overtime Compensation:

There are two forms of overtime compensation available in Apache County: compensatory time and overtime pay. Both are accumulated at one-and-one-half the normal rate of pay for hours worked over 40 in any one workweek. The standard form of overtime compensation is compensatory time. Paid overtime will only be granted for situations involving immediate public safety needs, emergencies, and for immediate and necessary investigations. Maximum accrual of compensatory time will be limited to the compensatory caps as set forth in the FLSA. Under special circumstances, the County Manager may authorize overtime pay. Non-covered and exempt employees are salaried employees and exempt from overtime provisions of the FLSA. They are not eligible to receive overtime pay or compensatory time.

2.26 Controlling the Use of Overtime

It is the policy of Apache County to limit overtime scheduling to mission essential activities that cannot be performed at any other later date or during the normal work day.

Managers are expected to aggressively manage paid overtime to ensure such expenses are incurred only for unusual, occasional situations beyond the manager's control, which must be handled within a given time and would otherwise result in charges, damage to County property, or increased liability to the County unless the overtime hours are worked.

Overtime should only be incurred when it is absolutely necessary. Every Department Head/Elected Official should establish a program for overtime management and monitoring.

Such a program should, as a minimum, include:

- An emphasis on employee productivity during the work day to maximize the efficiency and minimize the need to work overtime to accomplish what could have been performed during the normal workday.
- A successive layer of oversight into the overtime approval process.
- Quarterly review of Departmental overtime usage.

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- Follow-up and disciplinary measures to ensure compliance.

2.27 Scheduling and Working Overtime

Work that can be deferred to the next business day without adverse consequences to the business should be deferred.

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If overtime must be worked, supervisors and managers should make every effort to assign the overtime work to employees who can be scheduled for the equivalent amount of time off during the remaining portion of their workweek. By scheduling the employee off, the employee's total weekly hours worked will not exceed 40 hours and overtime liability will not be created. Special care and attention should be given to the start and stop time of the work week of every employee.

2.28 Requests to Use Available Compensatory Time:

Employees may request to use accrued compensatory time at their discretion. In accordance with FLSA guidelines, requests to use accumulated compensatory time may be denied only if the individual's absence would "unduly disrupt" the operations of the department.

2.29 Directed Use of Compensatory Time:

In the interest of reducing outstanding payroll budgetary liabilities and in accordance with FLSA guidelines, elected officials or department heads may direct employees to use accumulated compensatory time and may schedule time off for employees at the convenience of the County to reduce banked compensatory time hours.

2.3 HEALTH BENEFITS AND LIFE INSURANCE

2.31 Policy:

All employees who are eligible for health benefits and life insurance should receive a schedule of benefits handbook that explains in detail the health plan and life insurance benefits. Please refer to that document for health and life insurance information.

(See benefits handbook for additional information.)

2.4 RETIREMENT PLANS

2.41 Policy:

The retirement programs are sponsored by other groups. Apache County is a participant in these programs and shall abide by policies they establish.

2.42 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

2.43 Plan Participation:

The County participates in four separate retirement programs sponsored and administered by the State of Arizona. These four programs are:

- A. Arizona State Retirement System
- B. Public Safety Personnel Retirement System
- C. Corrections Officer Retirement Plan
- D. Elected Officials Retirement Plan

Information regarding these programs is available from Human Resources and from the various system administrators.

2.5 WORKER'S COMPENSATION POLICY

2.51 Policy:

Apache County is committed to providing and maintaining a safe and healthful workplace for all employees. This commitment is supported through safety training programs, worksite inspections and compliance with federal and state laws.

The County is also committed to providing appropriate worker's compensation benefits as required by state law. Worker's compensation benefits covering accidental injury, disability, disease or death occurring in the course and scope of employment are provided to County employees, including individuals in temporary, emergency, intermittent and volunteer status at no cost to employees.

2.52 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

2.53 Worker's Compensation Benefits:

Worker's compensation benefits (medical) in the amounts provided by Arizona Revised Statute (ARS) will commence on the first day of disability. If the employee is not working (lost time) due to an injury or illness, payment of compensation (lost earnings) will commence on the eighth (8th) full calendar day of disability in the maximum amounts as provided by current rules and regulations of the Industrial Commission of Arizona. If the employee is not working (lost time) after the 14th full calendar day of disability, payments will also be made for the first seven (7) calendar days of disability. The disability or illness can only be recognized when confirmed in writing by a certified physician. The amount compensated will be sixty-six and two thirds percent (66 2/3%) of the current statutory monetary limitation (\$2400/mo as of 8/3/99) or sixty-six and two thirds percent (66 2/3%) of the employee's gross monthly salary or wages prior to the time of injury or illness, whichever is less. These benefits are determined by state law. If the description in this subsection conflicts with state law, then state law controls.

2.54 Use of Vacation and Sick Time:

An eligible employee may elect to use sick leave or vacation leave, if all accumulated sick leave has not been used, to supplement worker's compensation benefits to approximate the employee's normal take-home pay. The procedure for obtaining this benefit is as follows:

- A. The employee will turn in worker's compensation payments to the department head, along with a written request to supplement pursuant to this subsection, for relay to the payroll department and return to the employee. Payroll action will consist of a reduction adjustment to the employee's regular salary equivalent to the difference between the compensation payment and the normal amount of pay. The employee will receive both the worker's compensation benefit check and the reduced county paycheck, which together will approximate the normal salary.

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- B. The employee shall have his/her sick or vacation leave reduced by the number of hours determined by dividing the current hourly salary rate into the reduced gross county paycheck amount rounded upward to the nearest one-half (½) hour.
- C. After all sick, vacation and/or donated leave is used, an employee will receive only worker's compensation.
- D. Under no circumstances will an employee be allowed to draw any combination of worker's compensation and sick/vacation leave in an amount that is greater than his/her original pay.

2.55 Injury Reporting Requirements:

Every injury or illness sustained on-the-job, no matter how trivial, must be reported immediately to the employee's supervisor. In this way, prompt first aid treatment can be given or immediate medical attention secured if necessary. Reporting the time of injury and names of witnesses is important when establishing a worker's compensation claim. Once an employee has reported an on-the-job injury or illness to his/her supervisor, the supervisor shall:

- A. If the injury requires medical attention, at the option of the county, the employee may be required to report to a county-specified physician at the county's expense. However, the county may elect to allow the employee to seek treatment from his/her own healthcare provider for this initial visit. Should an employee be directed to a county physician for the first visit, the employee may elect to continue treatment with the healthcare provider of his/her choice on subsequent visits. Once an employee sees any healthcare provider for two or more visits, the employee will be required to continue all treatments with that provider for the duration of the claim unless the employee requests a change of provider through the Industrial Commission.
- B. If the injury is severe or one that requires immediate aid, arrange for treatment at the nearest emergency treatment center.
- C. Complete a "Supervisor's Report of Industrial Injury" report and immediately forward it to the Human Resources Department.

2.56 Return to Duty:

Employees returning to work from worker's compensation leave must provide medical certification of their ability to return to their normal duties.

2.57 Opting out of Worker's Compensation Plan:

Pursuant to A.R.S. § 23-906, employees are hereby notified as follows:

"All employees are hereby notified that in the event they do not specifically reject the

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provisions of the compulsory compensation law they are deemed by the laws of Arizona to have accepted the provisions of such law, and to have elected to accept compensation under the terms of such law, and that under the terms thereof employees have the right to reject the same by written notice thereof prior to any injury sustained, and that blanks and forms for such notice are available to all employees at the office for this company.”

Spanish:

“Todo los empleados por la presente estan avisados que en caso que ellos no especifican rechazar las provisiones del obligatorio documento estan creidos por la ley de prima a haber aceptado de la provision semejante la ley, y debajo de las condiciones de esos empleados tienen el derecho de rechazar el mismo por escrita noticia de eso antes de que alguna herida sostenado, y que formas por la noticia estan disponibles a todo los empleados en la oficina de esta compania.”

2.58 Reasonable Accommodation for Injured Employees:

Any employee who sustains an on-the-job injury which is permanent in nature and who refuses a light duty position for which he/she is qualified and can perform with or without a reasonable accommodation may face the elimination of his/her worker’s compensation benefits. Apache County reserves the right to make inquiries into the ability of an employee to perform job-related functions pursuant to 42 U.S.C. § 12112.

2.6 PAYMENT UPON TERMINATION OF EMPLOYMENT

2.61 Policy:

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

2.62 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

2.63 Payment of Wages to Terminated Employee:

- A. When an employee is discharged from the service of Apache County, he shall be paid wages due to him within three working days or the end of the next regular pay period, whichever is sooner.
- B. When an employee quits the service of Apache County, he shall be paid in the usual manner all wages due to him no later than the regular payday for the pay period during which the termination occurred. If requested by the employee, such wages shall be paid by mail.

2.64 Withholding of Wages:

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

2.7 PAYMENT FOR “ON-CALL” TIME

2.71 Policy:

As to any non-exempt Apache County employee who spends time in “on-call” status, the following policies apply:

- A. Employee’s Location While “On-Call”. It is understood that while an employee is in “on-call” status, he/she is not confined to his/her home but shall remain in Apache County and the specific district to which he/she is assigned, unless permission to leave the county/district is given by his/her supervisor. Employees in “on-call” status shall provide a contact telephone number(s) and carry a county provided pager through which he/she can be located while “on-call”. Apache County will provide pagers to employees in “on-call” status in order to allow the employee to engage in personal pursuits while “on-call”.
- B. Response Time While “On-Call”. It is expected that under most circumstances, employees will return calls or pages within 30 minutes and be available to report to a designated location within a reasonable amount of time, based upon the nature of the call. If for any reason the employee cannot respond to a designated location within a reasonable amount of time after being called, he/she shall promptly report that fact to his/her supervisor so that alternative arrangements can be made.
- C. Activities of Employee While in “On-Call” Status. Apache County employees are free to pursue any of their own interests and activities while in “on-call” status. An employee in “on-call” status shall not consume alcoholic beverages or other substances which would impair his/her ability to report to work.
- D. Trading “On-Call” Duties. Supervisors may allow employees to trade “on-call” responsibilities when feasible to do so upon request of an employee.
- E. Working While “On-Call”. Employees will be entitled to payment for “On-Call” periods at their normal hourly rate only if they are deemed to be “working while On-Call.” Whether or not an employee is “working while On-Call” will be determined in accordance with the provisions of the Fair Labor Standards Act.
- F. Relation to Overtime Compensation. If a supervisor is required by circumstances to utilize an employee who is in “On-Call” status, the supervisor shall make efforts to modify the remainder of the employee’s regularly scheduled hours to avoid overtime compensation.
- G. Compensation for “On-Call” Time. When an employee is required to remain in “On-Call” status, he/she shall receive compensation at the rate of \$0.75 per hour for each hour spent in “On-Call” status. Payment for “On-Call” status shall not exceed 56 hours for any work week.

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- H. Departments Allowed to Utilize “On-Call” Time: The Apache County Sheriff’s Office is specifically authorized to place Sheriff’s Deputies in “on-call” status. Additionally, supervisors in County road yards are authorized to place necessary employees in “on-call” status in anticipation of weather events which may necessitate the use of employees outside of standard operating hours. Any other Elected Official or Department Head with a legitimate need to utilize “on-call” procedures in the event of an emergency may do so only upon the approval of the County Manager.

2.72 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

2.8 Fitness Breaks – Pilot Program

2.81 Policy:

It is the policy of Apache County to encourage its employees to have active and healthy lifestyles. An active and healthy workforce benefits the County by increasing employee productivity and overall job satisfaction. For that reason, the County offers employees a 30-minute “fitness break” up to three days per week.

2.82 Coverage:

This policy applies to all full-time classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

2.83 Application of Policy

A.) *Opt-In Required:* Employees must sign a form with the Apache County Human Resources Department in order to “opt-in” to this policy and utilize the “fitness break” offered by the County. In the form, the employee will agree to utilize fitness breaks for the intended purpose as set forth in this policy, and further agrees to comply with all provisions of this policy. The employee will also sign a “Release of Liability” form that acknowledges any injuries incurred while on the fitness break will not be claimable against the counties Workman’s Compensation or Liability Insurance programs.

Although encouraged, employees who “opt-in” are not required to take a “fitness break” on a scheduled basis. The County recognizes a break may not be consistent with a particular employee’s exercise program or that circumstances may not allow an employee to take a “fitness break” on a scheduled basis.

B.) *Use of Fitness Breaks:* Fitness breaks must be used by County employees for the purpose of engaging in physical activity. The “physical activity” required by this policy may include but is not limited to making use of the County provided exercise rooms and fitness equipment, taking a walk, jogging, biking, or any type of exercise the employee enjoys. Any exercise appropriate to the employee’s physical condition will be considered “physical activity” for purposes of this policy. Each employee is strongly encouraged to consult a physician prior to beginning an exercise regimen in order to determine what types of exercise programs might be appropriate given their age, unique health conditions and risk factors.

C.) *Tracking:* In order to ensure accountability in the program, employees who participate in the program agree to maintain a log of how they utilize the 30-minute fitness break provided for in this policy. The logs required by this section need not be detailed, but must explain the type of physical activity engaged in by the employee and how long the employee was physically active. Blank sample physical activity logs may be obtained from the Apache County Human Resources Department.

Employees shall maintain physical activity logs for a period of one-year after the date of

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their creation. Said logs are subject to periodic inspection by the employee's Elected Official or Department Head, as well as the Apache Human Resources Department.

D.) *Timing of Break:* The "fitness break" called for in this policy shall be utilized at a time that causes as little disruption of County operations and business as possible. Employees should consult their Elected Official or Department Head in order to determine the best time to utilize a "fitness break."

The County strongly discourages Elected Officials and Department Heads from granting "fitness breaks" at the very beginning or very end of a scheduled shift due to the possibility that employees may be tempted to abuse the privilege of a "fitness break" to shorten a scheduled shift.

Fitness breaks may be combined with lunch hours if it assists employees in creating a block of time that can more readily be utilized for the employee's exercise program, unless the Elected Official or Department Head the employee works for disapproves of the practice.

E.) *Abuse of Fitness Breaks:* Employees who fail to utilize fitness breaks for the purposes set forth by this policy, who fail to maintain the logs required by this policy, or who make or maintain a fraudulent physical activity log may suffer the following consequences:

a.) privileges to take fitness breaks may be revoked by the Elected Official or Department Head;

b.) the employee will face disciplinary action that could include any corrective action up to termination of employment.

Disciplinary action pursuant to this section will be in accordance with established County disciplinary policies.

F.) *Fitness Break Banking Not Allowed:* This policy allows only three 30-minute periods for a fitness break on a weekly basis. Fitness breaks may not be "banked" or stored for use on other days or during later weeks. If not used on the day they accrue, they are lost forever.